NEVADA COUNTY SHERIFF'S OFFICE - MISSION STATEMENT

The Nevada County Sheriff’s Office is committed to providing excellence in public service in partnership with our community.

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SHERIFF'S PREFACE

The Nevada County Sheriff's Office serves the people of Nevada County by performing our public service and corrections functions in a professional manner. We are responsible to the people we serve. To provide quality service to the community, we must rely on sound leadership, guidance, and support. To this end, this Policy and Procedure Manual is adopted for all staff.

Each member of our Office must be familiar with the contents of the Manual. Additions or changes will be made from time to time. Violations of any portion of the Policy and Procedure Manual may result in disciplinary action.

Shannan Moon, Sheriff

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LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, 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 agency. 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 and with relentless prosecution of criminals, 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 police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police 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 . . . law enforcement.

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Chapter 1 - Role and Authority

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Organizational Structure and Responsibility

100.1 PURPOSE AND SCOPE

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

100.2 DIVISIONAL RESPONSIBILITY

The Sheriff is responsible for administering and managing the Office. There are three divisions in the Office:

- Administrative Support Division
- Corrections Division
- Operations Division

100.2.1 CORRECTIONS DIVISION

The Corrections Division is commanded by a Jail Captain, whose primary responsibility is to function as the Jail Commander to provide general management direction and control for the Jail. Under the Corrections Division there are two jails and a court holding facility (15 CCR 1029(a)(1)).

The Chain of Command is as follows:

- Sheriff
- Undersheriff
- Captain
- Correctional Lieutenant
- Sheriff's Sergeant
- Correctional Sergeant
- Correctional Officer

100.2.2 CORRECTIONAL LIEUTENANTS

The CorrectionalLieutenant position consists of non-sworn officers who oversee- the following areas, to include, but not be limited to :

- Contracts
- Court Security
- Transport
- Medical Liaison
- Maintenance
- Alternative Sentencing
- Kitchen Staff

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- Compliance Officer
- Correctional Sergeants
- Correctional Staff
- Administrative Sergeant
- PREA
- WBCF Jail Operations
- Truckee Jail Operations
- CERT

100.3 CHAIN OF COMMAND

The chain of command of the Office begins with the Sheriff, to whom all employees of the Office are responsible.

To maintain continuity, order and effectiveness in the Office, a chain of command has been established and should be respected. All staff members should adhere to the chain of command in all official actions. 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.

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Authority and Legal Assistance

101.1 PURPOSE AND SCOPE

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

101.2 POLICY

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

101.3 LEGAL FOUNDATION

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

101.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the County Counsel and legal specialists can be of benefit to the Office:

(a) Analyze and alert the jail executive and jail management team to jail-related case law.

(b) Serve as a legal consultant in the construction and review of new jail policies and procedures.

(c) Serve as a legal consultant on issues related, but not limited to:

1. Use of force
2. Faith-based requests
3. Complaints and grievances
4. Allegations of abuse by staff

(d) Serve as legal counsel in legal matters brought against this office and the Sheriff.

101.4.1 LEGAL LIAISON

The Sheriff will designate one or more staff to act as a liaison between the Office and the County Counsel’s office. The legal liaison officer will provide an orientation of the facility and detention facility policies to representatives of the County Counsel’s office as needed.

The liaison officer will arrange for regularly scheduled meetings in order to provide an ongoing status report of facility issues to the legal counsel. The liaison officer will maintain an open

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relationship with legal counsel in order to move quickly on emerging facility issues that could have significant legal implications for the Office.

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Annual Review and Performance-Based Goals and Objectives

102.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office is dedicated to the concept of continuous improvement in the services provided on behalf of the public and in accordance with applicable laws, regulations and best practices in the operation of this facility. This policy establishes minimum review criteria to measure and evaluate the success of achieving established goals and objectives.

102.2 POLICY

The Nevada County Sheriff's Office shall strive to continually improve the operation of its facilities to ensure they are safe, humane, and protect incarcerated persons' constitutional and statutory rights. To this end, the Office shall conduct an annual review to evaluate its progress in meeting stated goals and objectives.

102.3 ANNUAL REVIEW

The Jail Commander should ensure that the custody management team conducts an annual management review of, at a minimum:

(a) Statutory, regulatory, and other requirements applicable to the operation of the facility.

(b) Lawsuits and/or court orders/consent decrees.

(c) Office policies, procedures, directives, and post orders that guide the operation of the facility.

(d) Fiscal operations and accounting procedures.

(e) Personnel issues/actions that include but are not limited to on-the-job injuries, selection, and recruitment.

(f) Compliance with internal/external inspections of the facility.

(g) Condition of the physical plant, infrastructure, and maintenance efforts.

(h) Cleanliness of the facility.

(i) Incarcerated person profiles and trends that measure:

1. Incarcerated person population (Average Daily Population).
2. Incarcerated person population by gender.
3. Highest one-day count.
4. Bookings/releases.
5. Felony incarcerated persons in custody.
6. Misdemeanor incarcerated persons in custody.
7. Pretrial population.
8. Sentenced population.

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9. Medical beds.
10. Mental health beds.
11. Meal counts (regular, medical, court meals).
12. Early releases.
13. Alternative-to-incarceration participants.
14. Special needs incarcerated persons.
15. Classification issues.
16. incarcerated persons grievances (founded/denied).
17. Demographics (age, race, gang affiliation).
18. Court movement.

(j) Security issues that include:

1. Incarcerated persons -on-incarcerated persons assaults.
2. Incarcerated persons -on-staff assaults.
3. Major disturbances.
4. Deaths in custody (natural/suicide/homicide/accidents).
5. Suicide attempts (15 CCR 1030).

(k) Incarcerated person programs including:

1. Education.
2. Commissary.
3. Drug and alcohol programs.
4. Faith-based services.

102.4 CRITERIA TO MEASURE PERFORMANCE

The following items will be used to measure and evaluate the level of success in achieving the office's stated goals:

(a) Fiscal year budget surpluses or successful operations even with budget reduction

(b) Findings from independent financial audits

(c) Incarcerated person grievances

(d) Documentation that office investigators have completed the required specialized training in conducting sexual abuse investigations (28 CFR 115.34)

(e) Documented training hours received by staff

(f) Completed audits of the policy and procedures manuals

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102.5 MANAGEMENT REVIEW PROCESS

The management team may employ several methods to assess performance, including the following:

(a) **Performance analysis** - Performance analysis attempts to discover discrepancies between the expected and actual levels of performance. This analysis should focus on whether the practices in this facility are meeting the mission of the Office and whether office policies and procedures are in alignment with statutes, regulations, and court orders.

(b) **One-to-one interviews** - Scheduled interviews with custody staff held in private to encourage candid responses to help identify issues or conditions that should be targeted for review or correction.

(c) **Questionnaires** - Questionnaires should be used as a group method to solicit suggestions and information about what operations are in need of adjustment or where program resources should be directed.

(d) **Staff debriefing** - Staff should be periodically debriefed, especially after an emergency operation or incident, to identify aspects of facility operations that may need to be addressed by the Jail Commander and supervisors.

(e) **Inspection findings** - The Office is subject to a variety of administrative inspections (standard-setting authorities, command staff, grand jury, jail advocates). These annual inspections should be used to identify ongoing issues in the operation of this facility.

102.6 MANAGEMENT REVIEW RESULTS

To the extent practicable the individuals responsible for the development of a management review should follow the guidelines established in the Administrative Communications Policy and Annual Facility Inspection Policy to document and support the findings. A complete report of the review results should be submitted to the appropriate level in the chain of command for final approval.

The results of management reviews should be used in the ongoing process of continuous improvement. They should be used to direct changes in the operation of this facility or to identify successful operations that might be replicated in other areas of the facility. They should not, however, include specific identifying information of incidents or involved individuals.

The results of management reviews also may be used in full or in part to respond to inquiries from interested groups, such as the local legislative body, courts, grand jury or others, to provide information on issues concerning the operation of this facility, including action planning whenever appropriate.

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Custody Manual

103.1 PURPOSE AND SCOPE

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

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

103.2 POLICY

The manual of the Nevada County Sheriff's Office Jail is hereby established and shall be referred to as the Custody Manual (15 CCR 1029). All members are to conform to the provisions of this manual.

103.2.1 DISCLAIMER

The provisions contained in the Custody 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 Nevada County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training, or discipline. The Nevada County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

103.3 RESPONSIBILITIES

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

The Jail Commander shall ensure that the Custody Manual is comprehensively reviewed at least every two years, updated as needed, and the staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Nevada County Sheriff's Office (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.

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103.3.1 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

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

103.3.2 COMMAND STAFF

The command staff should consist of the following:

- Sheriff
- Undersheriff
- Jail Commander
- Executive Lieutenant
- Operations Lieutenant

103.3.3 OTHER PERSONNEL

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

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

103.4 DEFINITIONS

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

Office - The Nevada County Sheriff's Office.

Custody Manual - The Office Custody Manual.

Employee - Any person employed by the Office.

Incarcerated Person - Any person held in the custody of the jail.

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

Member - Any person employed or appointed by the Nevada County Sheriff's Office, including:

- Full- and part-time employees.
- Sworn Peace Officers.
- Correctional Officers.
- Reserve Correctional Officers.
- Non-sworn employees.
- Volunteers.

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Correctional officer - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as correctional officers of the Nevada County Sheriff's Office.

On-duty employee - Status during the period when the 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 correctional officer.

Shall or will - Indicates a mandatory action.

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

103.5 DISTRIBUTION OF MANUAL

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

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

103.6 MANUAL ACCEPTANCE

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

103.7 REVISIONS TO POLICIES

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

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

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Administrative Communications

104.1 PURPOSE AND SCOPE

Effective communications within the Office are critical to the accomplishment of the mission of the Office and the effective operation of the jail. Administrative communications of this office are governed by the following policy (15 CCR 1029(a)(1)).

104.2 POLICY

The Nevada County Sheriff's Office will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature, and disclaimer guidelines, as applicable.

104.3 PERSONNEL ORDERS

Personnel orders may be issued periodically by the Sheriff to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations or other changes in status.

104.4 CORRESPONDENCE

All office correspondence is to be written in a clear, concise manner, consistent with the report formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation, and spelling.

All external correspondence shall be on Office letterhead. All office letterhead, including all digital facsimiles of the letterhead, shall bear the signature element of the Sheriff or the authorized designee. Personnel should use office letterhead only for official business and with the approval of their supervisors.

All correspondence (including e-mails) received by the Sheriff's Office shall be responded to or acknowledged as soon as possible, but at least within ten (10) working days of receipt.

Higher quality paper shall be used for non-email correspondence sent outside the Sheriff's Office. Internal correspondence should use standard white copy paper.

Response to all correspondence received from elected officials, members of the Board of Supervisors, Sheriffs, Police Chiefs, and agency heads will be prepared for the Sheriff's signature unless otherwise directed.

All correspondence shall be prepared in full block style (blocked at the left- hand margin, in fully justified format). At least three (3) lines shall be carried over to the second and succeeding pages. Do not hyphenate the last word in a paragraph or on a page. Do not allow more than two consecutive lines to end in word divisions. The acceptable font is Arial, size 12. The font size may be adjusted up or down (11 or 13) in order to ensure the correct carry-over of lines to the next page. Footer to be on first page only (at the bottom of the page in the footer area). When attaching letterhead correspondence to an e-mail, the correspondence shall be converted to a PDF file first.

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Appropriate punctuation will be used in all letters, i.e., colon placed after the salutation and a comma after the complimentary close. The standard signature block and closing salutation as demonstrated in the attached sample shall be utilized on all letters. The second and successive pages of correspondence to be typed on the same type and color paper as the first page. The name of the letter recipient, date, and page number will be typed on the second and successive pages blocked at the upper left-hand margin.

Memoranda will be in the attached format with no need for a salutation or complimentary close. The second and successive pages of correspondence to be typed on the same type and color paper as the first page. The name of the memo recipient, date, and page number will be typed on the second and successive pages blocked at the upper left-hand margin.

See attachment: NCSO SAMPLE MEMO.pdf

See attachment: NCSO SHERIFF LETTER.pdf

See attachment: NCSO SAMPLE LETTER WITH TWO PAGES.pdf

See attachment: NCSO LETTER OTHER THAN SHERIFF.pdf

104.5 REVIEW / APPROVAL PROCESS

All printed material for public dissemination will be reviewed and approved by the originator's Division Commander, whenever possible, before forwarding to the Sheriff for signature.

All correspondence affecting departmental policies or procedures shall be prepared for the Sheriff's signature and will be reviewed and approved by the originator's Division Commander prior to forwarding to the Sheriff.

All correspondence will be reviewed for form, content, grammar, spelling, and punctuation before forwarding to the Sheriff for signature. All correspondence returned by the Sheriff for correction will be returned to the appropriate correspondent for any revisions.

104.6 SURVEYS

All surveys made in the name of the Office shall be authorized in advance by the Sheriff, Undersheriff, or the Jail Commander.

104.7 COMPLETED STAFF WORK

All staff reports (i.e., reports assigned to a specific person for the purpose of responding to a problem or issue) shall incorporate the principle of completed staff work which requires the person to whom a task has been delegated to complete and document the delegated work to such an extent that the only thing left for the decision-maker to do is to approve or decline the recommendation. Staff reports that only point out weaknesses or merely suggest needed actions are not completed staff work and are not acceptable.

The writer of the staff report should document the efforts made to have the report reviewed by or acted upon by those individuals representing work units or other entities likely to be affected by any proposed changes.

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104.8 INTRODUCTORY SUMMARY MEMORANDUMS

Any memorandum that exceeds one page in length should contain a brief introductory summary section synopsizing the subject matter.

104.9 ADMINISTRATIVE REPORT FORMAT

All staff reports submitted via the chain of command to superior officers for further action should be written in accordance with the following format, when applicable.

Executive Summary Section - The staff report should begin with a brief statement of the problem or issue and what could be done about it. This summary should restate the main points of the report in general, nontechnical language, leaving out details. The length of the executive summary section should range from one paragraph to one page.

Problem/Issue Identification Section - This section of a staff report is critical to the success of the reader's ability to grasp the issues involved and to arrive at an informed decision. It should strive to identify the true nature and scope of the problem by identifying the known facts and background of the situation, including who has the problem, how long it has existed and the known or likely consequences of the problem.

Forecast Future Impacts - This section of the report should clearly define the problem and be accompanied by an analysis of relevant factors, supported by specific examples, details or testimony, clarifying what the problem is and why it exists. Generally, the reader should be able to leave this section of the report clearly understanding the issues involved and the consequences of taking no action.

Alternatives Analysis Section - Whenever the seriousness or complexity of a problem warrants the development of alternative solutions, a staff report should include a section containing a discussion of different courses of action and their consequences, taking into account the comments and positions of other staff members or entities affected by the response to the problem.

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General Orders

105.1 PURPOSE AND SCOPE

General Orders establish an interdepartmental communication that may be used by the Sheriff to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. General Orders will immediately modify or change and supersede sections of this manual to which they pertain.

105.2 GENERAL ORDERS PROTOCOL

General Orders will be incorporated into the manual as required upon approval of the Command Staff. General Order will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing General Orders have now been incorporated in the updated Policy Manual as of the below revision date.

Any General Order issued after publication of the manual should be numbered consecutively, starting with the last two digits of the year, followed by the number "01". For example, 12-01 signifies the first General Order for the year 2012.

105.3 RESPONSIBILITIES

105.3.1 COMMAND STAFF

The Command Staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a General Order.

105.3.2 SHERIFF

The Sheriff shall issue all General Orders.

105.4 ACCEPTANCE OF GENERAL ORDERS

Sheriff General Order

All employees are required to read and obtain any necessary clarification of all General Orders. All employees are required to acknowledge in writing the receipt and review of any new General Order. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Training Manager.

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Annual Facility Inspection

106.1 PURPOSE AND SCOPE

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

106.2 JAIL COMMANDER RESPONSIBILITIES

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

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

106.3 INSPECTION AREAS

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

(a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Jail Commander, key program staff and service providers. The individual conducting the assessment will need to advise key personnel of the areas they will be inspecting so the appropriate materials will be brought up to date and made available to the assessment team.

(b) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.

(c) **Record review** - A review of the records that support jail activities, medical records and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.

(d) **Benchmark review** - A review of the Office-stated goals and objectives should be discussed with the Jail Commander, program managers and other key providers of programs. This will provide the opportunity to identify any areas that require correction or additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.

(e) **On-site inspections** - The assessment team should conduct on-site inspections of the facility to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be used to guide the inspection process

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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 Sheriff.

(h) **Monitor progress** - The Jail Commander should ensure that approved recommendations are being instituted by the responsible program providers.

106.4 FOCAL POINTS FOR INSPECTIONS

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

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

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

Attached is a facility inspection tool to assist with gathering relevant information:

See attachment: Annual Facility Inspection Tool.pdf

106.5 POLICY

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

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Special Assignments and Promotions

107.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Nevada County Sheriff's Office.

107.2 POLICY

The Nevada County Sheriff's Office determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Sheriff or their designee.

107.3 ASSIGNMENT ROTATION AND PREFERRED ASSIGNMENTS

The following positions are considered special assignments and not promotions:

(a) The jail is commanded by a sworn Captain. The Jail Commander has two (2) Correctional Lieutenants assigned to oversee Operations and Support Services. Duties of the two Lieutenants are determined by the Jail Commander.

(b) The jail may have up to six (6) Facility Training Officers (FTO's). Personnel assigned to this position agree to a one (1) year commitment and a three (3) year tour of duty as determined by the Jail Commander.

(c) Personnel selected to the Corrections Emergency Response Team (CERT) will serve a one (1) year commitment with a four (4) year tour of duty. After a four (4) year tour of duty, personnel must re-apply and successfully pass the required test to continue on the specialized team.

(d) There are two (2) personnel assigned to the Classification Unit. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of as determined by the Jail Commander.

(e) There are five (5) Correctional Officers assigned to Jail Transportation. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty as determined by the Jail Commander.

(f) There is one (1) female Correctional Officer assigned to court holding. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty as determined by the Jail Commander.

(g) There are two (2) Correctional Officers assigned to "N" section. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

(h) There is one (1) Correctional Officer assigned to Jail Administration as the Compliance Officer. Personnel assigned to this position agree to a one (1) year commitment and a five (5) year tour of duty, as determined by the Jail Commander.

(i) There are two (2) Correctional Sergeants assigned to Jail Administration. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

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(j) There is one (1) Correctional Officer/Correctional Technician assigned to the facility's front counter. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

(k) There are two (2) Correctional Officers assigned as Medical Officer. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

(l) There is one (1) Sworn Sergeant assigned to Court Services. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

(m) There are (5) Deputies assigned to Court Services. Personnel assigned to this position agree to a one (1) year commitment and a four (4) year tour of duty, as determined by the Jail Commander.

(n) Honor Guard: Personnel assigned to this position agree to a four (4) year tour of duty.

107.3.1 REVIEW OF ASSIGNMENTS

(a) It shall be the policy of this department to review all assignments of personnel, sworn and non-sworn, irrespective of location, on an annual basis. This review shall be conducted in the month of January of each year.

(b) The Sheriff shall evaluate individual positions or an entire class of positions for the continuation of personnel assignments. The Sheriff reserves the sole right to transfer personnel interdepartmentally for the continuation of the mission of law enforcement. Such transfers shall not be considered punitive in nature, and are considered a management prerogative. Personnel transferred from the Nevada City Headquarters to the Truckee Substation shall be afforded the current Truckee differential upon reassignment. Conversely, personnel reassigned from the Truckee Substation to the Nevada City Headquarters will forego any Truckee differential, absent any contractual agreement through an employees' labor bargaining unit MOU.

(c) In the event the Sheriff decides to transfer an employee pursuant to this policy, except in times of crisis, promotion, or voluntary transfers, the Sheriff shall give the affected employee(s) written notice of the pending transfer at least fourteen (14) days prior to the date the transfer is to take effect.

107.3.2 DISQUALIFICATION

The Nevada County Sheriff's Office shall not promote, assign, or transfer any member to a position that may allow contact with incarcerated persons if the member has (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.

(b) Been convicted of engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

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107.3.3 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

(a) Two years of relevant experience.

(b) Correctional Officer II off probation.

(c) Possession of or ability to obtain any certification required by the California Commission on Peace Officer Standards and Training. (POST) or law as required.

(d) Exceptional skills, experience, or abilities related to the special assignment.

(e) Two recent consecutive satisfactory or higher performance evaluations.

107.3.4 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

(a) Presents a professional, neat appearance.

(b) Maintains a physical condition that aids in their performance.

(c) Expresses an interest in the assignment.

(d) Demonstrates the following traits:

1. Emotional stability and maturity.
2. Stress tolerance.
3. Sound ethical judgment and decision-making.
4. Personal integrity and ethical conduct.
5. Leadership skills.
6. Initiative.
7. Adaptability and flexibility.
8. Ability to conform to office goals and objectives in a positive manner.

107.3.5 SELECTION PROCESS

The selection process for special assignments may include:

(a) An oral interview with designated panel members.

(b) Written or physical skills testing.

(c) An individual interview with the Jail Commander or their designee.

(d) Consideration of the applicant's work history and personnel file.

A list of successful candidates will be established and maintained for six (6) months. The list may be extended at the discretion of the Sheriff.

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107.3.6 DETERMINATION OF ROTATION AND ASSIGNMENTS

(a) Rotation of assignment is at the direction of the Sheriff. Seniority in rank may be used as a component in the Sheriff’s decision. The overall good of the Sheriff’s Office, as well as the individual employee(s), are of paramount importance.

(b) In those “preferred assignments” the Division Commanders may utilize their discretion in a selection process that is reasonable and impartial. Internal rating boards, and one-on-one interviews are generally used to help facilitate the decision. Seniority may be used as a component in the final selection process. Division Commanders are to confer with the Undersheriff on their final decision of assignment for final approval.

(c) Changes in assignment are recommended to occur in conjunction with patrol shift rotations. In some cases it may be reasonable to rotate at a different time other than shift rotation. Division Commanders shall take into account current employee(s) assigned and their overall unit seniority when deciding who should be rotated in or out of a particular unit. Overall efficiency of the particular unit shall not be unduly compromised by the rotation of personnel, with little or no experience, in the unit.

(d) Disciplinary issues relating to and having a negative effect on the assigned position’s mission, failure to perform to stated expectations, and insubordination, shall be sufficient reason for removal from a preferred assignment prior to normal rotations.

107.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available online at nevadacountyca.gov

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Standards of Conduct

108.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Nevada County Sheriff's Office and are expected of all office members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this office or a member's supervisors.

108.2 POLICY

The continued employment or appointment of every member of the Nevada County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

108.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.

108.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or office policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, office policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

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108.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to the member's immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation by a subordinate.

(d) Exercising unequal or disparate exercise of authority toward any member for malicious or other improper purpose.

108.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

108.4.1 PRISON RAPE ELIMINATION ACT DISCLOSURE

Members have a continuing affirmative duty to notify the Division Commander in writing if they have (28 CFR 115.17; 15 CCR 3411):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.

(b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

108.4.2 REQUESTS FOR ASSISTANCE

When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner, and will be properly and judiciously acted upon consistent with established departmental procedures.

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108.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient office service.

108.5.1 LAWS, RULES, AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement, or failure to follow instructions contained in office or countymanuals.

(b) Disobedience of any legal directive or order issued by any office member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations, the Nevada County Personnel Code, and labor Memorandum of Understanding agreements.

108.5.2 ETHICS

(a) Using or disclosing one’s status as a member of the Nevada County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-office business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this office and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical conduct.

108.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

108.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

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(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection, or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with an incarcerated person or with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Establishing or maintaining an inappropriate personal or financial relationship with a person known to be currently incarcerated within the Nevada County Jails or someone who has been incarcerated within the Nevada County Jails within the past six months.

(e) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this office.

(f) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this office.

(g) Participation in a law enforcement gang as defined by Penal Code § 13670. Participation is grounds for termination (Penal Code § 13670).

The intent of this policy is to prevent such relationships developing after the member becomes aware, or should be aware of such activity. Consideration will be given to situations where the relationship involves direct family members where the employee is unable to avoid such a relationship.

108.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without a reasonable excuse. Judicial subpoenas shall constitute an order to appear under this section.

108.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this office.

1. Members of this office shall not disclose the name, address, or image of any victim of human trafficking except as authorized by law (Penal Code § 293).

(b) Disclosing to any unauthorized person any active investigation, incarcerated person-related, or critical incident information.

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(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this office for personal or financial gain or without the express authorization of the Sheriff or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any office property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) Using office resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

108.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing or destroying defective, incompetent, or unsatisfactory work.

(d) Unauthorized sleeping during on-duty time or assignments.

(e) Failure to notify the Office within 24 hours of any change in residence address or contact numbers.

(f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

108.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any office record, public record, book, paper, or document.

(c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office-related business.

(d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this office or its members.

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(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency, and discipline of this office or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on office premises.
2. At any work site, while on-duty or while in uniform, or while using any office equipment or system.
3. Gambling activity undertaken as part of a member's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on office property, except as expressly authorized by county policy, the labor memorandum of understanding or contract, or the Sheriff.

(h) Engaging in political activities during assigned working hours except as expressly authorized by county policy, the labor memorandum of understanding, or the Sheriff.

(i) Any act on- or off-duty that brings discredit to this office.

108.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on their part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this office or the county.

(g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this office.

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(i) Unauthorized possession of, loss of, or damage to office property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of office property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of office property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any labor memorandum of understanding or contract to include fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Sheriff of such action.

(m) Allowing contraband articles including but not limited to weapons, cellular telephones or other wireless devices, clothing, food, illegal drugs, or tobacco in any jail facility.

(n) Receiving from an incarcerated person any articles to deliver outside the facility.

(o) Failure to furnish one's name and badge number to any person requesting the information when acting in official capacity, except when the withholding of such information is necessary for the performance of police duties, or is authorized by proper authority.

(p) Any other on- or off-duty conduct that any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this office or its members.

108.5.10 SAFETY

(a) Failure to observe or violating office safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(d) Unsafe firearm or other dangerous weapon handling, to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

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108.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.

(d) Sheriff's office employees, while off-duty, shall refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior, which would tend to discredit them or this office, or render personnel unfit to report for their next regular tour of duty.

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Discriminatory Harassment

109.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent office members from being subjected to discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). Nothing in this policy is intended to create a legal or employment right or duty that is not created by law. This policy is in addition to the Nevada County Personnel Code and any pertinent Memorandums of Understanding between the County of Nevada and the bargaining units.

109.2 POLICY

The Nevada County Sheriff's Office is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Office will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Office will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Office may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

109.3 DEFINITIONS

Definitions related to this policy include:

109.3.1 DISCRIMINATION

The Office prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or office equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to office policy and to a work environment that is free of discrimination.

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109.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

109.3.3 SEXUAL HARASSMENT

The Office prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

109.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and California Civil Rights Council guidelines.

(b) Bona fide requests or demands by a supervisor that a member improve the member's work quality or output, that the member report to the job site on time, that the member comply with county or office rules or regulations, or any other appropriate work-related communication between supervisor and member.

109.4 RESPONSIBILITIES

This policy applies to all office members, who shall follow the intent of these guidelines in a manner that reflects office policy, professional standards, and the best interest of the Office and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Sheriff, the Human Resources Director, or the County Executive.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

109.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Sheriff, the Human Resources Director, the County Executive, or the California Civil Rights Department for further information, direction, or clarification (Government Code § 12950).

109.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Sheriff or the Human Resources Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

109.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

(a) Behavior of supervisors and managers should represent the values of the Office and professional standards.

(b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

109.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Office that all complaints of

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discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

109.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

109.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Sheriff, the Human Resources Director, or the County Executive.

109.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Office. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

109.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Sheriff. The outcome of all reports shall be:

(a) Approved by the Sheriff, the County Executive, or the Human Resources Director, depending on the ranks of the involved parties.

(b) Maintained in accordance with the established records retention schedule.

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109.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

109.7 WORKING CONDITIONS

The Administration, Division Commander or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other county employees who are similarly tasked (2 CCR 11034).

109.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Office.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

See attachment: Discriminatory Harassment Policy.pdf

109.8.1 STATE-REQUIRED TRAINING

The Training Sergeant should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

(a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.

(b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.

(c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by the Civil Rights Department online training courses, the Training Sergeant should ensure that employees are provided the following website address to the training course: https://calcivilrights.ca.gov/ (Government Code § 12950; 2 CCR 11023).

109.8.2 TRAINING RECORDS

The Professional Standards Unit shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

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109.9 REQUIRED POSTERS

The Office shall display the required posters regarding discrimination, harassment, and transgender rights in a prominent and accessible location for members (Government Code § 12950).

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Post Orders

111.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the development of post orders and the training of members assigned to each post.

111.2 POLICY

It is the policy of this office to develop comprehensive post orders for every position. Copies of the orders should be maintained at each post or available electronically. Members shall be familiar with the post orders before working a position.

111.3 DEVELOPMENT

Clear procedures should be incorporated into post orders for all regular daily activities including, but not limited to, safety checks, head counts, meals, sick call, recreation, clothing exchange, mail distribution and response to emergencies, such as fires, natural disasters and criminal acts.

111.4 REVIEW AND UPDATE

Post orders shall be reviewed at least annually and updated whenever necessary by the Jail Commander or the authorized designee.

111.5 TRAINING

The Training Sergeant shall ensure that all staff members assigned to posts are properly trained to perform all of the duties and responsibilities described in the post orders. This is particularly true in fire, life-safety and the emergency response procedures that have been implemented by the Jail Commander. This may include the use of self-contained breathing apparatus (SCBA) if such equipment is available and/or required by the local fire authority. All training should be documented in each member’s training file and retained in accordance with established records retention schedules.

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Personnel Complaints

112.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Nevada County Sheriff's Office. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

112.2 POLICY

The Nevada County Sheriff's Office takes seriously all complaints regarding the service provided by the Office and the conduct of its members.

The Office will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws, municipal and county rules, and the requirements of any collective bargaining agreements.

It is also the policy of this office to ensure that the community can report misconduct without concern for reprisal or retaliation.

112.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of office policy or federal, state or local law, policy, or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate office policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Office.

112.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted or the complaining party wishes to file a formal complaint. Such complaints shall be date and time stamped, placed in a sealed envelope, and immediately forwarded to the Undersheriff.

112.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

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(b) Any office member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

112.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

112.4.1 COMPLAINT FORMS

Personnel complaint forms will be made available upon request and be accessible through the office website.

See attachment: NCSO Personnel Complaint Form.pdf

112.4.2 ACCEPTANCE

All formal complaints will be courteously accepted and date stamped by any office member and promptly delivered to the Undersheriff. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of the complaining party's statement at the time it is filed with the Office (Penal Code § 832.7).

112.4.3 AVAILABILITY OF WRITTEN PROCEDURES

The Office shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

112.4.4 HATE COMPLAINTS AGAINST PEACE OFFICERS

Internal complaints or complaints from the public shall be accepted and investigated in accordance with this policy where it is alleged that a member has in the previous seven years, and since 18 years of age, engaged in membership in a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

112.5 DOCUMENTATION

Members shall ensure that all formal complaints are documented on a complaint form. The member shall ensure that the nature of the complaint is defined as clearly as possible.

All formal complaints and inquiries shall be delivered to the Undersheriff to be documented in a log that records and tracks complaints. The log shall include the nature of the complaint, date received, date completed, and findings.

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Interviews of formal complaints shall be recorded with the complainant's knowledge since these investigations are administrative in nature. If a complainant declines to be recorded a brief written statement is recommended.

112.6 INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

112.6.1 SUPERVISOR RESPONSIBILITIES FOR COMPLAINTS

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Undersheriff may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed or a memo is generated.

    1. The original complaint form or memo will be directed to the Undersheriff. The Undersheriff shall take appropriate action and/or determine who will have responsibility for the investigation. When a formal misconduct complaint is determined to have some degree of credibility and factual basis by the Undersheriff, the investigation may be assigned to a supervisor for investigation. During this period, the investigating supervisor will report directly to the Undersheriff or their designee.

    2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the Undersheriff, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving informal personnel complaints that can be resolved immediately.

    1. Follow-up contact with the complainant should be made as soon as possible after receiving notice of the informal complaint.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Sergeant or Officer in Charge and the Undersheriff are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Undersheriff for direction regarding their role in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination. The Undersheriff will notify the Department of Human Resources.

(f) Forwarding unresolved personnel complaints to the Undersheriff, who will determine whether to contact the complainant or assign the complaint for investigation.

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(g) The supervisor investigating the complaint shall inform the complainant of the their name within three days after assignment.

(h) Investigating a complaint as follows:

1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.

2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).

(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

112.6.2 DISPOSITIONS OF PERSONNEL COMPLAINTS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded as Frivolous - The complaint is totally and completely without merit or was made for the sole purpose of harassment pursuant to the provisions of Penal Code §832.5(c).

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve office members. (Penal Code § 832.8).

Exonerated - When the investigation clearly established that the actions of the member that formed the basis of the complaint are not a violation of law or agency policy. (Penal Code § 832.5)

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of a member were found to violate law or office policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

112.6.3 LIMITATIONS ON INVESTIGATIONS

Investigations shall not be undertaken against any member in the following limited circumstances:

(a) The member has been placed on a prosecutor's *Brady* list, or the name of the member may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

1. An investigation may be initiated based on the underlying acts or omissions for which the member has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland*.

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(b) A court finding against member in a challenge brought under Penal Code § 745 (California Racial Justice Act of 2020) (Government Code § 3305.6).

1. An investigation may be initiated based on the underlying acts or omissions which formed the basis of the action brought pursuant to Penal Code § 745 (Government Code § 3305.6).

112.6.4 ADMINISTRATIVE INVESTIGATION PROCEDURES

The Undersheriff shall decide whether an incident warrants an Administrative investigation. The Undersheriff shall assign the investigation an Internal Affairs case number and assign the case to an investigator.

Administrative investigators shall prioritize their tasks in order to conduct a thorough and timely investigation.

When the administrative investigator is prepared to interview the involved office member, an interview notice shall be completed and sent to the member.

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

(a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, they shall be compensated.

(b) Unless waived by the member, interviews of an accused member shall be at the Nevada County Sheriff's Office or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused member.

(d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank, and command of the investigator in charge of the investigation, the interviewing officers, and all other persons to be present during the interview.

(e) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.

(f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.

(g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

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2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.

(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

All administrative interviews shall utilize the following introductory format:

(a) The investigator shall state the date, time, and location of the interview. Note that the interview is openly being recorded;

(b) State who is conducting the interview and his or her current assignment;

(c) Names of persons present during the interview;

(d) State the purpose of the interview;

(e) State the nature of the investigation;

(f) Advise that the employee is required to answer all questions truthfully, honestly, and completely.

Nothing in this policy precludes the Sheriff or Undersheriff from referring the investigation to an outside entity.

112.6.5 ADMINISTRATIVE INVESTIGATION FORMAT

Administrative investigations shall be thorough, complete and essentially follow this format:

Background - Provide a brief summary of the facts giving rise to the investigation to include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Investigation - Outline steps taken during the investigation, summary of interviews, and evidence collected.

Applicable Laws and Policies - List the applicable policy sections, laws, personnel code sections, and labor memorandum of understanding sections.

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Analysis - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

Once the investigation is complete, the entire report and all associated items will be returned to the Undersheriff. The Undersheriff will then refer the investigation to the appropriate Division Lieutenant for findings.

112.6.6 DISPOSITIONS OF ADMINISTRATIVE INVESTIGATIONS

Each administrative investigation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve office members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation clearly established that the actions of the member that formed the basis of the complaint are not a violation of law or agency policy. (Penal Code § 832.5)

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of a deputy were found to violate law or office policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

112.6.7 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

112.6.8 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

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112.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other documents or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant, or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

112.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process

(b) Information exists that tends to indicate a conflict of interest with official duties

(c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

112.8 ADMINISTRATIVE LEAVE/ASSIGNMENT

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Office, the Sheriff or the authorized designee may temporarily assign an accused employee to administrative leave or an administrative assignment. Any employee placed on administrative leave or assignment:

(a) May be required to relinquish any office badge, identification, assigned weapons, and any other office equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift or assignment during the investigation. The employee may be required to remain available for contact at all times during such shift or assignment, and will report as ordered.

112.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff shall be notified as soon as practicable when a member is accused of criminal conduct. The Sheriff may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of the member's constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

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The Nevada County Sheriff's Office may release information concerning the arrest or detention of any member that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

112.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Undersheriff.

112.10.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the Division Lieutenant's findings, the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Sheriff or the Sheriff's designee, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Sheriff or the Sheriff's designee, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

112.10.2 UNDERSHERIFF AND SHERIFF RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Undersheriff shall review the recommendation and all accompanying materials. The Undersheriff may modify any recommendation and/or may return the file to the Division Commander for further investigation or action. In the event disciplinary action is proposed, the Division Commander shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) date by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)).

Once the Undersheriff is satisfied that no further investigation or action is required by staff, the Skelly hearing will be heard by the Undersheriff. The Undersheriff shall also provide the member with:

(a) Access to all of the materials considered by the Undersheriff in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Undersheriff within five days of receiving the notice.

    1. Upon a showing of good cause by the member, the Undersheriff may grant a reasonable extension of time for the member to respond.

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2. If the member elects to respond orally, the presentation may be recorded by the Office. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed a response or if the member has elected to waive any such response, the Undersheriff shall consider all information received in regard to the recommended discipline. The Undersheriff shall submit a memo to the Sheriff with recommendations for discipline. The Sheriff shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Sheriff or the designee has issued a written decision, the discipline shall become effective.

112.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Undersheriff shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded, unfounded as frivolous) of the complaint (Penal Code § 832.7(f)).

112.10.4 NOTICE REQUIREMENTS
The disposition of any personnel complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

112.11 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline (Penal Code § 13510.8).

112.12 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding, and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that a correctional officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

Additionally, any evidence of a court finding that a correctional officer violated Penal Code § 745 (California Racial Justice Act of 2020) shall not be introduced for any purpose in any administration appeal of a punitive action (Government Code § 3305.6).

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112.13 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary member subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Sheriff or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Sheriff shall be final.

112.14 REQUIRED REPORTING TO POST FOR POST MEMBERS

The Sheriff or the authorized designee shall notify the Commission on Peace Officer Standards and Training (POST), on the appropriate POST form within 10 days of certain member personnel events, including but not limited to (Penal Code § 13510.9):

(a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.

    1. A POST affidavit-of-separation form shall be executed and maintained by the office and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.

(b) Events that could affect a member's POST certification, such as:

    1. Complaints, charges, or allegations of serious misconduct (as defined by Penal Code § 13510.8).

    2. Findings of civilian review boards.

    3. Final dispositions of any investigations.

    4. Civil judgments or court findings based on conduct, or settlement of a civil claim against a member or the Nevada County Sheriff's Office based on allegations of conduct by a member.

The Sheriff or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) within the applicable time frame provided in Penal Code § 13510.9.

112.14.1 NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

The Sheriff or the authorized designee shall report allegations of serious misconduct by a member to POST and the report shall include the following (11 CCR 1207):

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(a) Name of the office

(b) Administrative case number

(c) Name, current address, and phone number of the complainant, if available

(d) Name, POST ID, current address, and phone number of the involved member

(e) A summary of the alleged misconduct including:

1. A narrative of the allegations
2. Date and time of incidents
3. Location of occurrence
4. Any witness information, if available
5. Summary of arrest or indictment of involved member

(f) A change in employment status of the involved member (e.g., administrative leave, suspension, termination)

(g) Name and contact information of the assigned investigator

The Sheriff or the authorized designee shall provide updates of the investigation to POST every 90 days until the final disposition in the method designated by POST (11 CCR 1207).

Upon completion of the investigation, the Sheriff or the authorized designee shall submit to POST the final disposition of the investigation as well as investigation materials and the member's service record as provided by 11 CCR 1207.

112.14.2 ADDITIONAL NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT
Additional notification shall be made to POST (11 CCR 1207):

(a) If the imposed disciplinary action is pending appeal or other review through an administrative or judicial proceeding:

1. The Office shall provide the name of the body conducting the proceeding.
2. The status of the proceeding, if known.

(b) If criminal charges are pending:

1. The name of the court having jurisdiction over the criminal charges against the member.
2. The status of the criminal case, if known.

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Anti-Retaliation

113.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance, or memorandum of understanding.

This policy is in addition to the Nevada County Personnel Code and any pertinent Memoranda of Understanding between the County of Nevada and the bargaining units.

113.2 POLICY

The Nevada County Sheriff's Office has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

113.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

(a) Refusing to hire or denying a promotion.

(b) Extending the probationary period.

(c) Unjustified reassignment of duties or change of work schedule.

(d) Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.

(e) Taking unwarranted disciplinary action.

(f) Spreading rumors about the person filing the complaint or about the alleged wrongdoing.

(g) Shunning or unreasonably avoiding a person because they have engaged in protected activity.

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113.3.1 RETALIATION PROHIBITED FOR REPORTING VIOLATIONS
A correctional officer shall not be retaliated against for reporting a suspected violation of a law or regulation by another correctional officer to a supervisor or other person in the Office who has the authority to investigate the violation (Government Code § 7286 (b)).

113.4 COMPLAINTS OF RETALIATION

Any member who feels they have been retaliated against in violation of this policy should promptly report the matter to any supervisor, any command staff member, the Sheriff, or the county Human Resources Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member are part of the investigative process.

113.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.

(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Sheriff via the chain of command, and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

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(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

113.6 COMMAND STAFF RESPONSIBILITIES

The Sheriff should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.

(b) The timely review of complaint investigations.

(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.

(d) The timely communication of the outcome to the complainant.

113.7 WHISTLE-BLOWING

California law protects members who: (Labor Code § 1102.5; Government Code § 53296 et seq.)

(a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.

(b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.

(c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.

(d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.

(e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Undersheriff, via the Chain of Command, for investigation pursuant to the Personnel Complaints Policy

113.7.1 DISPLAY OF WHISTLE-BLOWER LAWS

The Office shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

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113.8 RECORDS RETENTION AND RELEASE

The Professional Standards Unit shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

113.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

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Office Use of Social Media

114.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Office is consistent with the office mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by Office members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this Office (see the Investigation and Prosecution Policy under Office Policy Manual # 600).

114.1.1 DEFINITIONS

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the Office website or social networking services.

114.2 POLICY

The Nevada County Sheriff's Office may use social media as a method of effectively informing the public about Office services, issues, investigations and other relevant events.

Office members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

114.3 AUTHORIZED USERS

Only members authorized by the Sheriff or the authorized designee may utilize social media on behalf of the Office. Authorized members shall use only office-approved equipment during the normal course of duties to post and monitor office-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Sheriff may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over Office social media by members who are not authorized to post should be made through the member's chain of command.

114.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the office mission and conforms to all Office policies regarding the release of information, may be posted.

Examples of appropriate content include:

(a) Announcements.

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(b) Tips and information related to crime prevention.

(c) Investigative requests for information.

(d) Requests that ask the community to engage in projects that are relevant to the Office mission.

(e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.

(f) Traffic information.

(g) Press releases.

(h) Recruitment of personnel.

114.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

114.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.

(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.

(c) Any information that could compromise an ongoing investigation.

(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Nevada County Sheriff's Office or its members.

(e) Any information that could compromise the safety and security of office operations, members of the Office, victims, suspects or the public.

(f) Any content posted for personal use.

(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this Office's social media site that they believe is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

114.5.1 PUBLIC POSTING PROHIBITED

Office social media sites shall be designed and maintained to prevent posting of content by the public.

The Office may provide a method for members of the public to contact Office members directly.

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114.6 BOOKING PHOTOS

The Sheriff's Office shall not share, on social media, booking photos of an individual arrested on suspicion of committing a nonviolent crime unless any of the following circumstances exist:

(a) The Sheriff's Office has determined that the suspect is a fugitive or an imminent threat to an individual or to public safety and releasing or disseminating the suspect's image will assist in locating or apprehending the suspect or reducing or eliminating the threat.

(b) A judge orders the release or dissemination of the suspect's image based on a finding that the release or dissemination is in furtherance of a legitimate law enforcement interest.

(c) There is an exigent circumstance that necessitates the dissemination of the suspect's image in furtherance of an urgent and legitimate law enforcement interest.

Additionally if the Sheriff's Office shares a booking photo of an individual arrested for the suspected commission of a nonviolent crime, the booking photo shall be removed from the social media pages within 14 days, upon the request of the individual who is the subject of the social media post or the individual's representative, unless any of the circumstances described above exist.

If the Sheriff's Office shares a booking photo, on social media, of an individual arrested for the suspected commission of a crime identified in subdivision (c) of Section 667.5, the booking photo shall be removed within 14 days, upon the request of the individual who is the subject of the social media post or the individual's representative, if the individual or their representative demonstrates any of the following:

(a) The individual's record has been sealed.

(b) The individual's conviction has been dismissed, expunged, pardoned, or eradicated pursuant to law.

(c) The individual has been issued a certificate of rehabilitation.

(d) The individual was found not guilty of the crime for which they were arrested.

(e) The individual was ultimately not charged with the crime or the charges were dismissed.

This subdivision shall apply retroactively to any booking photo shared on social media.

For the purposes of this section "Nonviolent crime" means a crime not identified in subdivision (c) of Section 667.5. (Penal Code 13665).

114.7 MONITORING CONTENT

The Sheriff will appoint a supervisor to review, at least annually, the use of office social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

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114.8 RETENTION OF RECORDS

The Administration Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

114.9 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on office sites.

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Electronic Mail

115.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Office's electronic mail (email) system by employees of this office. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Office.

115.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over office networks are considered Sheriff's Office records and therefore are Sheriff's Office property. The Office reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any office system.

The email system is not a confidential system since all communications transmitted on, to, or from the system are the property of the Office. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Office's email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Office.

115.3 EMPLOYEE OBLIGATION

All employees are required to check their email at the beginning of their work day and prior to the end of their work day. All employees should respond to emails in an appropriate and timely fashion.

115.4 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire office are only to be used for official business related to items that are of particular interest to all users and must be approved by the Sheriff or a Division Commander. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name, and/or password by others.

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115.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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Sick Leave

116.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the County Personnel Manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.), the California Family Rights Act (CFRA), leave for victims of crime or abuse, or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

This policy is in addition to the Nevada County Personnel Code and any pertinent Memoranda of Understanding between the County of Nevada and the bargaining units.

116.2 POLICY

It is the policy of the Nevada County Sheriff's Office to provide eligible employees with a sick leave benefit.

116.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

116.3.1 NOTIFICATION

All members should notify the appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than four hours before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Office with no less than 30 days notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

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116.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact the Professional Standards Unit at specified intervals to provide an update on their absence and expected date of return. The Professional Standards Unit shall notify the member's supervisor of the expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

116.5 SUPERVISOR RESPONSIBILITIES

(a) The responsibilities of supervisors include, but are not limited to:

(b) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(c) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.

(d) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:

  (a) Negatively affected the member's performance or ability to complete assigned duties.

  (b) Negatively affected Office operations.

(e) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.

(f) Referring eligible members to an available employee assistance program when appropriate.

116.6 REQUIRED NOTICES

The County shall ensure:

(a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.

(b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.

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Personal Appearance Standards

117.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the office, members shall maintain their personal hygiene and appearance to project a professional image appropriate for this office and for their assignment.

117.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignment would deem them not appropriate, and where the Sheriff has granted exception. Neither goatees, sideburns, nor beards are permissible while in uniform for Honor Guard.

117.2.1 HAIR

Hairstyles of all members shall be neat in appearance.

For male uniformed staff members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female uniformed staff members, while assuming a normal stance, hair must not extend below the bottom edge of the uniform collar. Long hair shall be worn in a tightly wrapped braid, bun or ponytail.

(a) Hair holding ornaments such as, but not limited to, barrettes, pins, clips, and bands, if used, must be unadorned and plain, and must be transparent or similar in color to the hair and inconspicuously placed. Beads or similar ornamental items are not authorized. It is the member's responsibility to keep track of their hair holding ornaments while on duty.

117.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. No portion of the mustache will cover the upper lip line or extend sideways more than ½ inch beyond a vertical line drawn upward from the corner of the mouth nor more than ¼ inch below the corner of the mouth.

117.2.3 GOATEES

Goatees will be kept neatly trimmed, tapered and tidy. Goatees will not exceed 1 inch in hair length beyond the chin line. Goatees will not flare out from the lip line but will maintain a straight line from the moustache lip line down to the chin.

117.2.4 SIDEBURNS

Sideburns will be neatly trimmed. The width shall not exceed two (2) inches. The base will not be flared, and will be a clean-shaven, horizontal line. Sideburns will not extend below the lowest part of the exterior ear opening.

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117.2.5 BEARDS

Beards will be kept neatly trimmed, tapered and tidy. Beards will not exceed 1 inch in hair length beyond the chin line. Beards can be grown from the chin line towards the neck, not to exceed 1 inch in length from the chin line towards the neck. The neck will be clean shaven. Beards will have a clean-shaven line from the sideburns, extending down and around towards the lip line, with no hair on the upper cheek area.

117.2.6 FINGERNAILS

Fingernails will be kept clean and neatly trimmed so as not to interfere with the performance of duty, detract from a professional image, or present a safety hazard.

117.2.7 MAKE-UP

Cosmetics are authorized if applied conservatively and in good taste. Exaggerated or faddish cosmetic styles are inappropriate with the uniform and will not be worn. Lipstick may be worn with all uniforms as long as the color compliments the uniform.

117.2.8 JEWELRY

This section shall only apply to uniformed members.

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the office member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

(a) Necklaces shall not be visible above the shirt collar.

(b) One ring or ring set may be worn on each hand of the office member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.

(c) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.

(d) Wristwatches shall be conservative and present a professional image.

(e) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

(f) Uniformed members are prohibited from wearing earrings.

117.3 TATTOOS

While on-duty, or representing the Sheriff's Office in any capacity, members may have or display tattoos; with the following restrictions:

(a) One wedding ring tattoo on the ring finger

(b) Tattooed make-up giving the appearance of natural color and style is allowed (i.e. eyebrows)

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(c) No other visible tattoos are permitted on the head, face, neck or hands. Hands are considered to be the area below the wrist bone

(d) Tattoos depicting racist, indecent, extremist, lawless or offensive themes are prohibited. A tattoo is considered "offensive" if it is sexist, sexual, racist, vulgar, drug use, violent, gang related, or discriminates against any person by virtue of words, symbols, or pictures in the tattoo or body art.

1. **Extremist tattoos** - These tattoos or brands "affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities. " This would include tattoos that feature philosophies, groups or activities that promote racial or gender intolerance; encourage discrimination based on numerous factors, including race, gender and religion; advocate violence or "other unlawful means of depriving individual rights under the U.S. Constitution, and federal or state law."

2. **Sexist tattoos** - These include tattoos and brands that "advocate a philosophy that degrades or demeans a person based on gender."

3. **Racist tattoos** - Tattoos or brands that "advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin" are not allowed.

(e) All tattoos shall be covered when assigned to the courthouse in any capacity, including but not limited to court security, transportation, or participating in court hearings.

1. Transportation officers may display tattoos while conducting any out of court transportations.

117.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement.

(c) Abnormal shaping of the ears, eyes, nose or teeth

(d) Branding or scarification.

117.5 EXEMPTIONS

Members who seek cultural (e.g., culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Sheriff should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.

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Uniform Regulations

118.1 PURPOSE AND SCOPE

The uniform policy of the Nevada County Sheriff's Office is established to ensure that uniformed members will be readily identifiable to the public through the proper use and wearing of office uniforms. Members should also refer to the following associated policies:

Office Owned and Personal Property

Body Armor

Personal Appearance Standards

118.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Sheriff's members wear the uniform to be identified as a law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All uniformed members of this office shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment (Penal Code § 13655).

(d) The uniform is to be worn in compliance with the specifications set forth in the office's uniform specifications that are maintained separately from this policy.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official office functions or events.

(h) If the uniform is worn while in transit in privately owned vehicles, an outer garment shall be worn over the uniform shirt so as not to bring attention to the member while they are off-duty.

(i) Members are not to purchase or drink alcoholic beverages while wearing any part of the uniform that would make them recognizable as Sheriff's Office employees.

(j) Members shall not allow any individual not a member of the agency or unit to borrow, possess, wear or use in any manner the authorized uniform, or any of it's component parts.

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118.2.1 AGENCY ISSUED IDENTIFICATION

The Office issues each member an official identification card bearing the member's name, identifying information and photo likeness. All members shall be in possession of their agency issued identification card at all times while on duty or when they are a peace officer carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the Office, members shall display their agency issued identification in a courteous manner to any person, excluding arrestees or incarcerated persons, upon request and as soon as practical.

(b) Deputies working specialized assignments may be excused from the possession and display requirements when directed by their supervisor.

118.3 UNIFORM CLASSES

If a member is appearing in court for a trial the required attire shall be a suit and tie for males or Class A uniform. Females may wear the Class A uniform or a suit with no tie.

If a member is appearing in court for something other than a jury trial and the member is on duty that day, the member may wear their uniform.

Bailiffs assigned to court holding will wear the Class B Uniform for regular court duty and the Class A uniform without a campaign hat or jacket for jury trials.

118.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

(a) Long sleeve shirt with tie.

(b) Black Corfam-style polished shoes or black boots with toe that can be polished.

(c) Approved uniform trousers.

(d) Eisenhower Jacket (Dependent upon occasion).

(e) Boots with pointed toes are not permitted.

118.3.2 CLASS B UNIFORM

All deputies will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

(a) The long or short sleeve shirt may be worn with the collar open. No tie is required.

(b) A black crew neck t-shirt must be worn with the uniform.

(c) All shirt buttons must remain buttoned except for the last button at the neck.

(d) Approved uniform trousers.

(e) Footwear for the Class B uniform shall be the same as the Class A uniform.

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(f) Boots with pointed toes are not permitted.

118.3.3 CLASS C UNIFORM

All deputies, reserve deputies, and animal control officers will possess and maintain a serviceable Class C uniform available at all times.

The Class C uniform will consist of:

(a) The long or short sleeve button-up shirt may be worn with the collar open. No tie is required. A long or short sleeve patrol polo shirt may be worn with the collar open as a substitute. (See Civilian Attire section of this policy for information regarding polo shirts for non-patrol personnel). Agency approved outer carriers and pouches may also be worn with the Class C uniform.

(b) A black crew neck t-shirt must be worn with the uniform.

(c) All shirt buttons must remain buttoned except for the last button at the neck.

(d) Approved BDU style green pants.

(e) Footwear for the Class C uniform shall be the same as the Class A and B uniform.

(f) Boots with pointed toes are not permitted.

(g) All black unpolished shoes may also be worn.

The Class C1 uniform is for custody personnel at the Wayne Brown Correctional Facility and custody personnel at the Truckee Jail. It is authorized for wear year-round.

The Class C1 uniform will consist of:

(a) Black Windbreaker

(b) Long or short sleeve black shirt, may be worn with the collar open

(c) All shirt buttons must remain buttoned except for the last button at the neck

(d) Badge (cloth), also worn on duty jackets

(e) Name tape (black with gold lettering)

(f) A black crew neck t-shirt must be worn with the uniform

(g) Under garments and brassieres (if applicable)

(h) Issued BDU style black pants

(i) Underbelt and duty belt

(j) Shoes for the Class C1 uniform shall be the same as the Class A and B uniform

(k) Boots with pointed toes are not permitted

(l) Supervisors and Truckee personnel may wear a jacket (forest green or black)

(m) Supervisory custody personnel shall wear the Class A uniform when required

(n) Administrative personnel shall have the option to wear standard issued Class C, Class C1 or Civilian Attire, unless otherwise designated

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(o) Administrative personnel shall have the option to wear a gray polo shirt (embroidered first initial and last name)

The Kitchen Personnel uniform is for Food Services personnel at the Wayne Brown Correctional Facility. It is authorized for wear year-round.

(a) Windbreaker

(b) Long or short sleeve green shirt, may be worn with the collar open.

(c) All shirt buttons must remain buttoned except for the last button at the neck

(d) Name tape (green with gold lettering)

(e) A black crew neck t-shirt must be worn with the uniform

(f) Under garments and brassieres (if applicable)

(g) Issued BDU style black pants

(h) Shoes may be as described in the Class A and B uniform or approved non-slip black footwear

(i) Boots with pointed toes are not permitted

118.3.4 SPECIALIZED UNIT UNIFORMS

Specialized units shall abide by the standard uniform guidelines other than the below:

Marine Patrol shall wear green agency-approved shorts and a tan polo shirts. Swimsuits shall not be worn by Marine Patrol while on duty.

Special Enforcement Detail shall wear the agency approved SED BDU pants and shirt that do not have a camouflage printed or patterned material. (Cal. Pen. Code § 13655) Subdued patches and lettering may be authorized by the SED Team Leader.

Canine deputies may wear the agency-approved green long or short sleeve polo shirts under their outer carriers.

118.3.5 FOUL WEATHER GEAR

Insulated jumpsuits, rain pants, or Sorel style boots may be worn by patrol staff in the event of inclement weather if approved by the Shift Sergeant.

118.3.6 HEADWEAR

Agency approved ballcaps may be worn with the Class B, Class C, and Class C1 uniform. Deputies may wear the agency authorized beanie or cowboy-style hat with the Class B and Class C uniform. No style of headwear shall not be worn while in a courtroom. Campaign hats are authorized for honor guard members in honor guard uniform.

118.4 INSIGNIA AND PATCHES

(a) Shoulder Patches - The authorized shoulder patch supplied by the Office shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

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(b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only. Service stripes are awarded at a rate of a single stripe for four years of service. Members who have worked as correctional officers may count their time as a correctional officer toward their total service time.

(c) The regulation nameplate, or an authorized sewn on cloth nameplate or embroidered name, shall be worn at all times while in uniform. The nameplate shall display the member's first and last name. If a member's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the member desires to display anything other than the legal first name, the member must receive approval from the Sheriff. The nameplate shall be worn and placed on the upper right pocket seam located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket. Embroidered names shall have the initial of the first name and will accompany the last name.

(d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.

(e) Assignment Insignias - Assignment insignias, (SED, FTO, etc.) may be worn as designated by the Sheriff. See Commendations and Awards Policy

(f) Flag Pin - A flag pin may be worn, centered above the nameplate.

(g) Badge - The office issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.

(h) Rank Insignia - The designated insignia indicating the member's rank must be worn at all times while in uniform. The Sheriff may authorize exceptions.

118.4.1 MOURNING BADGE

Uniformed members may wear a black mourning band horizontally across the center of the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

(a) A deputy of this Office - From the time of death until midnight on the 14th day after the death.

(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of an out of region fallen officer.

(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.

(e) As directed by the Sheriff.

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118.5 CIVILIAN ATTIRE

There are assignments within the agency that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All sworn personnel who elect to wear civilian clothing to work shall wear buttoned dress style shirts with a collar, agency polo shirts, slacks/docker style pants (no denim or jeans), or suits that are moderate in style. For sworn personnel assigned to investigations see Investigations Attire. Should rank or job title be embroidered on the polo shirt it shall be placed above the name in the same font and will be specifically stated in this policy.

(c) All administrative and support personnel, excluding dispatch personnel, who elect to wear civilian clothes to work shall wear dresses, slacks/docker style pants (no denim or jeans), buttoned dress style shirts with a collar, blouses, agency polo shirts, or suits which are moderate in style.

(d) If employees choose to wear polo shirts with Sheriff's Office logos the following guidelines shall be followed:

1. Black polos are reserved for executive staff. The first initial, last name and rank will be on the polo.
2. Patrol may wear tan polo shirts which have been approved by the agency. The first initial and last name will be on the polo. "Sheriff" will be printed on the back.
3. Public Administrator staff may wear green agency approved polos. The first initial, last name, and Public Adminstrator shall be on the right chest. Pants shall be tan BDU style to be worn while conducting field work for public administrator cases. Jackets shall be agency-approved black jackets.
4. Animal Control may wear tan polo shirts with the first initial and last name. "Animal Control" will be printed on the back.
5. Jail Administration, the compliance officer, the lobby officer, and classification officers may wear gray polo shirts with the first initial, last name, and rank or job title. The administrative analyst, correctional technician, and correctional counselor may wear green polo shirts with the first initial, last name, and rank or job title.
6. Rood Center administrative staff may wear green agency approved polos. Pants shall be tan BDU style pants other than as authorized by supervisors for special events or operations.
7. Sheriff's Property Unit Staff may wear green agency approved polos and black BDU style pants.
8. Sheriff's Public Information Officer staff are expected to wear green agency approved polos. Pants shall be tan BDU style pants. The first initial, last name, and PIO shall be on the right chest.

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(e) The following items should not be worn on duty:

1. T-shirt alone.
2. Open toed sandals, thongs, western, cowboy, logger, or work style boots.
3. Swimsuit, tube tops, tank tops, or halter-tops.
4. Spandex type pants or see-through clothing.
5. Distasteful printed slogans, buttons or pins.

(f) Variations from this policy are allowed at the discretion of the Sheriff or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.

(g) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Nevada County Sheriff's Office or the morale of the employees.

118.6 INVESTIGATIONS ATTIRE

Sworn staff assigned to investigations are expected to wear professional clothing reflective of their position.

118.6.1 MAJOR CRIMES UNIT ATTIRE

Detectives of the Major Crimes Unit shall wear the following attire while on daylight savings time from spring until late fall.

(a) Button up short or long sleeve shirt. No tie is required.

(b) MCU detectives may also elect to wear a tan or green agency approved polo with Sheriff's Office badge and name embroidered.

(c) Pants shall be docker-style dress slacks. Jeans or chinos are not permitted.

(d) Footwear shall be dress shoes.

Detectives of the Major Crimes Unit shall wear the following attire while off daylight savings time from fall until spring.

(a) Suits that are moderate in style.

(b) Button up long sleeve shirt with a tie.

(c) Pants shall be docker-style dress slacks. Jeans or chinos are not permitted.

(d) Footwear shall be dress shoes.

Major Crimes Unit detectives are permitted to dress down for search warrants or other operations where more practical clothing is required at the discretion of the Investigations Sergeant or above. The agency approved western-style cowboy hat or baseball cap are authorized when warranted for protection from the sun or inclement weather.

118.6.2 SPECIAL INVESTIGATIONS UNIT ATTIRE

Detectives of the Special Investigations Unit shall wear the following attire year-round.

(a) Button up short or long sleeve shirt. No tie is required but is permitted if desired.

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(b) Pants shall be docker-style dress slacks.

(c) Footwear shall be dress shoes.

SIU detectives electing to wear an agency approved polos may do so in the following manner:

(a) Tan or green agency approved polo with the Sheriff's Office badge and name embroidered.

(b) Pants shall be green or tan office-approved BDU style pants.

(c) Footwear shall be tan or back boots.

The agency approved western-style cowboy hat or baseball cap are authorized when warranted for protection from the sun or inclement weather.

118.7 DISPATCH ATTIRE

All staff assigned to dispatch may dress in casual wear. All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

The following items shall not be worn on duty:

(a) Sleepwear

(b) Revealing and/or see-through clothing

No item of clothing may be worn on duty that would adversely affect the reputation of the Sheriff's Office or the morale of the employees.

118.8 VOLUNTEER UNIFORMS

Volunteers shall wear the following:

(a) White button-up shirt with long or short sleeved shirt

(b) Black utility jacket (optional)

(c) BDU style green pants

(d) Agency-issued ballcap (optional)

(e) Black shoes or boots (Not-issued)

118.9 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Sheriff, Nevada County Sheriff's Office employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize an agency badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Nevada County Sheriff's Office to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

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(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

118.10 JAIL AUTHORIZED EQUIPMENT

Authorized equipment may be issued by the Nevada County Sheriff's Office, purchased by the member and approved for use, or exchanged among personnel.

No member may carry an authorized weapon until they have completed and successfully passed an agency approved training authorizing the use of said weapon.

Authorized equipment includes:

1. Underbelt, duty belt and keepers
2. Handcuffs, handcuff key and holster
3. Radio holster, radio and ear piece
4. OC and holster
5. Flashlight and holster
6. CED and holster
7. Gun holster
8. Magazine pouch
9. Key holder
10. Impact weapon and holster
11. Glove pouch

118.11 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

(a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Agency for the cost of providing the agency issued item.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this policy as optional shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Agency Owned and Personal Property Policy).

118.11.1 RETIREE BADGES

The Sheriff may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Nevada

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County Sheriff's Office. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Deputy CCW Endorsement Policy in this manual.

A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words "Honorably Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Nevada County Sheriff's Office and will be revoked in the event of misuse or abuse (Penal Code § 538d).

118.12 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Nevada County Sheriff's Office members may not wear any uniform item, accessory or attachment unless specifically authorized in this policy or by the Sheriff or designee.

Nevada County Sheriff's Office members may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in this policy or by the Sheriff or designee.

Nevada County Sheriff's Office members may not wear clothing that is too revealing, provocative or a distraction in the workplace.

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Office Badges

119.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office badge and uniform patch as well as the likeness of these items and the name of the Nevada County Sheriff's Office are property of the Office and their use shall be restricted as set forth in this policy.

119.2 POLICY

The uniform badge shall be issued to office members as a symbol of authority and the use and display of office badges shall be in strict compliance with this policy. Only badges authorized by this Office shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

119.2.1 FLAT BADGE

Sworn deputies, with the written approval of the Sheriff or the Undersheriff may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of office policy as the uniform badge.

(a) A deputy may sell, exchange, or transfer the flat badge they purchased to another deputy within the Nevada County Sheriff's Office with the written approval of the Sheriff or the Undersheriff.

(b) Should the flat badge become lost, damaged, or otherwise removed from the deputy's control, they shall make the proper notifications as outlined in the Office Owned and Personal Property Policy.

(c) An honorably retired deputy may keep their flat badge upon retirement.

(d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

119.2.2 NON-SWORN PERSONNEL

Badges and office identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned member.

(a) Non-sworn personnel shall not display any office badge except as a part of their uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any office badge or represent themselves, on or off duty, in such a manner which would cause a reasonable person to believe that they are a sworn peace officer.

119.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement, sworn members may purchase their assigned duty badge for display purposes with the approval of the Sheriff or Undersheriff. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

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119.3 UNAUTHORIZED USE

Except as required for on-duty use by current members, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Office badges are issued to all sworn members and non-sworn uniformed members for official use only. The office badge, shoulder patch or the likeness thereof, or the office name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and office name for all material (printed matter, products or other items) developed for office use shall be subject to approval by the Sheriff or the Undersheriff.

Members shall not loan their office badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

119.4 PERMITTED USE BY MEMBER GROUPS

The likeness of the office badge shall not be used without the expressed authorization of the Sheriff or the Undersheriff and shall be subject to the following:

(a) The member associations may use the likeness of the office badge for merchandise and official association business provided they are used in a clear representation of the association and not the Nevada County Sheriff's Office. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the member association.
2. The badge number portion displays the acronym of the member association.

(b) The likeness of the office badge shall not be used for endorsement of political candidates without the expressed approval of the Sheriff or the Undersheriff.

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Nepotism and Conflicting Relationships

120.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this Office. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

This policy is in addition to the Nevada County Personnel Code and any pertinent Memoranda of Understanding between the County of Nevada and the bargaining units.

120.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Office employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that an office employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, step-parent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

120.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Office will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940):

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(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Office will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Office, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, JTOs and other trainers will not be assigned to train relatives. JTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this Office shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

120.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify their uninvolved, next highest level supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action the employee shall promptly notify their uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify central control to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

120.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps

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to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Sheriff of such actual or potential violations through the chain of command.

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Reporting of Employee Convictions

121.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Office of any past and current criminal convictions.

121.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

121.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Any person convicted of a felony is prohibited from being a correctional officer pursuant to Government Code § 1029. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty, or nolo contendere plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member's ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this Office may be inherently in conflict with law enforcement duties and the public trust.

121.4 REPORTING PROCEDURE

All members of this Office shall promptly notify their immediate supervisor in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members shall further promptly notify their immediate supervisor in writing if the member becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification

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or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

121.5 PROCEDURE FOR RELIEF

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm or ammunition as a part of the individual's employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned, or disciplined. The Office may, but is not required to return an employee to any assignment, reinstate any employee, or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

121.6 NOTIFICATIONS REQUIREMENTS

The Professional Standards Unit shall submit within 10 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this office or any former peace officer if this office was responsible for the investigation (11 CCR 1003).

The Professional Standards Unit shall submit within 10 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this office (11 CCR 1003).

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Chapter 2 - Organization and Administration

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Drug- and Alcohol-Free Workplace

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

This policy is in addition to the Nevada County Personnel Code and any pertinent Memoranda of Understanding between the County of Nevada and the bargaining units.

200.2 POLICY

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

200.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on office time can endanger the health and safety of office members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Sergeant or Officer in Charge or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see Work Restrictions section in this policy).

200.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the members immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Office while taking any medication that has the potential to impair his/her abilities, without a written release from the member's physician.

200.3.2 USE OF MARIJUANA

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

This applies to both marijuana and medical cannabis.

200.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on office premises or on office time (41 USC § 8103). The lawful

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possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

200.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

200.6 WORK RESTRICTIONS

If a member informs a supervisor that the member has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from the member's physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that the member's is safely transported away from the Office.

200.7 SCREENING TESTS

The supervisor may require an employee to submit to a screening test under any of the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the member's ability to perform duties safely and efficiently.

(b) The employee discharges a firearm, in the performance of the member's duties (excluding training or authorized euthanizing of an animal).

(c) The member drives a motor vehicle in the performance of duties and becomes involved in an incident that results in bodily injury to the member or another person or other condition covered in the Nevada County Post Accident testing procedure.

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200.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

(b) The result of the test generally is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

200.7.2 SCREENING TEST REFUSAL

A member may be subject to disciplinary action if the member:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that the member took the controlled substance as directed, pursuant to a current and lawful prescription issued in the member's name.

(c) Violates any provisions of this policy.

200.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Office will take appropriate personnel action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

200.9 CONFIDENTIALITY

The Office recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately in the member's confidential medical file in accordance with the Personnel Records Policy.

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Supervision of Incarcerated Persons

202.1 PURPOSE AND SCOPE

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

202.2 POLICY

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

202.3 SUPERVISION OF INCARCERATED PERSONS

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

Whenever there is a person in the facility, there shall be a minimum of one correctional officer on duty at all times who meets the training standards established by the Board for general fire and life safety. The facility manager shall ensure that there is a minimum of one correctional officer on duty who is trained in fire and life safety procedures that relate specifically to the facility (15 CCR 1028).

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

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

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

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

202.4 SEPARATION OF DUTIES

Maintenance personnel are employed to perform preventive, routine, and emergency maintenance functions. Custody staff will not be given physical plant maintenance duties that distract from their primary responsibility of supervising incarcerated persons.

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Prohibition on Incarcerated Person Control

203.1 PURPOSE AND SCOPE

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

203.2 POLICY

All staff, including support staff, contractors, and volunteers should exercise control and supervision of all incarcerated persons under their control. It is the policy of this office 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)).

203.3 EDUCATION, DRUG, OR ALCOHOL PROGRAM ASSISTANTS

Nothing in the policy is intended to restrict the legitimate use of incarcerated persons to assist in the instruction of educational or drug and alcohol programs. Any use of incarcerated persons in this manner will be expressly authorized by the Jail Commander in a legally prescribed manner. Any program that uses incarcerated persons to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize an incarcerated person program assistant to engage in disciplining other incarcerated persons.

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Tool and Culinary Equipment

205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the incarcerated person population. 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)).

205.2 POLICY

It is the policy of this office to securely store, inventory, control and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items (15 CCR 1029(a)(6)).

205.3 CUSTODY TOOLS

Tools include all implements that are maintained within the secure perimeter of the facility 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 kept in secure cabinets or storage rooms when not in use.

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

Any tool that is used within the secure perimeter of the facility must be closely monitored and controlled by the staff supervising the area so that it 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.

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 facility-wide search.

The staff member responsible for the supervision of the use of the missing tool will prepare and submit a report to the Sergeant or Officer in Charge documenting the specific tool that is missing, the circumstances of the disappearance, and all members involved in the search. The report will be forwarded to the Jail Commander or their designee.

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205.4 MAINTENANCE OR CONSTRUCTION TOOLS

Maintenance or construction tools are those tools and equipment that are brought into and out of the secure perimeter of the facility by employees or contractors to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the facility.

Prior to entering the secure perimeter of the facility, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where incarcerated persons are present, the incarcerated persons shall be locked down by staff supervising the area or the contractor or maintenance personnel will be escorted by an officer who stands by with the contractor or maintenance personnel until the work is completed.

When the person has finished working in the area, a correctional officer will ensure that all tools are accounted for and no tools or equipment are left behind. In the event of a discrepancy, the on-duty supervisor shall be immediately notified and appropriate action taken to locate or account for the items. Once all tools have been accounted for, the incarcerated persons may be released from lockdown.

205.5 EXTERIOR-USE TOOLS

Exterior-use tools are those that are used by incarcerated workers outside of the secure perimeter. These tools include, but are not limited to, the following:

- Handheld tools
- Power tools
- Landscape maintenance tools
- Farm equipment

Only incarcerated workers who are classified to work outside the secure perimeter of the facility will be allowed to possess exterior-use tools. The correctional officer responsible for supervising incarcerated workers on outside work crews will inventory all tools assigned for this purpose at the beginning of the shift.

All tools will be checked-in and noted on the log and returned to the tool storage area at the end of each shift. Until all tools are accounted for, incarcerated workers should not be released from the work assignment.

In the event that an exterior-use tool is missing, the correctional officer shall immediately notify a supervisor. A thorough search for the tool will be undertaken and an incident report shall be completed. Incarcerated workers may only be released from their work assignments when it has been determined that it is safe to do so, and upon the approval of the supervisor. The incident report with all relevant information shall be forwarded to the Jail Commander.

205.6 KITCHEN EQUIPMENT

Culinary tools are located in the kitchen and include common tools used in the preparation, service and delivery of meals.

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All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet. When in use, all knives shall be tethered to the work area. All tools shall be returned to the secure cabinet when not in use.

The jail cook or correctional officer assigned to the kitchen shall inventory all kitchen tools at the beginning of their shift and prior to the arrival of incarcerated workers. Kitchen tools will only be issued to incarcerated persons who have been classified as incarcerated workers. Staff will supervise incarcerated persons at all times when they are using tools.

Each tool issued will be assigned to an individual work station and logged. The workstation and the tool type will be documented. When an incarcerated worker is finished with a tool, the tool shall be checked in with the jail cook or correctional officer and documented. Incarcerated workers shall not be permitted to pass tools between each other except under the direct supervision of the jail cook or correctional officer.

All tools will be returned to the kitchen tool cabinet at the end of each shift and must be accounted for prior to any incarcerated worker being released from the work assignment.

In the event that a kitchen tool is missing, the staff member shall immediately notify the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and a report shall be completed by the staff member responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Jail Commander.

205.7 SERVING AND INDIVIDUAL EATING TOOLS

In the event that a serving tool is missing, the cook or correctional officer assigned to the kitchen shall notify the on-duty supervisor and a search for the tool shall be initiated.

Eating utensils (forks/spoons/sporks) shall be counted by the correctional officer supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing unit shall be immediately locked down and a supervisor notified. A thorough search of the housing unit shall be initiated to locate the tool.

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Records and Data Practices

207.1 PURPOSE AND SCOPE

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

207.2 ACCESS TO CRIMINAL RECORDS

Official files, documents, records, electronic data, video and audio recordings and information held by the Nevada County Sheriff's Office or in the custody or control of office employees, volunteers or contractors are regarded as non-public and/or confidential.

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

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

Custody staff, volunteers and contractors who are uncertain of the confidentiality status of any document should consult with a supervisor or Jail Commander to determine the status of the documents in question.

207.3 STAFF TRAINING

All custody staff, volunteers and contractors with access to confidential records will receive training on office records, policies and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes.

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Research Involving Incarcerated Persons

208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safeguards and guidelines to protect incarcerated persons from being used as research subjects in medical and other research experiments based only on their status as incarcerated persons and without proper approval, review, or informed consent.

208.2 POLICY

The Nevada County Sheriff's Office will conduct and support research that improves operations, enhances professional knowledge, decreases recidivism, and advances the office's mission in accordance with existing laws and with appropriate protection of all incarcerated persons. However, the use of incarcerated persons for medical, pharmaceutical, or cosmetic experiments is prohibited.

208.3 AUTHORIZATION REQUIREMENTS

Prior to initiating any approved research, all persons conducting research in this facility must agree to abide by all office policies relating to the security and confidentiality of incarcerated person files. Based upon the intended use of the research, guidelines will be established regarding what information shall be accessible to the researcher or the research organization.

Any requests for an exception shall include a response to the following questions as part of the proposed research project:

- Who is conducting the research?
- What is the purpose of the research?
- What is the methodology?
- Do the researchers or persons advocating research involving the use of incarcerated persons have an understanding of their ethical responsibilities, including considerations for the establishment of an Institutional Review Board (IRB), as described in 45 CFR 46.301 et seq.?
- Any other information as deemed appropriate by the Jail Commander or Sheriff.

Inquiries regarding proposed research projects from local, state, and federal executive and legislative bodies/agencies will be brought to the attention of the Sheriff immediately by the employee who receives the request. At the direction of the Sheriff, an appropriate and timely response will be made to each legitimate inquiry.

Research or studies involving more than the information identified as public information may require signed release/waiver forms from the involved incarcerated persons. The Sheriff should consult and seek guidance from the legal counsel serving the Office or other legal expert in these matters.

Incarcerated persons are not precluded from individual treatment based on the need for a specific medical procedure that is not generally available. An incarcerated person's treatment with a new

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medical procedure by the incarcerated person's own physician shall be undertaken only after the incarcerated person has received a full explanation of the positive and negative features of the treatment, and only with the incarcerated person's informed consent.

208.4 LEGAL CONSIDERATIONS

Any research conducted or supported by the United States Department of Health and Human Services (DHHS) will be required to comply with the provisions of 45 CFR 46.301 et seq.

208.4.1 BIOMEDICAL RESEARCH

Research relating to or involving biological, medical, or physical science shall not be conducted on any incarcerated person. This does not include the accumulation of statistical data in the assessment of the effectiveness of nonexperimental public health programs or treatment programs in which incarcerated persons routinely participate (Penal Code § 3502).

Records-based biomedical research using existing information, without prospective interaction with incarcerated persons, may be conducted consistent with Penal Code § 3500 et seq. and federal law.

208.5 INCARCERATED PERSONS IN COMMUNITY-BASED RESEARCH

When incarcerated persons who are participants in a community-based research protocol are admitted to the facility, the following shall occur:

(a) The intake nurse shall collect all relevant data, including name and contact information of the treating physician, and all available detail about the treatment regimen and the condition being treated.

(b) The responsible physician shall be contacted prior to the initiation of treatment.

(c) Consultation with community researchers shall be made by the responsible physician to determine the intent of the study and any necessary parameters to measure as the treatment period progresses.

(d) Necessary information shall be obtained so that withdrawal from the research protocol is done without harming the health of the incarcerated person.

208.6 HUMAN RESEARCH STUDIES

This office does not endorse enrolling incarcerated persons in human research studies. Requests to enroll incarcerated persons in human research studies will not ordinarily be approved. However, any request to enroll an incarcerated person into such a study must be reviewed by the Sheriff, the Responsible Physician, and legal counsel, and authorization provided prior to enrollment. Any authorized enrollments shall comply with all state and federal guidelines.

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Incarcerated Person Records

209.1 PURPOSE AND SCOPE

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

209.2 POLICY

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

209.3 RECORD MAINTENANCE

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

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

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- Non-medical information regarding disabilities and other limitations

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

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

209.4 RELEASE OF INCARCERATED PERSON RECORDS

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

209.5 ELECTRONIC RECORD MAINTENANCE

All incarcerated person records and data maintained in an electronic format shall be accessible only through a login/password-protected system. The Jail Commander or their designee 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.

209.6 RECORDS RETENTION

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

The below-listed booking information will be maintained for a period of four (4) years:

- Intake information
- Personal property receipts
- Commitment papers
- Court Orders
- Non-medical information regarding disabilities and other limitations
- Any other record which is deemed appropriate by the facility regarding the individual

Classification and disciplinary records, including infractions are maintained by the classification officer for a period of 3 years and are stored in the classification section.

Jail's medical provider will maintain medical charts of incarcerated persons for a period of 7 years.

Medical records of incarcerated persons who do not have a medical chart initiated are stored by the agency for a period of 7 years.

Financial records will be maintained for a period of 8 years.

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209.7 INFORMATION SHARING REGARDING IMMIGRATION STATUS

No member of this office will prohibit, or in any way restrict, another member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

(a) Sending information to, or requesting or receiving such information from federal immigration officials

(b) Maintaining such information in office records

(c) Exchanging such information with any other federal, state or local government entity

Nothing in this policy restricts sharing information permissible under the California Values Act.

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Report Preparation

210.1 PURPOSE AND SCOPE

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

210.2 POLICY

It is the policy of the Nevada County Sheriff's Office that members shall act with promptness and efficiency in the preparation and processing of all reports.

210.3 REPORT PREPARATION

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

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

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

210.4 REQUIRED REPORTING

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

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210.4.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documentation.

210.4.2 INCIDENT REPORTING

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

The incidents shall be documented in the jail management system (JMS). Incident reports may include (15 CCR 1044):

(a) Incidents of rule violations by incarcerated person.

(b) Attempted suicide or suicidal ideation on the part of an incarcerated person.

(c) Breaches of security or evidence of an escape attempt.

(d) 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 person or their housing areas.

(g) Detaining or handcuffing any visitor at the facility.

(h) Traffic collisions involving office vehicles.

(i) Risk management incidents, including injuries to incarcerated person and lost or damaged property.

(j) Accidental injuries of staff, incarcerated person or the general public.

(k) Unusual occurrences.

210.4.3 DEATHS

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

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

210.4.4 INJURY OR DAMAGE BY OFFICE PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of an employee. Reports shall be taken involving damage to property or equipment.

210.4.5 USE OF FORCE

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

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210.5 GENERAL POLICY OF EXPEDITIOUS REPORTING

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

210.6 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting employee for correction as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

210.7 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, these should be the responsibility of the authoring employee.

210.8 USE OF ARTIFICIAL INTELLIGENCE IN PREPARATION OF REPORTS

Official reports that are generated using artificial intelligence (AI) either fully or partially shall contain the following (Penal Code § 13663):

(a) On each page of an official report, or within the body of the text, identify every specific AI program used in a manner that makes such identification readily apparent to the reader and prominently state the following: "This report was written either fully or in part using artificial intelligence."

(b) The signature of the member who is preparing the official report, either in physical or electronic form, verifying that they reviewed the contents of the report and that the facts contained in the official report are true and correct. Except for the official report, a draft of any report created with the use of AI shall not constitute a member's statement.

For purposes of this section artificial intelligence means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. AI as used in this section applies to AI systems that automatically draft police report narratives based upon an analysis of in-car or dash-mounted cameras, or body-worn camera audio or video, and AI systems that analyze a law enforcement officer's dictated report to generate a police report narrative automatically enhanced by generative AI (Penal Code § 13663).

See the Generative Artificial Use Policy for additional guidance on Generative AI.

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210.8.1 ARTIFICIAL INTELLIGENCE AUDIT TRAIL

The Office shall maintain an audit trail for AI generated first drafts or official reports for as long as the official report is retained that, at a minimum, identifies both of the following (Penal Code § 13663):

(a) The name of the person who used AI to create the report.

(b) The video and audio footage that is used to create a report, if any.

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Key and Electronic Access Device Control

211.1 PURPOSE AND SCOPE

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

211.2 POLICY

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

211.3 KEY CONTROL RECORDS

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

211.4 ELECTRONIC ACCESS DEVICES

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

211.5 KEY IDENTIFICATION

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

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

211.6 KEY SET CONTENTS

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

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211.7 KEY CONTROL

Facility keys not in use shall be maintained in the Central Control room or in the key lock box in Sergeants' office. Central Control shall have controlled access for staff only. Each person assigned to the facility shall be issued key tags bearing his/her employee name or number. Staff must maintain their identification on their issued key tag. Key sets checked out will be exchanged for key tags to maintain a record of which employee has which set. At the end of a shift, employees who checked out keys from Central Control shall exchange all keys for their key tags.

Key sets not secured in Central Control will be exchanged one-for-one between custody staff. Employees shall not possess any key for which they have not been authorized.

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

Officers assigned to Central Control shall, at the beginning of their respective shifts, inventory the keys. Supervisors will ensure that a key inventory is completed at the beginning of the shift. All keys must be accounted for before the supervisor may end his/her shift.

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

211.8 LOCK POLICY

All security perimeter entrances, Central Control doors and cell doors shall be kept locked, except when used for admission or exit of employees, incarcerated persons, or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, the officer must obtain permission from the Sergeant or Officer in Charge prior to using the override function.

211.9 EXTERIOR DOOR AND ARMORY KEYS

Keys for exterior doors to the facility and the armory shall be locked in a secure location.

211.10 TESTING

Locks to security doors or gates shall be tested for proper function at least twice a year to ensure proper operation.

211.11 EMERGENCY KEY SET

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

211.12 MISSING KEYS

Any staff member who discovers that a key or key set is missing shall immediately make a verbal report to a supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate

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the key fails, the supervisor shall order a lockdown of the facility. All incarcerated persons shall be locked in their cells/housing units and a headcount conducted. Incarcerated persons shall not be allowed to pass into or out of the facility without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the the Jail Operations Lieutenant regarding the loss of the key, when it was discovered and the circumstances involved.

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

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

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

211.13 DAMAGED KEYS OR LOCK

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Sergeant or Officer in Charge, 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.

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Daily Activity Logs and Shift Reports (End of Watch)

212.1 PURPOSE AND SCOPE

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

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

212.2 POLICY

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

212.3 PROCEDURES

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

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

(a) Black ink pen shall be used, unless entries are logged into an electronic record.

(b) Entries should be legible and provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.

(c) Entries shall include the name and identification 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.

212.4 ACTIVITY LOGS

All pertinent activities should be documented in the daily activity logs. Daily activity logs include all entries into JMS (Jail Management System) and paper logs throughout the facility. At a minimum this includes:

- Personnel on-duty
- Bookings and releases

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- Formal counts
- Safety checks, inspections, and routine activities
- All searches/shakedowns
- Incarcerated person movement within the facility and incarcerated person's received at a housing assignment
- Meal service
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or incarcerated person complaint of illness or injury and the action taken
- Disciplinary actions
- Supervisor rounds to the housing area and/or to specific Incarcerated person
- Unusual behavior by Incarcerated person's
- Discovered contraband
- Activities and programs offered and the attendees
- Unusual occurrences
- Sanitation inspections
- Use of emergency equipment
- Any use of force
- Key Counts

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

212.5 SHIFT REPORT (END OF WATCH)

Each supervisor should prepare a shift report for the oncoming staff. This report should include the following:

(a) The formal Incarcerated person count at the end of each shift

(b) Information that would assist the oncoming staff

(c) Special classification information

(d) Shift roster

(e) The number of incarcerated persons booked and released

(f) The number of incarcerated persons in booking

(g) Incident report number and heading

(h) Unusual occurrences

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

212.6 SUPERVISOR RESPONSIBILITIES

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

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

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

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

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Personnel Records

213.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

213.1.1 PERSONNEL FILES DEFINED

Personnel records - Any file maintained under an individual's name by their employing agency and containing records relating to any of the following:

(a) Personal data, including marital status, family members, educational and employment history, home address, or similar information

(b) Medical or psychological history

(c) Election of member benefits or affiliations

(d) Member advancement, appraisal, discipline, training, or member performance reports

(e) Complaints or investigation of complaints against the member alleging misconduct or performance deficiencies, whether filed by a civilian, another agency, or department.

(f) Any dispositions of such complaints

(g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy

213.2 PERSONNEL RECORD LOCATIONS

Employee records will generally be maintained in any of the following:

Office file - That file which is maintained in the Office of the Sheriff as a permanent record of an employee's service with this Office.

Supervisor file - Any file that is separately maintained internally by an employee's supervisor for the purpose of completing timely performance evaluations.

Supervisor log entries - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this Office.

Training file - Any file that documents the training records of an employee.

Internal affairs and citizen complaint records files - Those files that contain complaints of employee misconduct and all materials relating to an investigation into such allegations, regardless of disposition.

Medical file - A file that contains only medical information relating to an employee's ability to perform the essential functions of their job or other health-related matters. This file is maintained separately from any other files.

213.3 TYPES OF PERSONNEL FILES

Employee personnel files can be located in any of the following places:

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213.3.1 OFFICE FILE

The Office file shall be maintained as a record of a person's employment/appointment with this Office. The Office file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently retained.

(e) Discipline records, including copies of sustained personnel complaints (see the Personnel Complaints policy).

  (a) Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least four years (Government Code § 12946).

  (b) Disciplinary action resulting from a sustained civilian's complaint involving misconduct shall be maintained pursuant to the established records retention schedule and at least fifteen years (Penal Code § 832.5(b)).

  (c) A civilian's complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5(b)).

(f) Adverse comments such as supervisor notes or memos may be retained in the Office file after the member has had the opportunity to read and initial the comment.

  (a) Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days.

  (b) Any member response shall be attached to and retained with the original adverse comment.

  (c) If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. If the member refuses to sign the refusal, an independent witness, preferably another supervisor, shall sign as a witness noting the member's refusal.

  (d) Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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213.3.2 SUPERVISOR'S FILE

The Supervisor's File should contain, but is not limited to:

(a) Supervisor log entries, notices to correct and other materials intended to serve as a foundation for the completion of timely performance evaluations.

1. All adverse materials intended for the Supervisor's File shall be provided to the employee prior to being placed in the file.
2. Duplicate copies of items that will also be included in the employee's office file may be placed in the Supervisor's File in anticipation of completing any upcoming performance evaluation.
3. Once the permanent performance evaluation form has been finalized, or after one year, the underlying foundation material and/or duplicate copies shall be purged in accordance with this policy.

(b) All rules of confidentiality and disclosure shall apply equally to the Supervisor's File.

All materials intended for the Supervisor's File shall be provided to the employee prior to being placed in the file.

213.3.3 TRAINING FILE

An individual Training File shall be maintained by the Professional Standards Unit for each member. Training files will contain records of all training, original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearm qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g.,Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member's Training File located in the Professional Standards Unit.

213.3.4 INTERNAL AFFAIRS AND CITIZEN COMPLAINT RECORDS FILE

Internal Affairs files and citizen complaint records shall be maintained separately from all other personnel records under the exclusive control of the Professional Standards Unit in conjunction with the Undersheriff. Access to these files may only be approved by the Sheriff, the Undersheriff or their designee.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the Internal Affairs file:

(a) Not sustained

(b) Unfounded

(c) Exhonerated

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Investigation files arising out of sustained civilian complaints involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of fifteen years (Penal Code § 832.5(b)). Investigations that resulted in other than a sustained finding may not be used by the Office to adversely affect an employee's career (Penal Code § 832.5).

Investigation files arising out of a civilian complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and for at least five years (Penal Code § 832.5(b)).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least four years (Government Code § 12946).

213.3.5 MEDICAL FILE

A Medical File shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Act (FMLA).

(b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

(d) Medical release forms, doctor's slips and attendance records that reveal a members medical condition.

(e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

213.4 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy or according to applicable discovery procedures.

213.5 REQUESTS FOR DISCLOSURE OF PERSONNEL FILES

Any member receiving a request for a personnel record shall promptly notify the Undersheriff or their designee of such a request.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of

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available legal counsel, as the disclosure of personnel, medical and similar files can constitute an unwarranted invasion of personal privacy or be subject to other protections.

All requests for disclosure that result in access to amember's personnel records shall be logged in the corresponding file.

213.5.1 REQUESTS FOR DISCLOSURE OF FORMER EMPLOYEE FILES

Members receiving requests for information from another agency regarding allegations of sexual abuse or sexual harassment involving a former employee should work with counsel to ensure compliance with Prison Rape Elimination Act (PREA) requirements (28 CFR 115.17).

213.5.2 SUBPOENAS

Personnel files may be subpoenaed by a third party. If employment records are subpoenaed under state authority, the employee may be notified and has the right to object to production of the records under certain circumstances.

Any subpoena duces tecum should be promptly provided to the Undersheriff or the designee for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

All questions regarding compliance with any subpoena or subpoena duces tecum should be promptly referred to legal counsel for the Office so that a timely response can be prepared.

213.5.3 RELEASE OF PERSONNEL INFORMATION

Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this Office may be guilty of a misdemeanor (Penal Code § 146e).

The Office may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7(e)).

213.5.4 RELEASE OF LAW ENFORCEMENT GANG INFORMATION

Information relating to the termination of a correctional officer from this Office for participation in a law enforcement gang shall be disclosed to another law enforcement agency that is conducting a preemployment background investigation except where specifically prohibited by law (Penal Code § 13670).

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213.5.5 RELEASE OF RECORDS RELATING TO HATE COMPLAINTS

Records relating to a deputy or correctional officer for an investigation of a hate complaint described in Penal Code § 13682 with a sustained finding that the deputy or correctional officer engaged in membership in a hate group, participated in a hate group activity, or advocacy of public expressions of hate are not confidential and shall be made available for public inspection though a public records request (Penal Code § 13683).

Records disclosed may be redacted as provided in Penal Code § 13683.

213.6 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF CORRECTIONAL OFFICERS

Personnel records and records related to certain incidents, complaints, and investigations of Sheriff's Office personnel as defined by Penal Code § 832.7 shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Undersheriff and/or the Professional Standards Unit Supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(3)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer's action was consistent with law and office policy for the purpose of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(8) or other law, the following records(hereinafter qualifying records)shall be made available for public inspection no later than 45 days from the date of a request (Penal Code § 832.7(b)(1) and Penal Code § 832.7(b)(11)):

(a) Records relating to the report, investigation, or findings of:

1. The discharge of a firearm at another person by a deputy or correctional officer.

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2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by a deputy or correctional officer.

(b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the Office or oversight agency regarding:

1. A complaint that alleges unreasonable or excessive force.
2. An officer failing to intervene against another officer using force that is clearly unreasonable or excessive.
3. A deputy or correctional officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)(1)(B)(ii)).
4. Dishonesty of a deputy or correctional officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another deputy or correctional officer, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.
5. A deputy or correctional officer engaging in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis or race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
6. An officer that made an unlawful arrest or conducted an unlawful search.

Qualifying records will be made available regardless of whether an officer resigns before the Office or an oversight agency concludes its investigation (Penal Code § 832.7(b)(3)).

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(4)).

When an investigation involves multiple officers, the Office shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(5). However, factual information about the action of an officer during an incident or the statements of an officer shall be released if the statements are relevant to a sustained finding of a qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(5)).

A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint, shall not be released if the complaint is frivolous, as defined in Section 128.5 of the Civil Code of Procedure, or if the complaint is unfounded (Penal Code § 832.7(b)(9)).

213.6.1 REDACTION

The Custodian of Records, in consultation with the Sheriff or authorized designee, shall redact the following portions of qualifying records made available for release (Penal Code § 832.7(b)(6)):

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(a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of members.

(b) Information that would compromise the anonymity of whistleblowers, complainants, victims and witnesses.

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force.

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

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(7)).

213.6.2 DELAY OF RELEASE

Unless otherwise directed by the Sheriff or designee, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of qualifying records due to any of the following conditions (Penal Code § 832.7(b)(8)):

(a) Active criminal investigations

1. Disclosure may be delayed 60 days from the date the misconduct or use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.

2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against a member or against someone other than a member who engaged in misconduct or used the force.

(b) Filed criminal charges

1. When charges are filed related to an incident in which misconduct or force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

(c) Administrative Investigations

1. Disclosure may be delayed until:

(a) There is a determination from the investigation whether the misconduct or use of force violated law or office policy, but no longer than 180 days after the date of the Sheriff's or designee's discovery of the misconduct or use of force or allegation of misconduct or use of force.

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213.6.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of qualifying records, the custodian of records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

(a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.

(b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone at 180-day intervals provide, the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.

1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:

(a) When the criminal proceeding is against someone other than a correctional officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Office must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about misconduct or use of force by correctional officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 7923.000, the Office may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(8)).

213.7 MEMBERS' ACCESS TO THEIR PERSONNEL RECORDS

Any member may request access to the member's own record during normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from the member's personnel records shall file a written request to the Sheriff through the chain of command. The Office shall remove any such item if appropriate or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Office shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of Internal Affairs files that have not been sustained against the member.

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(c) Criminal investigations involving the member.

(d) Letters of reference involving the member concerning employment/appointment, licensing, or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Office for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments, or other comments or ratings used for office planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Office and the member that may be discovered in a judicial proceeding.

213.8 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Sheriff.

(c) If, in the opinion of the Sheriff, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

213.9 BRADY MATERIAL IN PERSONNEL FILES

The purpose of this section is to establish a procedure for releasing potentially exculpatory information (*Brady* material) contained within personnel files.

If a member is a material witness in a criminal case, a person or persons designated by the Sheriff may examine the subject member's personnel file to determine whether it contains *Brady* material.

Brady material includes all material evidence and facts that are reasonably believed to be exculpatory to any individual in a case (to impeach a witness, for example). Evidence or facts are considered material if there is a reasonable probability that they may affect the result of any criminal proceeding, including sentencing.

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Whenever it is determined that *Brady* information is located in the personnel file of a member of this Office who is a material witness in a criminal case, the following procedure shall apply:

(a) In the event that a *Pitchess* motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of *Brady* information in the correctional officer's personnel file.

(b) The prosecuting attorney should then be requested to file a *Pitchess* motion in order to initiate an in-camera review by the court.

(c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Custodian of Records shall accompany all relevant files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

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Administrative and Supervisory Inspections

215.1 PURPOSE AND SCOPE

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

215.2 POLICY

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

215.3 INSPECTIONS

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

(a) The general conditions and overall climate of the facility.

(b) The living and working conditions of incarcerated persons.

(c) Communication between administrators, managers, supervisors, staff, incarcerated persons, and the visiting public.

(d) Compliance with policies.

(e) Safety, security, and sanitation concerns.

(f) Incarcerated person concerns.

(g) Meal services.

215.3.1 AREAS TO BE INSPECTED

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

- Incarcerated person housing areas
- Booking and receiving areas, including holding cells
- Exercise yard and recreation areas
- Visiting and program areas
- Medical and dental service areas
- Vocational work areas, e.g., the kitchen, janitorial closets
- Sallyports and transportation staging areas

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215.4 DOCUMENTATION AND REPORTING

Upon receipt of any inspection or audit, any necessary corrective measures should be made in a timely manner.

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Perimeter Security

216.1 PURPOSE AND SCOPE

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

216.2 POLICY

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

216.2.1 VISITORS

This agency's facilities shall be maintained as secure areas and no person shall enter any portion of an inner perimeter without specific authorization from the Jail Commander or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver's license, valid passport or military identification. Visitors shall be required to check in and be logged in as visitors and state the reason for the visit. Visitors must wear a visitor's badge at all times. The badge color will identify the visitor's level of access within the secure perimeter of the facility. Visitors who have not undergone a security clearance shall be escorted by one or more staff members at all times while they are in the secure areas of a facility. Central Control should be notified of a visitor and his or her destination within the secure perimeter.

WBCF<u>Visitor Badge Color System</u>:

- **Green:** Visitor does not need an escort and may have inmate contact
- **Yellow:** Visitor does not need an escort and is not allowed inmate contact without supervision
- **Red:** Visitor must be escorted by staff at all times

216.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff. Suspicious activity at or near the perimeter shall immediately be reported to the Sergeant or Officer in Charge and the Central Control staff. The Central Control staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Warrant checks should be conducted on all individuals who are on the property without proper authorization. Individuals found to be loitering on or around the perimeter of the facility will be

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stopped and questioned to determine the circumstances of their presence while keeping in mind the person's first amendment rights. They may be denied entrance into the facility.

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

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

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

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

The sallyports are to be used for the transfer of incarcerated persons.

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

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News Media Relations

217.1 PURPOSE AND SCOPE

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

217.2 POLICY

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

217.3 MEDIA ACCESS

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

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.

(b) Media representatives may be prevented from interfering with emergency operations and investigations.

1. In situations where media access would reasonably appear to interfere with the facility's security, emergency operations, or an investigation, every reasonable effort should be made to provide media representatives with information regarding the incident in such a manner that does not compromise the safety and security of the incarcerated persons, staff, or the facility itself. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.

(c) No member of this office shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody. The supervisor shall obtain a signed waiver from the incarcerated person prior to being interviewed, photographed, or videotaped.

217.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Office 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:

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(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) All charges the incarcerated person is being held on, including outstanding warrants, probation/parole holds

(g) Amount of bail

(h) The location where the incarcerated person is currently being held

(i) Arresting agency and case number

Information on this facility's policies regarding non-security related matters, (e.g., programs, facility rules and regulations, visitation, health care, religious services) can be found on the Sheriff's website.

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

Information related to escapes, suicides or crimes occurring in this facility shall only be released with the approval of the Jail Commander 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 otherwise cleared through the Coroner or as required by law. All media shall be referred to the Office's Public Information Officer.

217.5 PROVIDING ADVANCE INFORMATION

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

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

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217.6 MEDIA REQUEST

Any media request for information or access to this facility shall be referred to the designated Public Information Officer or, if unavailable, to the Jail Commander or their designee. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this office make any comment or release any official information to the media without prior approval from the Jail Commander,their designee or the Public Information Officer.

(b) In any situation involving a law enforcement agency, reasonable efforts shall be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this office.

(c) Under no circumstance should any member of this office make any comment to the media regarding any law enforcement or corrections-related incident not involving this office without prior approval of the Sheriff or the authorized designee. Under these circumstances, the member should direct the media to the agency handling the incident.

217.7 RESTRICTED INFORMATION

It shall be the responsibility of the Jail Commander or the authorized designee to ensure that restricted information is not inappropriately released to the media by this office. 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 staff and volunteers of the Office.

1. The identities of custody personnel involved in major incidents may only be released to the media pursuant to consent of the involved personnel or upon a request processed in accordance with the Public Records Act.

(b) Criminal history information.

(c) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(d) Information pertaining to pending litigation involving this office.

(e) Information obtained in confidence.

(f) Any information that is otherwise privileged or restricted under state or federal law.

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records and Data Practices, and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

217.7.1 EMPLOYEE INFORMATION

The identities of deputies involved in shootings or other critical incidents may only be released to the media upon the consent of the involved deputy or upon a formal request filed.

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Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of deputies involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Shift Sergeant or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws.

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Community Relations and Public Information

218.1 PURPOSE AND SCOPE

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

218.2 POLICY

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

218.3 RESPONSIBILITIES

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

(a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.

(b) Facility rules and procedures affecting incarcerated persons as specified in 15 CCR sections:

  (a) 1045, Public Information Plan

  (b) 1061, Incarcerated Persons Education Plan

  (c) 1062, Visiting

  (d) 1063, Correspondence

  (e) 1064, Library Service

  (f) 1065, Exercise and Out of Cell Time

  (g) 1066, Books, Newspapers, Periodicals, and Writings

  (h) 1067, Access to Telephone

  (i) 1068, Access to Courts and Counsel

  (j) 1069, Incarcerated Persons Orientation

  (k) 1070, Individual/Family Service Programs

  (l) 1071, Voting

  (m) 1072, Religious Observance

  (n) 1073, Incarcerated Persons Grievance Procedure

  (o) 1080, Rules and Disciplinary Action

  (p) 1081, Plan for Incarcerated Person discipline

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(q) 1082, Forms of Discipline

(r) 1083, Limitations on Discipline

(s) 1200, Responsibility for Health Care Services

This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility's library or provided by other means for use by incarcerated persons. At the discretion of the Sheriff, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

218.4 PROHIBITED MATERIALS

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

218.5 TOURS OF THE CUSTODY FACILITY

Tours of this facility may be arranged through the Jail Commander or their designee. Authorized tours are subject to facility rules and restrictions:

(a) Persons who tour this facility must be of an appropriate age as determined by the Sheriff.

(b) A facility tour waiver shall be completed and a background check for warrants will be conducted before an applicant is approved to participate in a tour.

See attachment: Facility Tour Waiver.pdf

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

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Victim Notification

219.1 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.

219.2 POLICY

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

219.3 PROCEDURE

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

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.

In the event that an individual contacts this facility and requests notification on any incarcerated person housed in this facility, staff should notify a supervisor, who will determine whether notifications are required or appropriate, and ensure the notification request and determination is documented in the incarcerated person's file. The supervisor will also ensure that the requesting individual is advised of the determination.

219.4 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 employee or volunteer of this facility. 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.

219.4.1 REQUIRED NOTIFICATIONS

The Sergeant or Officer in Charge or the authorized designee shall make a reasonable and good faith effort to make all notifications required by law including:

(a) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness to the offense not less than 15 days prior to the release of any person convicted of stalking under Penal Code § 646.9 or convicted of a felony involving domestic violence (Penal Code § 646.92(a)).

(b) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness upon escape and capture of any person convicted of violating

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Penal Code § 646.9 or convicted of a felony offense involving domestic violence (Penal Code § 646.92(d)).

(c) Notice to any victim or other affected person who has requested notification that an incarcerated person convicted of the offenses listed in Penal Code § 679.02(a)(13) has been ordered placed on probation and the proposed date of release (Penal Code § 679.02(a)(14)).

(d) If the crime was a homicide, notice to any victim or the next of kin of the victim within 60 days of an incarcerated person's placement in a reentry or work furlough program, or of the incarcerated person's escape (Penal Code § 679.02(a)(6)).

(e) Notice of the release of any incarcerated person to victims of crime who have requested to be notified.

(f) Notice to law enforcement agencies known to be involved with the case upon any escape and capture of an incarcerated person.

Notification should be made by telephone, certified mail, 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 Office is no longer current, the Office 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 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 Sergeant or Officer in Charge 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.

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Vehicle Safety

221.1 PURPOSE AND SCOPE

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

221.2 POLICY

The Nevada County Sheriff's Office provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the [AgencyOffice, tactical deployments, and other considerations.

221.3 USE AND SECURITY OF OFFICE VEHICLES

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

221.3.1 USE OF SEAT BELTS

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

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

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

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

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

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

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

221.3.2 VEHICLE SECURITY

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

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

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

221.3.3 VEHICLE AIRBAGS

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

221.4 VEHICLE INSPECTIONS

All office-owned vehicles are subject to inspection and or search at any time by a supervisor. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or any of its contents, regardless of who owns the contents. An employee's personally owned property is not subject to search without cause.

221.5 VEHICLE SAFETY REPAIRS

Anyone authorized to drive office vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained and refueled and present a clean appearance. At the conclusion of any transport, training, or work assignment in Truckee, staff using any office vehicle shall refuel the vehicle with a full-tank of gas. Vehicles shall only be refueled at an authorized location.

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

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

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Vehicles will be maintained by Fleet Services.

221.6 USE OF PERSONAL VEHICLES

The use of personal vehicles for official business must be approved by the Jail Commander or their authorized designee. The Jail Commander or the authorized designee shall verify that the personal vehicle meets the state's insurance requirements. A copy of the insurance card shall be retained in facility files. All policies and procedures applicable to facility vehicles shall apply to the personal vehicle while it is being used for official business.

221.7 COLLISION DAMAGE, ABUSE AND MISUSE

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

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

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

221.8 TOLL ROAD USE

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

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

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

(a) Members operating office-owned vehicles for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge.

(b) Members may submit for reimbursement from the Office for any toll fees.

(c) Members driving office-owned vehicles through a toll plaza or booth during a response to an emergency shall draft a memo to their supervisor within five working days, explaining the circumstances.

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Fitness for Duty

222.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all members of this office are fit for duty and able to perform their job functions upon hire, and remain fit for duty throughout their employment.

222.2 POLICY

This policy requires all members to be free from any physical, emotional, or mental condition that might adversely affect their ability to effectively perform their duties throughout their employment.

(a) It shall be the responsibility of each employee of this office to maintain physical, emotional, and mental conditions sufficient to safely and properly perform the essential duties of their job classification.

(b) Each employee of this office shall perform their respective duties without physical, emotional, and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive, and capable of performing the assigned responsibilities.

(d) Any employee who feels unable to perform their duties shall promptly notify a supervisor. In the event that an employee believes another employee is unable to perform their duties, such observations and/or beliefs shall be promptly reported to a supervisor.

222.3 SUPERVISOR RESPONSIBILITIES

(a) A supervisor observing an employee or receiving a report of an employee who is perceived as being unable to safely perform their duties due to a physical, emotional or mental condition, shall take prompt and appropriate action to resolve the situation.

(b) Whenever reasonably feasible, the supervisor shall attempt to ascertain the reason or source of the problem. In all cases, a preliminary evaluation should be made to determine the employee's level of inability to perform their duties.

(c) In the event the employee appears to be in need of immediate medical or mental health treatment, all reasonable efforts should be made to provide such care.

(d) The employee's Sergeant or Officer in Charge or the Jail Commander, should determine whether the employee be temporarily relieved of duty.

(e) The Sheriff or the authorized designee shall be promptly notified in the event that any employee is relieved of duty.

222.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

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222.5 WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants temporary relief from duty shall comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Sergeant or Officer in Charge, and with the concurrence of the Jail Commander, any employee whose actions or use of force result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee, and until such time as the following may be completed:

(a) A preliminary determination indicates that the employee's conduct appears to be in compliance with policy and appropriate for the circumstances.

(b) The employee has had the opportunity to receive necessary counseling and any necessary or required psychological or medical clearance to return to full duty.

222.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that the employee may be unfit for duty, the Sheriff or the authorized designee may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time, and place for the examination.

(b) The examining physician or therapist will provide the Office with a report indicating whether the employee is fit for duty. If the employee is not fit for duty, the report should list any functional limitations that restrict their ability to perform the job duties. If the employee places their condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any information that is relevant to such proceedings.

(c) In order to facilitate the examination of any employee, the Office will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

(e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist, including signing of releases, may be deemed insubordination and shall be subject to discipline, up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume their duties.

222.7 LIMITATION ON HOURS WORKED

Absent emergency operations members should not work more than:

- 18 hours in one day (24 hour) period;or

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- 36 hours in any 2 day (48 hour) period; or
- 84 hours in any 7 day (168 hour) period.

Except in very limited circumstances members should have a minimum of 6 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

222.8 APPEALS

An employee whose salary is reduced or withheld due to a fitness-for-duty exam shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

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Staffing Plan

223.1 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 facility, staff, visitors, incarcerated persons, and the public.

223.2 POLICY

It is the policy of the Nevada County Sheriff's Office to ensure the safety, security and efficient operation of this facility by assigning custody personnel according to a detailed staffing plan that is developed and maintained in accordance with law.

223.3 STAFFING PLAN REQUIREMENTS

The Jail Commander shall ensure that a staffing plan conforming to the class type and size of this facility 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 minimum, the staffing plan will include the following:

- Facility administration and supervision
- Facility programs, including exercise and out of cell time
- Incarcerated person supervision and custody
- Support services including medical, food services, maintenance, and clerical
- Other jail-related functions such as escort and transportation of incarcerated persons

223.3.1 SHIFT ROTATION AND SCHEDULING

All shifts will be one year in length changing at the beginning of the next fiscal year. Shift lengths will be subject to review as necessary.

Days off and shift selection will be determined by departmental seniority.

Vacations will be determined by seniority and/or time of request.

(a) Personnel shall designate one vacation period as their annual vacation. The declaration of an annual vacation does not preclude an employee from taking other time off during the year.

(b) The annual vacation is defined as that period of vacation time requested off, whether or not it is supplemented by time from other leave balances, from one day to multiple weeks, which the employee considers the most important time off period in the fiscal year.

(c) Annual vacations will be given priority when scheduling time off. The department will endeavor to honor annual vacation requests over other requests which are not annual vacations.

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(d) The annual vacation pick list will be posted after the shift pick list and before the fiscal year shift change.

(e) Staff will have a designated amount of time during their work week to select an annual vacation period or to pass.

(f) Staff who do not select an annual vacation period during this time may choose any one time-period off during the year as their annual vacation.

(g) Staff who designate an annual vacation period during the annual vacation bid will have precedence over those who do not, regardless of seniority.

Correctional officers may trade shifts at any time with the approval of the Shift Sergeants. In the absence of a Shift Sergeant, approval will be obtained through the Administrative Sergeant. Trading will be approved on a case by case basis. Requests for trades of shifts must be made to the shift sergeant two weeks in advance except in an emergency situation.

The Correctional Lieutenant may choose to move a correctional officer to another shift for the experience and exposure. If this situation arises, the Correctional Lieutenant will ask for a volunteer from the other shifts to trade with the correctional officer. If nobody volunteers, the Correctional Lieutenant will then pick the correctional officer, with the least amount of seniority, from the shift the department wants the correctional officer assigned.

Any appeals by a correctional officer regarding his/her scheduling will be heard by the Jail Commander or their designee.

Correctional officers assigned to training with an FTO will be scheduled as directed by the Administrative Sergeant during the training period.

New personnel will have no scheduling choices until the completion of their initial probationary period.

As department needs dictate, the adding or deleting of a shift, or the reassignment of correctional officers may be done after the shift rotation process is completed. No seniority based rotation will be done due to the new reassignment. Reassigned correctional officers may rotate at the next scheduled rotation as seniority allows. New employees will work in open positions until the next shift change.

Any correctional officer who signs up for overtime to cover a shift or to work a special function, will consider that to be an assigned work shift.

Exceptions:

(a) The FTO's will be exempt from our scheduling policy and their seniority status will not apply for scheduling purposes. They will be scheduled and serve at the discretion of the Administrative Sergeant.

(b) Correctional officers attending school on their own time will work with the shift sergeant in an effort to adjust the schedule so as not to conflict with school hours, if possible.

(c) Correctional officers working transportation, court holding, or front lobby will have no shift pick as long as they are working in or selected for those assignments.

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Time Off on Holiday/High Demand Periods

(a) Correctional officers scheduled to work on the below listed holidays and high demand periods will not be granted time off except in emergency and/or extraordinary circumstances.

1. Memorial Day (Monday)
2. July 4th
3. Nevada County Fair
4. Labor Day (Monday)
5. Thanksgiving Day
6. December 24th and 25th (Christmas Eve and Christmas Day)`
7. December 31st (New Years Eve)
8. January 1st (New Years Day)

(b) Normal staffing levels will be maintained on all other County holidays. Any holiday time off request (except during a correctional officers' annual vacation period) which require a replacement to be paid overtime will be denied. Shift trades will be accepted. Although time off requests will normally be honored, repeated short-term time off requests that fall on County holidays may be denied.

(c) Time off request may be denied if staffing needs exist due to unforeseen circumstances or emergency situations.

Time Off Request Other than Holidays

(a) Request for time off must be submitted to the shift sergeant at least thirty (30) days in advance and prior to the next month's schedule posting. Time off may be granted on shorter notice, on a case-by-case basis.

(b) When the time off request will take the shift to minimum staffing, the shift sergeant may approve the request.

(c) When the time off request will take the shift below the minimum staffing level, the Correctional Lieutenant shall be consulted since overtime may be required to back-fill the position.

Sergeants

(a) Corrections Sergeants' scheduling will be determined by the Correctional Lieutenant. Seniority will apply.

223.4 STAFFING ANALYSIS

The Jail Commander, in conjunction with the PREA coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing plan to ensure staffing levels will consistently meet requirements. Staff should be

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deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, incarcerated persons, and the public.

If staffing deficiencies are noted, corrective measures may be needed, including the following:

(a) Operational change

(b) Equipment requirement

(c) Additional training

(d) Supervisory intervention

(e) Additional personnel

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Speech, Expression, and Social Networking

224.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the legitimate needs of the Office.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or labor associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

224.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

224.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this office be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Nevada County Sheriff's Office will carefully balance the individual employee's rights against the Office's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

Personal social media activity must not interfere with work duties or the operation of the Office.

224.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Nevada County Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of any member.

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- Otherwise disclosing where another member can be located off-duty.

224.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the office's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or labor associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Nevada County Sheriff's Office or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Nevada County Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Nevada County Sheriff's Office or its employees. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitution.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Office. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics or the Correctional Code of Ethics as adopted by the Nevada County Sheriff's Office.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Office for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Nevada County Sheriff's Office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or office-owned, for personal purposes while on-duty, except in the following circumstances:

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1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

224.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or labor association, employees may not represent the Nevada County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Nevada County Sheriff's Office in order to do any of the following, unless specifically authorized by the Sheriff (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in their individual capacity or through an outside group or organization (e.g., bargaining group or labor associations), is affiliated with this office, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Nevada County Sheriff's Office.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or labor associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

224.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook) that is accessed,

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transmitted, received, or reviewed on any office technology system (see the Nevada County Security Policies/Procedures (NCSP) for additional guidance).

The Office shall not require an employee to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Office may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

The Office also reserves the right to access, audit, and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Office, including the office email system, computer network, or any information placed into storage on any office system or device.

All messages, pictures and attachments transmitted, accessed or received over office networks are considered office records and, therefore, are the property of the Office. The Office reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any office system or device, or any such information placed into any office storage area or device. This includes records of all key strokes or web-browsing history made at any office computer or over any office network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through office computers or networks.

224.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider, include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Office or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Office.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of their duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Office.

224.7 TRAINING

Subject to available resources, the Office should provide training regarding employee speech and the use of social networking to all members of the office.

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Information Technology Use

225.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of office information technology resources, including computers, electronic devices, hardware, software, and systems.

225.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Nevada County Sheriff's Office that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Office or office funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications including "shareware." This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

225.2 POLICY

Nevada County Sheriff's Office members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Office in a professional manner and in accordance with this policy.

225.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any office technology system.

The Office reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Office, including the office email system, computer network, or any information placed into storage on any office system or device. This includes records of all keystrokes or web-browsing history made at any office computer or over any office network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through office computers, electronic devices or networks.

The Office shall not require a member to disclose a personal username or password for the purpose of accessing personal social media or to access personal social media in the presence

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of a member of this Office; however, the Office may request an employee to divulge personal social media reasonably believed to be relevant to an investigation of allegations of employee misconduct or employee violation of applicable laws and regulations, provided that the social media is used solely for purposes of that investigation or related proceeding (Labor Code § 980).

225.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to the Sergeant or Officer in Charge.

Members shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by the Sergeant or Officer in Charge.

225.4.1 HARDWARE

Access to technology resources provided by or through the Office shall be strictly limited to office-related activities. Data stored on or available through office computer systems shall only be accessed by authorized members who are engaged in an active investigation, assisting in an active investigation, or who otherwise have a legitimate law enforcement or office-related purpose to access such data. Any exceptions to this policy must be approved by the Sergeant or Officer in Charge.

225.4.2 INTERNET USE

Internet access provided by or through the Office shall be strictly limited to office-related activities. Internet sites containing information that is not appropriate or applicable to office use and which shall not be intentionally accessed include, but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of the Jail Commander as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail and data files.

225.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure office computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by the Sergeant or Officer in Charge and shall be changed at intervals as directed by IT staff or the Sergeant or Officer in Charge.

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It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to the Sergeant or Officer in Charge.

225.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of their duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Office involving one of its members or a member's duties, an alleged or suspected violation of any office policy, request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the office computer system when requested by the Sergeant or Officer in Charge or during the course of regular duties that require such information.

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Payroll Records

226.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of office members who are eligible for the payment of wages.

226.2 POLICY

The County of Nevada maintains timely and accurate payroll records.

226.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages. Members shall use the PCN code associated with the activity they are performing when submitting their timesheets.

Supervisors are responsible for approving the payroll records for those under their commands.

226.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the county payroll procedures.

226.5 RECORDS

The Chief Fiscal Officer shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

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Temporary Modified-Duty Assignments

227.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, county rules, and current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Office to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability or limitation that is protected under federal or state law.

227.2 POLICY

Subject to operational considerations, the Nevada County Sheriff's Office may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Office with a productive employee during the temporary period.

227.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Nevada County Sheriff's Office shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Office. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee’s ability to perform in a modified-duty assignment.

The Sheriff or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an office-owned vehicle, or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

An employee may be allowed temporary modified-duty assignments with prior approval from the Sheriff. With the Sheriff's approval the employee will be allowed two (2) assignments. Each assignment will be limited to ninety (90) days.

227.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to the Professional Standards Unit. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.

(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The jail's Administrative Sergeant will collaborate with the Professional Standards Unit on appropriate temporary modified-duty assignments.

227.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate office operations and the employee’s medical appointments, as mutually agreed upon with the Professional Standards Unit in collaboration with the jail's Administrative Sergeant.

227.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include but are not limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with the Professional Standards Unit.

(b) Promptly contacting their supervisor(s) and the Professional Standards Unit after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisor(s) and the Professional Standards Unit no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Professional Standards Unit that contains a status update and anticipated date of return to full duty or next medical appointment. Employees who are returning to work (whether modified or full duty) will need to have their treating medical professionals fill out the appropriate forms and return them to the Professional Standards Unit before they will be allowed to return to duty.

See attachment: Medical Form of Physical Capabilities of Correctional Officer.pdf

See attachment: Medical Status Report.pdf

227.5.2 AGENCY RESPONSIBILITIES

The employee’s immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

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The responsibilities of the agency shall include but are not limited to:

(a) The Professional Standards Unit and jail Administrative Sergeant should periodically apprise the Jail Commander of the status and performance of employees assigned to temporary modified duty.

(b) The Professional Standards Unit shall notify the Jail Commander and ensure that the required documentation facilitating a return to full duty is received from the employee before they will be allowed to return to work.

(c) The jail's Administrative Sergeant shall ensure that employees returning to full duty have completed any required training and certification.

227.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Office may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

227.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under Government Code § 12945.

If notified by an employee regarding a limitation related to pregnancy, childbirth, or related medical conditions, the Office should make reasonable efforts to provide an accommodation for the employee in accordance with federal law (42 USC § 2000gg-1; Government Code § 12945).

227.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the county’s personnel rules and regulations regarding family and medical care leave.

227.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

227.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees

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who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

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Occupational Disease and Work-Related Injury Reporting

229.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

This policy is in addition to the Nevada County Personnel Code and any pertinent Memoranda of Understanding between the County of Nevada and the bargaining units.

229.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, or mental health issue arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

229.2 POLICY

The Nevada County Sheriff's Office will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

229.3 RESPONSIBILITIES

The following are responsibilities of all agency members:

229.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

229.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are immediately provided to the member and shall ensure the forms are completed and signed by both the member and the supervisor. Once signed by the supervisor, a copy shall be immediately sent via email to the Professional Standards Unit. The supervisor will deliver the hard copy to their manager for final approval and completion.".

Any related county wide disease- or injury- reporting protocol shall also be followed.

229.3.3 MANAGEMENT RESPONSIBILITIES

Any member of management who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Professional Standards Unit. The Professional

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Standards Unit will then forward the report to the County's risk management entity to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required.

229.3.4 SHERIFF RESPONSIBILITIES

The Sheriff or their designee shall review and forward copies of the report to the Department of Human Resources and Risk Management. Copies of the report and related documents retained by the Office shall be filed in the member's confidential medical file.

229.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. Once signed, a copy shall be sent via email to the Professional Standards Unit, Risk Management, designated Human Resource personnel, and the Operations Lieutenant, and promptly forward the hard copy to management. A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Any related countywide disease- or injury- reporting protocol shall also be followed.

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Evaluation of Employees

230.1 PURPOSE AND SCOPE

The Office’s employee performance evaluation system is designed to record work performance for both the Office and the employee, providing recognition for good work and developing a guide for improvement.

230.2 POLICY

The Nevada County Sheriff's Office utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Office evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

230.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee’s immediate supervisor. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and Non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee’s job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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230.4 FULL-TIME PROBATIONARY PERSONNEL

Non-sworn personnel are on probation for 12 months before being eligible for certification as regular employees.

Sworn personnel are on probation for 12 months before being eligible for certification as regular employees.

Probationary correctional officers are evaluated after 90 days, 180 days, and prior to the end of the probationary period.

230.5 FULL-TIME REGULAR STATUS PERSONNEL

After an employee has completed probation, an Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's salary anniversary date.

An evaluation may be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

230.5.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

5 - Outstanding - Is actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

4 - Exceeds standards - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected, but is not of such rare nature to warrant outstanding.

3 - Meets standards - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

2 - Needs improvement - Is the level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating shall be thoroughly discussed with the employee.

1 - Unsatisfactory - Performance is inferior to the standards required of the position. It is inadequate or undesirable performance that cannot be tolerated.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

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230.6 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should provide relevant counseling regarding advancement, specialty positions, and training opportunities. The supervisor and employee will sign and date the evaluation electronically at separate times when prompted by the evaluation system. Regular and probationary employees may also write comments in the Employee Comments section of the performance evaluation report.

230.6.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the employee shall complete the County and Office harassment and discrimination training. Following such training, the employee shall provide the certificates of completion to the supervisor to be electronically attached to the evaluation.

230.7 EVALUATION REVIEW

After the supervisor completes the evaluation, the evaluation is forwarded through the chain of command to Human Resources. Each level of command shall review the evaluation for fairness, impartiality, uniformity, and consistency. The supervisor will then schedule a discussion with the employee to discuss the review. The evaluation will then be signed by the employee and any necessary rebuttal or comments will be attached.

230.8 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the Professional Standards Unit for the tenure of the employee's employment.

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Outside Employment

231.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for Office employees engaging in outside employment, all employees shall obtain written approval from the Sheriff prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Sheriff in accordance with the provisions of this policy.

231.1.1 DEFINITIONS

Outside Employment - Any member of this Office who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this Office for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this Office for services, product(s) or benefits rendered.

231.2 OBTAINING APPROVAL

No member of this Office may engage in any outside employment without first obtaining prior written approval of the Sheriff. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must submit an Outside Employment Agreement, an Outside Employment Request Form, and request an appointment with the Sheriff or the designee. The member will also submit a memo with a detailed account of the type of employment, location, duties to be performed, any potential impacts to the member's job performance along with anticipated conflicts or discredit to the Sheriff's Office.

The Sheriff or designee will meet with the member and form a decision regarding outside employment. The decision will be noted on the Outside Employment Request Form and all documentation will be provided to the Professional Standards Unit for retention in the member's personnel file.

The employee will be provided with a copy of the documents. If the request is approved, the member will re-submit a new memo requesting continued outside employment one year from the initial date of approval. If the scope of work, duties, location, or other pertinent changes to the outside employment, the employee will submit a memo noting the changes to the Sheriff or designee.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of request at the time of the denial (Penal Code § 70(e)(3)).

231.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Office, the employee may file a written notice of appeal to the Sheriff or the designee within ten days of the date of denial.

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If the employee's appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Memorandum of Understanding (MOU) if applicable.

231.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this Office decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Sheriff or the designee may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and their supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of office policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

(e) If, at any time it is determined that an employee's outside employment is negatively impacting this Office, the permit may be suspended or revoked. This may include, but is not limited to the following:

1. The employee's performance declines.
2. The employee calls out sick when working for the other employer.
3. The employee falls asleep while on duty or attending training.
4. The employee is consistently late to work.

231.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Office expressly reserves the right to deny any outside employment request submitted by an employee seeking to engage in any activity which:

(a) Involves the employee's use of office time, facilities, equipment or supplies, the use of the Office badge, uniform, prestige or influence for private gain or advantage.

(b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this Office for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this Office.

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(c) Involves the performance of an act in other than the employee's capacity as a member of this Office that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this Office.

(d) Involves time demands that would render performance of the employee's duties for this Office less efficient.

231.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this Office may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this Office must submit a written request to the Sheriff or the designee in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Office.

(a) The applicant will be required to enter into an agreement prior to approval.

(b) The applicant will further be required to provide for the compensation of all employees requested for such outside security services at a rate set forth by the agency Chief Fiscal Officer.

(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:

1. The deputy(s) shall wear the Office uniform/identification.
2. The deputy(s) shall be subject to the rules and regulations of this Office.
3. No deputy may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures, if applicable.
5. Outside security services shall not be subject to the collective bargaining process.
6. No deputy may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Sheriff or the designee.

231.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to office policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

231.3.3 SPECIAL RESTRICTIONS

In the event an employee is injured at their place of outside employment to the point where the injury will affect the employee's ability to work at the Nevada County Sheriff's Office, the employee will notify the Professional Standards Unit in writing before the employee's next assigned shift.

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The employee will also follow the Nevada County Personnel Code procedures regarding returning to work and reporting injuries that occur outside of work.

231.4 OFFICE RESOURCES

Employees are prohibited from using any office equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this Office or other agencies through the use of the employee's position with this Office.

231.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Office may request that an employee provide their personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Office becomes concerned that a conflict of interest exists based on a financial reason, the Office may request that the employee provide their personal financial records for review/audit. If the employee elects not to provide the requested records, their off-duty work permit may be revoked pursuant to the Revocation/ Suspension of Outside Employment Permits section of this policy.

231.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates their outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Sheriff or the designee via a memo. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Sheriff or the designee any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

231.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Office members engaged in outside employment who are placed on disability leave or modified/ light-duty shall inform the Professional Standards Unit in writing within ten days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The Professional Standards Unit shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Sheriff or their designee whether such outside employment should continue.

In the event the Sheriff or the designee determines that the outside employment should be discontinued or if the employee fails to promptly notify their supervisor of their intentions regarding

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their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the County's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Nevada County Sheriff's Office, a request (in writing) may be made to the Sheriff or the designee to restore the permit.

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Office Owned and Personal Property

232.1 PURPOSE AND SCOPE

Office employees are expected to properly care for office property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or office property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

232.2 CARE OF OFFICE PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of office property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of office property may lead to discipline including, but not limited to, the cost of repair or replacement.

(a) Employees should promptly report through their chain of command, any loss, damage to, or unserviceable condition of any office issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable office property should be discontinued as soon as practical and replaced with comparable Office property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, Office property should only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Office property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any Office property becomes damaged or unserviceable, no employee should attempt to repair the property without prior approval of a supervisor.

232.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is attached to this policy and shall be submitted in accordance with the Nevada County Personnel Code.

232.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Correctional officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) An incident report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

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(c) The property owner shall be directed to the Nevada County claims process.

See attachment: Claim against the County of Nevada.pdf

232.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the County, it shall be the responsibility of the county employee present or the county employee responsible for the property to make a verbal report to their immediate supervisor as soon as circumstances permit. The employee should submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by any necessary supervisor's written report, should promptly be forwarded to the appropriate Division Commander.

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Protected Information

233.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Nevada County Sheriff's Office. This policy addresses the protected information that is used in the day-to-day operation of the Office and not the public records information covered in the Nevada County Sheriff's Office Records Maintenance and Release Policy.

233.1.1 DEFINITION

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Nevada County Sheriff's Office and is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

233.2 POLICY

Members of the Nevada County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

233.3 RESPONSIBILITIES

The Sheriff shall select a member of the Office to coordinate the use of protected information. The responsibility will usually rest with the Records Supervisor.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETS).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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233.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Nevada County Sheriff's Office policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

233.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

233.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right-to-know and a need-to-know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Office may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (See the Nevada County Sheriff's Office Records Maintenance and Release Policy).

233.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121 et seq).

233.5.2 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI) and Criminal Offender Record Information (CORI), should not be transmitted via unencrypted radio. When circumstances reasonably indicate that the immediate safety of deputies, other office members, or the public is at risk, only summary information may be transmitted.

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In cases where the transmission of protected information, such as Personally Identifiable Information, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, a MDT or office-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual's combined last name and any identifying number associated with the individual, from either first name or first initial.
- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

233.6 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

233.7 SECURITY OF PROTECTED INFORMATION

The Sheriff will select a member of the Office to oversee the security of protected information. Currently the Records Supervisor is responsible for the items listed below.

The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Sheriff and appropriate authorities.

233.7.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

233.8 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies

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authorized access and use of protected information, as well as its proper handling and dissemination.

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Commendations and Awards

234.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing service ribbons and commendable or meritorious acts of members of the Nevada County Sheriff's Office and individuals from the community.

234.2 POLICY

It is the policy of the Nevada County Sheriff's Office to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through service ribbons, commendations, and awards.

234.3 AWARDS AND COMMENDATIONS

Awards and commendations may be bestowed upon members of the Office and individuals from the community. These awards include:

- Medal of Valor (Gold Medal) and Red White and Blue Chest Ribbon
- Silver Star (Silver Medal) and Red White and Blue Chest Ribbon
- Bronze Star and Red White and Blue Chest Ribbon
- Lifesaving Medal and Red White and Blue Chest Ribbon
- Purple Heart Medal and Purple Chest Ribbon
- Meritorious Service Medal and Red White and Blue Chest Ribbon
- Sheriff's Commendation Green and Gold Chest Ribbon
- Sheriff's Unit Citation
- Divisional Letter of Recognition
- Sheriff's Community Member Challenge Coin

Criteria for each award and the selection, presentation and display of any award are determined by the Sheriff.

234.4 AWARDS AND COMMENDATIONS CRITERIA

Medal of Valor (Gold Medal) and Red White and Blue Chest Ribbon (Blackinton RC-3 Ribbon/ Blackinton A8365 in VHB KK w/California "gold" Seal and Medal of Valor upper rocker)

- The Medal of Valor is reserved for those rare occasions for exceptional courage and bravery in the line of duty. This special recognition shall be given by the Sheriff in those situations where it is clear that the member knowing the danger faced is life-threatening for themself and others, and when there is a real and genuine threat, is put into a dangerous situation voluntarily for the purpose of saving a life or apprehending a dangerous person. In addition, the act must exhibit enough bravey and courage that failure to take such action would not justify censure.

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Silver Star (Silver Medal) and Red White and Blue Chest Ribbon (Blackinton RC-27 Ribbon/ Blackinton A8365 in Rhodium)

- The Silver Star is for outstanding performance and conspicuous courage and bravery in the line of duty. This recognition is reserved for those members who face a genuine or perceived life-threatening situation to themselves or others, and they place themselves into this dangerous situation voluntarily for the purpose of attempting to save a life or attempting to apprehend a dangerous person.

Bronze Star (Bronze Medal) and Red White and Blue Chest Ribbon (Blackinton RC-28 Ribbon/ Blackinton A8365 in Bronze)

- The Bronze Star award is to recognize a member who has shown courage and bravery in the face of a real or perceived threat or violence in which great harm may have occurred to the member or others. These instances are above and beyond those faced in the normal line of duty situations.

Lifesaving Medal and ribbon (Blackinton RC-2 Ribbon/Entenmann Rovin lifesaving medal)

- The Lifesaving Medal shall be given by the Sheriff and reserved for those situations in which there is a documented case of a life or lives being saved by a member of the Nevada County Sheriff's Office. The situation should include an element of danger or circumstance outside the normal course of duty.

Purple Heart Medal (Blackinton RC-45 Ribbon/Blackinton A2619 w/California "gold" Seal)

- The Purple Heart Medal and Ribbon are reserved for members who sustain serious or traumatic injury or death while actively engaged in law enforcement activity.The injury must be the result of a criminal or hostile act by other (s) while in direct engagement with, or direct response to, criminal activity.

Meritorious Service Medal and ribbon (Blackinton RC-31 Ribbon/Blackinton A4119 in Rhodium with "Medal of Merit" bottom rocker and State of California Seal)

- The Meritorious Service Medal is given for superior handling of a difficult situation, conspicuous bravery or outstanding performance, or outstanding service to the community and/or the Sheriff's Office which reflects upon law enforcement in the highest tradition.

Sheriff's Commendation Green and Gold Chest Ribbon (Blackinton RC-12 Ribbon)

- The Sheriff's Commendation Green and Gold Chest Ribbon shall be given when a member is noted to have done an exceptional job over a period of time, or in one single instance with a performance that is particularly remarkable going above and beyond the officer's normal duties.

Sheriff's Unit Citation (Framed letter on bonded paper with seal and frame)

- The Sheriff's Unit Citation shall be awarded by the Sheriff to recognize a specific unit or units for an outstanding job or task. These are existing units within a division assigned to specific tasks or duties.

Divisional Letter of Recognition (Framed letter on bonded paper with seal and frame)

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- The Divisional Letter of Recognition shall be given by Divisional Commanders for special recognition for outstanding service on a single event or assigned task.

Sheriff's Community Member Challenge Coin (Design approved by the Sheriff or designee)

- The Sheriff's Community Member Challenge Coin is given by the Sheriff to a community member who comes to the aid of Sheriff's Office members or other community members in need. This should be awarded to those who went above and beyond simple acts of kindness or decency. Examples of such acts are:

(a) An act of heroism which directly assists law enforcement or contributes to the safety of the community, where the objective is of sufficient importance to justify the risk.

(b) Where the nominee risks his/her life with full and unquestionable knowledge of the danger involved or where a reasonable person would assume his/her life was in great danger.

(c) A major accomplishment which directly makes a substantial contribution to more effective law enforcement or crime prevention.

(d) Performance of an exceptional act under emergency conditions, not involving bravery, wherein a service is rendered that results directly in sustaining human life. c. Sustained or continuous personal support of law enforcement evidenced by acts or deeds.

234.4.1 OFFICE MEMBER DOCUMENTATION

Members of the Office should document meritorious or commendable acts. The documentation shall be in memo format and should contain:

(a) Identifying information:

(a) For members of the Office -name, division and assignment at the date and time of the meritorious or commendable act

(b) For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

234.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Office members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:

1. For members of the Office - name, division and assignment at the date and time of the meritorious or commendable act

2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the person submitting the documentation.

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The member taking the information shall document the receipt of the information and any additional information in memo format.

234.4.3 PROCESSING DOCUMENTATION
Documentation regarding the meritorious or commendable act of a member of the Office should be forwarded through the chain of command to the appropriate Division Commander for their review. The Division Commander should sign and forward the documentation to the Undersheriff for their review.

The documentation will then be returned to the Professional Standards Unit for entry into the member's personnel file. The Professional Standards Unit will be responsible for ordering ribbons, awards, and medals.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded through the chain of command to the Administration Division Commander. The documentation will be signed by the Division Commander and forwarded to the Undersheriff for their review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

234.5 SERVICE RIBBONS AND AWARDS

Service ribbons may be bestowed upon sworn members of the Office reflecting a member's service to a specialty unit such as the Special Enforcement Detail or a specialty assignment such as Search and Rescue Coordinator. These ribbons include:

- Agency Service Ribbon (Blackinton RC-22): Awarded to members of the Nevada County Sheriff's Office after completion of 10 years of service. A star may be added to the ribbon for every additional 10 years of service.
- Search and Rescue (SAR) Coordinator Ribbon (Blackinton RC-56): Awarded to employees after successful completion of a minimum of 1 year of service as a certified SAR coordinator and after completing a minimum of 3 missions as a coordinator within a 12-month period.
- Field Training Officer Ribbon (FTO) (Blackinton RC-6): Awarded upon POST certification and completion of 1 year of service or after transfer from assignment by promotion or lateral specialty assignment.
- Detective Ribbon (Blackinton RC-30): Awarded to employees after successful completion of tour and/or 1 year of service in assignment or after transfer from assignment by promotion.
- Canine Deputy Ribbon (Blackinton RC-11): Awarded to members after successful completion of Canine Handler School and minimum 1 year of service as a Canine Handler.
- Community Service Ribbon (Blackinton RC-16): Awarded to employees after successfully completion of tour and/or 1 year of service in assignment of Mobil Crisis

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Unit or Community Outreach or after transfer from assignment by promotion or lateral specialty assignment.

- School Resource Officer Service Ribbon (Blackinton RC-41): Awarded to employees for service as a School Resource Officer after 1 year of service in assignment or after transfer from assignment by promotion or lateral specialty assignment.
- Special Enforcement Detail Commander Ribbon (SED) (Blackinton RC-44): Awarded to employees after successful completion of a minimum of 1 year of service as the Nevada County Sheriff's Office Special Enforcement Detail Commander.
- Special Enforcement Detail Ribbon (SED) (Blackinton RC-53): Awarded to employees after successful completion of a minimum of 1 year of service on the Nevada County Sheriff's Office Special Enforcement Detail.
- Critical Incident Negotiations Team Commander Ribbon (CINT) (Blackinton RC-37): Awarded to employees after successful completion of a minimum of 1 year of service as the Nevada County Sheriff's Office Critical Incident Negotiations Team Commander.
- Critical Incident Negotiations Team Ribbon (CINT) (Blackinton RC-38): Awarded to employees after successful completion of a minimum of 1 year of service on the Nevada County Sheriff's Office Critical Incident Negotiations Team.
- Honor Guard Ribbon (Blackinton RC-54): Awarded for 4 years of service in the Honor Guard.
- Dive Team Ribbon (Blackinton RC-23): Awarded to employees after successful completion of a minimum of 1 year of service on the Nevada County Sheriff's Office Dive Team.
- 10851 Ribbon (Blackinton RC-8): A sworn member of the office who meets the following criteria pursuant to CHP policy: make six "rolling stolen" (suspect-occupied stolen vehicle in motion) arrests; or recover 12 vehicles (including 3 "rolling stolen"), or help identify a theft ring and arrest at least two suspects and recover at least 10 vehicles.
- MADD 23152 Ribbon (Blackinton RC-1): Awarded to employees who are recognized at the annual statewide MADD Awards Ceremony.
- Medical Ribbon (Blackinton RC-46): A member possesses current EMT or higher certificate.
- Honorable Military Service Ribbon: Any employee who has served honorably in the United States Armed Services may wear their highest ranking award commendation ribbon.
- American Flag Ribbon (Blackinton RC-47): May be worn by all uniformed members of the Nevada County Sheriff's Office.

Service ribbons may be bestowed upon correctional members of the Office reflecting a member's service to a specialty assignment such as Classification or a special duty such as Honor Guard. These ribbons include:

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- Agency Service Ribbon (Blackinton RC-22): Awarded to members of the Nevada County Sheriff's Office after completion of 10 years of service. A star may be added to the ribbon for every additional 10 years of service.
- Classification Officer (Blackinton RC-35): Awarded to members who have served for one year minimum as a Classification Officer.
- Compliance Officer (Blackinton RC-32): Awarded to members who have served for one year minimum as a Compliance Officer.
- Transportation Officer Ribbon (Blackinton RC-33): Awarded to members who have served for one year minimum as a Transportation Officer.
- Jail Training Officer Ribbon (FTO) (Blackinton RC-6): Awarded upon completion of one year of service as a jail training officer.
- Custody Emergency Response Team (CERT) (Blackinton RC-40): Awarded to members who have completed one year of service on CERT and completed necessary training requirements.
- Honor Guard Ribbon (Blackinton RC-54): Awarded for 4 years of service in the Honor Guard.
- Medical Ribbon (Blackinton RC-46): A member possesses current EMT or higher certificate.
- Honorable Military Service Ribbon: Any employee who has served honorably in the United States Armed Services may wear their highest ranking award commendation ribbon.
- American Flag Ribbon (Blackinton RC-47): May be worn by all uniformed members of the Nevada County Sheriff's Office.

Service ribbons may be bestowed upon animal control officers of the Office reflecting a member's service such as Equine Investigator. These ribbons include:

- Agency Service Ribbon (Blackinton RC-22): Awarded to members of the Nevada County Sheriff's Office after completion of 10 years of service. A star may be added to the ribbon for every additional 10 years of service.
- Equine Investigator Ribbon (Blackinton RC-13): Awarded to members who have completed an approved equine investigations academy level 1 and 2, and who have completed a certified equine cruetly investigator course.
- Supervising Animal Control Officer Ribbon (Blackinton RC-34): Awarded to members after one year of assignment to Supervising Animal Control Officer.
- Senior Animal Control Officer Ribbon (Blackinton RC-25): Awarded to members after one year of assignment to Senior Animal Control Officer.
- HEART Coordinator Ribbon (Blackinton RC-52): Awarded to members who have been assigned as coordinator on a minimum of 3 HEART deployments.
- Medical Ribbon (Blackinton RC-46): A member possesses current EMT or higher certificate.

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- Honorable Military Service Ribbon: Any employee who has served honorably in the United States Armed Services may wear their highest ranking award commendation ribbon.
- American Flag Ribbon (Blackinton RC-47): May be worn by all uniformed members of the Nevada County Sheriff's Office.

234.5.1 SERVICE RIBBON DOCUMENTATION

Members who believe they are eligible for service ribbons may notify the Professional Standards Unit (PSU). The PSU will verify the request is justified and submit for approval through the chain of command to the Undersheriff for final approval.

Lateral members may submit documentation to have ribbons in the above categories from their prior agencies evaluated to ensure the guidelines match the requirements of this Office. If acceptable, the ribbon worn will correspond with the style detailed in this policy.

234.6 WEARING OF RIBBONS, AWARDS AND MEDALS

All ribbons and medals may be worn with the Class A Eisenhower jacket. The top three ranking ribbons may be worn by sworn or correctional staff with the agency approved long sleeve or short sleeve button up shirt. Correctional staff who have been issued a Class A Eisenhower jacket may also wear ribbons or medals in accordance with this policy. Animal Control Officers may wear all their ribbons with the agency approved long sleeve button up shirt.

For members with more than one of the same award a "gold" star will be issued for each additional award. The stars shall be placed centered on ribbons with one ray of the star pointing up. For more than one star, they will be evenly spaced in a horizontal line on the ribbon bar.

234.6.1 ORDER OF PRECEDENCE

Ribbons shall be worn from the top down and left to right. Ribbons shall be worn on a bar or bars and pinned to the uniform. No portion of the bar or pin will be visible. Ribbons are typically worn in rows of three however rows of four may be used when displaying a large number of awards. When more than one row of ribbon bars is worn, all rows except the uppermost row will contain the same number of ribbons. Parallel rows of ribbon bars will be placed together. Ribbon bars will be centered 1/8 of an inch above the nameplate on the right breast pocket. Medals and ribbons shall be worn in the following order of precedence for sworn members:

(a) Gold Medal of Valor

(b) Silver Star

(c) Bronze Star

(d) Life Saving Medal

(e) Purple Heart Medal

(f) Meritorious Service Medal

(g) Sheriff's Commendation Ribbon

(h) Agency Service Ribbon

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(i) SAR Coordinator Ribbon
(j) Field Training Officer Ribbon
(k) Detective Ribbon
(l) Canine RIbbon
(m) Community Service (MCT-Community Outreach) Ribbon
(n) School Resource Officer Ribbon
(o) SED Commander Ribbon
(p) SED Ribbon
(q) CINT Commander Ribbon
(r) CINT Ribbon
(s) Honor Guard Ribbon
(t) Dive Team Ribbon
(u) 10851 Award Ribbon
(v) MADD 23152 Ribbon
(w) Medical Ribbon
(x) Honorable Military Service Award
(y) American Flag Ribbon

Medals and ribbons shall be worn in the following order of precedence for correctional officers:

(a) Gold Medal of Valor
(b) Silver Star
(c) Bronze Star
(d) Life Saving Medal
(e) Purple Heart Medal
(f) Meritorious Service Medal
(g) Sheriff's Commendation Ribbon
(h) Agency Service Ribbon
(i) Classification Officer Ribbon
(j) Compliance Officer Ribbon
(k) Transport Officer Ribbon
(l) Jail Training Officer Ribbon
(m) Custody Emergency Response Team Ribbon
(n) Honor Guard Ribbon
(o) Medical Ribbon

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(p) Honorable Military Service Award

(q) American Flag Ribbon

Medals and ribbons shall be worn in the following order of precedence for animal control officers:

(a) Gold Medal of Valor

(b) Silver Star

(c) Bronze Star

(d) Life Saving Medal

(e) Purple Heart Medal

(f) Meritorious Service Medal

(g) Sheriff's Commendation Ribbon

(h) Agency Service Ribbon

(i) Equine Investigator Ribbon

(j) Supervisoring Animal Control Officer Ribbon

(k) Senior Animal Control Officer Ribbon

(l) Heart Coordinator Ribbon

(m) Medical Ribbon

(n) Honorable Military Service Award

(o) American Flag Ribbon

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Overtime Compensation Requests

235.1 PURPOSE AND SCOPE

It is the policy of the Office to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit an overtime request as soon as practical after overtime is worked.

235.1.1 OFFICE POLICY

Because of the nature of law enforcement work, and the specific needs of the Office, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Office. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

Eligible employees may request compensatory time in lieu of receiving overtime payment, however, the employee may not exceed the amount of compensatory time established by the MOU between the bargaining units and the County.

Scheduled overtime slots, contractual and normal patrol, will first be posted for voluntary sign-up or assigned per the following procedure:

(a) Overtime sign-up sheets will be posted.

(b) Shifts not signed up seventy-two (72) hours prior to the date of the overtime shift will be assigned. Overtime will be assigned based on employee availability and seniority. The assignment of overtime shifts will be done by the supervisor.

(c) Maintaining shift minimum staffing levels is the responsibility of the affected shift supervisor.

235.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and approval.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

235.2.1 EMPLOYEES RESPONSIBILITY

Employees should complete and submit the requests immediately after working the overtime.

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235.2.2 SUPERVISORS RESPONSIBILITY
The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

235.3 ACCOUNTING FOR OVERTIME WORKED
Employees are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid, (e.g., two hours for Court). The supervisor will enter the actual time worked. Employees shall use the correct PCN code when entering overtime on their timesheets.

235.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR
When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

TIME WORKED	INDICATE ON CARD
1 to 15 minutes	.25
16 to 30 minutes	.50
31 to 45 minutes	.75
46 to 60 minutes	1 hour

235.3.2 VARIATION IN TIME REPORTED
Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other correctional officer, the Shift Sergeant or other approving supervisor may require each employee to include the reason for the variation in the comments section of the overtime payment request.

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Line-of-Duty Deaths

236.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Nevada County Sheriff's Office in the event of the death of a member occurring in the line of duty and to direct the Office in providing proper support for the member's survivors.

The Sheriff may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

236.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a non-sworn member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

236.2 POLICY

It is the policy of the Nevada County Sheriff's Office to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this Office to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

236.3 INITIAL ACTIONS BY COMMAND STAFF

(a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to their Chain of Command and the Regional Dispatch Center.

(b) Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(c) If the member has been transported to the hospital, the supervisor or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

(d) The Sheriff or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Office Liaison as soon as practicable (see the

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Notifying Survivors section and the Office Liaison and Hospital Liaison subsections in this policy).

236.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Sheriff or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Sheriff or the authorized designee should select at least two members to conduct notification to survivors.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in office vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.

(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

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(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Office Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Office Liaison.

(m) Inform the Sheriff or the authorized designee once survivor notifications have been made so that other Nevada County Sheriff's Office members may be apprised that survivor notifications are complete.

236.4.1 OUT-OF-AREA NOTIFICATIONS

The Office Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Office Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the Office member that the survivors can call for more information following the notification by the assisting agency.

(b) The Office Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Office to pay travel expenses without the authorization of the Sheriff.

236.5 NOTIFYING OFFICE MEMBERS

Supervisors or members designated by the Sheriff are responsible for notifying office members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Office regarding the deceased member or the incident.

236.6 LIAISONS AND COORDINATORS

The Sheriff or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Office Liaison.

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(b) Hospital Liaison.

(c) Survivor Support Liaison.

(d) Funeral Liaison.

(e) Mutual aid coordinator.

(f) Benefits Liaison.

(g) Finance coordinator.

Liaisons and coordinators will be directed by the Office Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available office resources. The Office Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

236.6.1 OFFICE LIAISON

The Office Liaison should be the Undersheriff, a Division Commander, or of sufficient rank to effectively coordinate office resources, and should serve as a facilitator between the deceased member's survivors and the Office. The Office Liaison reports directly to the Sheriff. The Office Liaison's responsibilities include, but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements.

(f) Making necessary contacts for authorization to display flags at half-mast.

(g) Ensuring that office members are reminded of appropriate information–sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member's residence as necessary and reasonable.

(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

236.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

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(a) Arrange for appropriate and separate waiting areas for:

1. The survivors and others whose presence is requested by the survivors.
2. Office members and friends of the deceased member.
3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Nevada County Sheriff's Office members (except for members who may be guarding the suspect).

(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.

1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital bills are directed to the Office, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting their actions at the conclusion of their duties.

236.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Office Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term office contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Division Commander. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this

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assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.

- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.

(b) Communicating with the Office Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Office and the hospital to the survivors. The following should be considered when returning the personal effects:

1. Items should not be delivered to the survivors until they are ready to receive the items.
2. Items not retained as evidence should be delivered in a clean, unmarked box.
3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of office-issued equipment that may be at the deceased member's residence.

1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working to ensure that survivors have access to available counseling services.

(h) Coordinating with the office's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.

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(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to office activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Office recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Office to facilitate communications necessary to the assignment. The Office-issued PCD shall be used in accordance with applicable policies.

236.6.4 FUNERAL LIAISON

The Honor Guard Sergeant or the designee should function as the Funeral Liaison. The Funeral Liaison should work with the Office Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies.

(c) Coordinating the funeral activities of the Office, including, but not limited to the following:

1. Honor Guard
    (a) Casket watch
    (b) Color guard
    (c) Pallbearers
    (d) Bell/rifle salute
2. Bagpipers/bugler
3. Uniform for burial
4. Flag presentation
5. Last radio call

(d) Briefing the Sheriff and command staff concerning funeral arrangements.

(e) Assigning a deputy to remain at the family home during the viewing and funeral.

(f) Arranging for transportation of the survivors to and from the funeral home and interment site using office vehicles and drivers.

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236.6.5 MUTUAL AID COORDINATOR

The Mutual Aid Coordinator should work with the Office Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member's funeral.

(b) Area coverage so that as many Nevada County Sheriff's Office members can attend funeral services as possible.

The Mutual Aid Coordinator should perform their duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.

236.6.6 BENEFITS LIAISON

A member of the Professional Standards Unit should function as the Benefits Liaison to provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

(a) Confirming the filing of workers' compensation claims and related paperwork.

(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:

1. Public Safety Officers' Benefits (PSOB) Programs.
2. Public Safety Officers' Educational Assistance (PSOEA) Program.
3. Social Security Administration.
4. Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government survivor benefits.

1. Education benefits (Education Code § 68120)
2. Health benefits (Labor Code § 4856)
3. Worker's compensation death benefit (Labor Code § 4702)

(d) Researching and assisting survivors with application for other survivor benefits such as:

1. Private foundation survivor benefits programs.
2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by sheriff's associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.

1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

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(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

236.6.7 FINANCE COORDINATOR

The Finance Coordinator should work with the Sheriff and the Office Liaison to manage financial matters related to the line-of-duty death. The Finance Coordinator's responsibilities include, but are not limited to:

(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:

1. Paying survivors' travel costs if authorized.
2. Transportation costs for the deceased.
3. Funeral and memorial costs.
4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.

(d) Providing accounting and cost information as needed.

236.7 PUBLIC INFORMATION OFFICER (PIO)

In the event of a line-of-duty death, the Office's PIO should be the Office's contact point for the media. As such, the PIO should coordinate with the Office Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that office members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.

1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
2. Ensure that important public information is disseminated, such as information on how the public can show support for the Office and deceased member's survivors.

(d) Arrange for community and media briefings by the Sheriff or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member's survivors with media inquiries.

1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

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(g) Release information regarding memorial services and funeral arrangements to office members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

236.8 OFFICE CHAPLAIN

The Office chaplain may serve a significant role in line-of-duty deaths. Theirduties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting office members with counseling or emotional support, as requested and appropriate.

236.9 INVESTIGATION OF THE INCIDENT

The Sheriff shall ensure that line-of-duty deaths are investigated thoroughly.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved office members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

236.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Sheriff may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

236.11 NON-LINE-OF-DUTY DEATH

The Sheriff may authorize certain support services for the death of a member not occurring in the line of duty.

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Officer-Involved Shootings and Deaths

237.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an office member.

In other incidents not covered by this policy, the Sheriff may decide that the investigation will follow the process provided in this policy.

237.2 POLICY

The policy of the Nevada County Sheriff's Office is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

237.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved member's actions.
- An administrative investigation as to policy compliance by involved members.
- A civil investigation to determine potential liability.

237.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved member.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved member. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

237.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Nevada County Sheriff's Office would control the investigation if the suspect's crime occurred in Nevada County.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved member, at the discretion of the Sheriff and with concurrence from the other agency.

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237.4.2 CRIMINAL INVESTIGATION OF MEMBER ACTIONS
The control of the criminal investigation into the involved member's conduct during the incident will be determined by the employing agency's protocol. When a member from this Office is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this Office to investigate a shooting or death involving an outside agency's officer shall be referred to the Sheriff or the authorized designee for approval.

237.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION
Regardless of where the incident occurs, the administrative and civil investigation of each involved member is controlled by the respective employing agency.

237.5 INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

237.5.1 DEPUTY RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting, a NCSO deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy should, as appropriate:

(a) Secure the scene and identify and eliminate hazards for all those involved.

(b) Take reasonable steps to obtain emergency medical attention for injured individuals.

(c) Request additional resources from the Office or other agencies.

(d) Coordinate a perimeter or pursuit of suspects.

(e) Check for injured persons and evacuate as needed.

(f) Brief the supervisor upon arrival.

237.5.2 PATROL SUPERVISOR RESPONSIBILITIES
Upon arrival at the scene, a NCSO Patrol supervisor should ensure completion of the duties as outlined above, plus:

(a) Identify involved members.

(b) Attempt to obtain a brief overview of the situation from any uninvolved members.

(c) In the event that there are no uninvolved members who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved member.

(d) If necessary, the supervisor may administratively order any NCSO member to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

    1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

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scene, identity of known or potential witnesses and any other pertinent information.

2. The initial on-scene supervisor should not attempt to order any involved member to provide any information other than public safety information.

(e) Provide all available information to the Patrol Lieutenant and Regional Dispatch Center as necessary. If feasible, sensitive information should be communicated over secure networks.

(f) Take command of and secure the incident scene with additional NCSO members until properly relieved by another supervisor or other assigned personnel or investigator. Supervisors must ensure that the shooting scene is secured and evidence is maintained in its original location. They will assign a uniformed deputy to initiate and maintain a crime scene control log. Also, they will assign deputies to locate witnesses.

(g) If the suspect is transported to a hospital, have a deputy stay with them. Instruct the deputy not to interview the suspect, but take detailed notes of any voluntary spontaneous statements. Ensure the deputy obtains all of the suspect's clothing and medical information, including the attending physician's name and treatment provided.

(h) As soon as practicable, ensure that involved members are transported (separately, if feasible) to a suitable location for further direction. Members shall not be transported in the back of a caged unit.

1. Each involved NCSO member should be given an administrative order not to discuss the incident with other involved members or NCSO members pending further direction from a supervisor.

2. Supervisors will direct the member(s) not to unload or reload their weapons, but allow them to maintain control of their weapons until the officer-involved shooting detectives arrive.

3. When an involved member's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that they are provided with a comparable replacement weapon or transported by other deputies.

237.5.3 PATROL LIEUTENANT RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Patrol Lieutenant shall be responsible for coordinating all aspects of the incident until they are relieved by the Sheriff or a Division Commander.

All outside inquiries about the incident shall be directed to the Patrol Lieutenant or Public Information Officer.

237.5.4 NOTIFICATIONS

The following person(s) shall be notified as soon as practicable:

- Sheriff, Undersheriff or designee
- Investigations Division Commander
- OIS Protocol rollout team as established by the Officer-Involved Shooting MOU

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- Professional Standards Unit Supervisor
- Risk Management
- Psychological/peer support personnel
- Chaplain
- Coroner (if necessary)
- Involved member's agency representative (if requested)
- Public Information Officer

237.5.5 INVOLVED MEMBERS

The following shall be considered for the involved member:

(a) Any request for legal or union representation will be accommodated.

  (a) Involved NCSO member shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).

(d) A fitness for duty evaluation shall be conducted by a state licensed psychologist after the shooting and again approximately six months later. The associated fees shall be paid by the Office.

(e) Peer counselors are cautioned against discussing the facts of any incident with an involved or witness member (Government Code § 8669.4).

Care should be taken to preserve the integrity of any physical evidence present on the involved member's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved NCSO member shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Administrative Sergeant to make schedule adjustments to accommodate such leave.

237.5.6 NOTIFICATION TO DEPARTMENT OF JUSTICE

The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Patrol Shift Supervisor should ensure the Nevada County District Attorney's Office OIS Team Lead has notified the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, "unarmed civilian" means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

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237.6 CRIMINAL INVESTIGATION

The District Attorney's Office OIS Protocol Team, comprised of local law enforcement agencies, the local offices of the California Highway Patrol, and the District Attorney's Office, is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this Office may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved members and to complete their interviews. The following shall be considered for the involved member:

(a) Administrative Investigators should not participate directly in any voluntary interview of NCSO members. This will not prohibit such personnel from monitoring interviews.

(b) If requested, any involved member will be afforded the opportunity to consult individually with a representative of their choosing or an attorney prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of each involved member's statement, involved members shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

(c) If any involved member is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the member to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved member will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the member consents.

237.6.1 REPORTS BY INVOLVED NCSO CORRECTIONAL OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this Office shall retain the authority to require involved NCSO members to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved NCSO member may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved members as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved members should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved members in other reports.

Nothing in this section shall be construed to deprive an involved NCSO member of the right to consult with legal counsel prior to completing any such criminal report.

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Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

237.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a patrol supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to their departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the OIS Protocol Team or Sheriff's Office personnel at the direction of the OIS Protocol Team.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

237.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Investigation Unit supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Office investigators may be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related office reports, except administrative and/or privileged reports, will be forwarded to the designated Investigation Unit supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Professional Standards Unit.

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237.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this Office will conduct an internal administrative investigation of NCSO members to determine conformance with office policy. The investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential member personnel file. This investigation may be conducted by Sheriff's Office personnel or by an independent third party.

Interviews of members shall be subject to office policies and applicable laws (see the Personnel Complaints Policy).

(a) If there is a reasonable suspicion or objective symptoms of being under the influence of alcohol or drugs of any kind, a member involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the member, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any member has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved member.

1. If an interview of the member is deemed necessary by the administrative investigator to determine if the member acted within policy, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement.

(c) In the event that an involved member has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the member's physical and psychological needs have been addressed before commencing the interview.

2. If requested, the member shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual member's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).

3. Administrative interviews should be recorded by the investigator. The member may also record the interview (Government Code § 3303(g)).

4. The member shall be informed of the nature of the investigation. If a member refuses to answer questions, they should be given their*Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The member shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Office to determine compliance with applicable policies.

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6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

237.8 CIVIL LIABILITY RESPONSE

A member of this Office may be assigned to work exclusively under the direction of the legal counsel for the Office to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

237.9 AUDIO AND VIDEO RECORDINGS

Any member involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or County Counsel's Office, as appropriate.

237.10 DEBRIEFING

Following an officer-involved shooting or death, the Nevada County Sheriff's Office should conduct both a critical incident/stress debriefing and a tactical debriefing.

237.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administration Division Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing shall only include those members of the Office directly involved in the incident, which can include support personnel (e.g., dispatchers, other non-sworn personnel).

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Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Office, including supervisory and Professional Standards Unit personnel.

237.10.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Sheriff should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

237.11 MEDIA RELATIONS

Any media release should be prepared with input and concurrence from the supervisor and office representative responsible for each phase of the investigation and the District Attorney's Office. Releases will be available to the Investigations Division Commander and Public Information Officer in the event of inquiries from the media.

The Office shall not subject any involved NCSO member to visits by the media (Government Code § 3303(e)). No involved NCSO member shall make any comment to the media unless they are authorized by the Sheriff or their designee. Office members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

237.12 REPORTING

If the death of an individual occurs in the Nevada County Sheriff's Office jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Operations Division Commander will ensure that the Records Supervisor is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).

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Public Recording of Law Enforcement Activity

238.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this Office. In addition, this policy provides guidelines for situations where the recordings may be evidence.

238.2 POLICY

The Nevada County Sheriff's Office recognizes the right of persons to lawfully record members of this Office who are performing their official duties. Members of this Office will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully by a sworn peace officer.

Correctional Officers shall not seize recording devices or media.

238.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (Penal Code § 69; Penal Code § 148).

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:

    (a) Tampering with a witness or suspect.

    (b) Inciting others to violate the law.

    (c) Being so close to the activity as to present a clear safety hazard to the correctional officer.

    (d) Being so close to the activity as to interfere with a correctional officer's effective communication with an inmate or arrestee.

(c) The individual may not present an undue safety risk to the correctional officers, themselves, or others.

238.4 CORRECTIONAL OFFICER RESPONSE

Correctional officers should promptly request that a supervisor respond to the scene or notify a supervisor when outside the jurisdiction of Nevada County whenever it appears that anyone recording activities may be interfering with the lawful duties of a correctional officer.

Whenever practicable, correctional officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For

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example, rather than directing an individual to clear the area, a correctional officer could advise the person that they may continue observing and recording from the sidewalk across the street or from any public vantage point within or around the facility.

The supervisor should promptly contact the dispatch center of the primary jurisdiction and request a sworn officer or supervisor respond to the scene if arrest or other significant activity needs to be taken as a result of a recording that interferes with law enforcement activity.

Correctional officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

238.5 PATROL SUPERVISOR RESPONSIBILITIES

A patrol supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the correctional officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with the Nevada County Sheriff's Office Public Recording of Law Enforcement Activity Policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Office members, such as how and where to file a complaint.

238.6 SEIZING RECORDINGS AS EVIDENCE

Correctional Officers shall not seize recording devices or media.

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Credit Card Policy

239.1 PURPOSE AND SCOPE

The issuance of county credit cards to the Nevada County Sheriff's Office employees will streamline and augment the County's reimbursement procedure. The use of a credit card for travel in connection with training will reduce the amount of county staff time in processing these claims.

239.2 POLICY

Commercial credit cards and gasoline credit cards that are issued to assigned county employees will be used for Sheriff's Office business purposes only in accordance with the Nevada County Personnel Code.

239.3 PROCEDURE

(a) The Sheriff or their designee will determine which employee classifications within the Sheriff's Office will be issued a county credit card. When a card is issued, either in a permanent or temporary use capacity, the employee will sign the Responsibility and Acknowledgment Agreement.

1. Credit cards will not be issued to temporary employees.

(b) Credit cards issued for fleet services will be utilized for appropriate purchases that would include routine gas, oil, radiator, and other essential items for County owned vehicles.

(c) The employee may also charge incidental expenses that are allowed under the Nevada County Personnel Code and the Auditor's Commercial Card Procedures, regarding County business. At no time shall personal expenses, such as barbering, alcoholic beverages, entertainment, laundry, or dry cleaning be allowed by the use of the County credit card.

1. The County commercial card may be used to purchase merchandise and over the counter services up to the card's authorized limit including tax, shipping, etc. The employee should ensure that they are making the most economical purchase that meets their needs as well as the requirements of other interrelated departments.

(d) Cash advances are not authorized.

(e) All employees assigned a credit card will upon use of said card retain any and all receipts regarding the card's use. Upon completion of County business, those receipts will be submitted along with a completed voucher form to the accounting supervisor. Those receipts will be verified pursuant to County policy for appropriateness of use.

(f) To the extent possible, all authorized employee expenses for overnight travel should be charged to a county credit card. County issued credit cards may not be used for one day travel taxable meals. All such expenses must comply with the Travel Reimbursement and Expense Policy of the County Personnel Code including the meal per diem rate.

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1. Repayment from the cardholder for charges exceeding travel allowances is due within ten (10) business days of the completion of travel.
2. Credit card holders shall use their card in lieu of requesting a travel advance.

(g) At no time will the County employee, who is issued a credit card, either for fleet service or general use, transfer, loan, or give said card to any other person. If during the time the card is issued to a County employee it becomes lost or stolen:

1. The assigned employee will contact the nearest law enforcement agency with jurisdiction if the card is deemed stolen.
2. If the card is lost or stolen, the employee will notify our Accounting Unit as soon as possible to report it.

(h) Improper use of credit cards could result in discontinuance of card privileges and/or disciplinary action.

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Brady Material Disclosure

241.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

241.1.1 DEFINITIONS
Definitions related to this policy include:

***Brady* information** -**Information known or possessed by the Nevada County Sheriff's Office that is both favorable and material to the current prosecution or defense of a criminal defendant.**

241.2 POLICY

The Nevada County Sheriff's Office will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Nevada County Sheriff's Office will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Office will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

241.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Employees must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an employee learns of potentially incriminating or exculpatory information any time after submission of a case, the employee or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the employee should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an employee is unsure whether evidence or facts are material, the employee should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Office case file.

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241.4 DISCLOSURE OF PERSONNEL INFORMATION

The Professional Standards Unit will monitor all administrative investigations for potential Brady material. In the event an investigation reveals potential Brady material, the Professional Standards Lieutenant will notify the District Attorney's Office of its existence. Only the name of the potential witness will be disclosed. The nature of the investigation will not be disclosed to the District Attorney absent an order from the court.

Whenever it is determined that *Brady* information is located in the personnel file of a member of this office who is a material witness in a criminal case, the following procedure shall apply:

(a) In the event that a *Pitchess* motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of *Brady* information in the employee's personnel file. For staff where a *Pitchess* motion may not apply, other court processes may exist allowing the prosecuting attorney to be notified of the potential presence of *Brady* information.

(b) The prosecuting attorney should then be requested to file a *Pitchess* motion in order to initiate an in-camera review by the court. For staff where a *Pitchess* motion may not apply, other court processes may exist allowing the prosecuting attorney to initiate an in-camera review by the court.

(c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Custodian of Records shall accompany all relevant files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.

    1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

241.5 DISCLOSURE OF PUBLIC INFORMATION

If the Office receives information that a member has a pending criminal prosecution for any misdemeanor or felony, in any jurisdiction, the Professional Standards Unit Lieutenant will notify the District Attorney's Office of the alleged offense and jurisdiction.

241.6 INVESTIGATIVE BRADY ISSUES

If the Office receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

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241.7 TRAINING

Office members should receive periodic training on the requirements of this policy.

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Personal Communication Devices

242.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Office or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets, and similar wireless two-way communications and/or portable internet-access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

242.2 POLICY

The Nevada County Sheriff's Office allows members to utilize office-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or after duty hours for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

242.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Office and shall have no expectation of privacy in their location should the device be equipped with location-detection capabilities. This includes records of all keystrokes or web-browsing history made on the PCD. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through office PCDs or networks (see the Information Technology Use Policy for additional guidance).

Members have no expectation of privacy regarding any communications while using a personally owned PCD for office-related business or when the use reasonably implicates work-related misconduct.

242.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of an office-issued PCD. Office-issued PCDs can be retrieved, reassigned, accessed, or used by any member as directed by a supervisor without notice. Member use of an office-issued PCD and use of a personal PCD at work or for work-

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related business constitutes specific consent for access for office purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

242.4 OFFICE-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Office may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Office-issued or funded PCDs are provided as a convienience to facilitate on-duty performance only. Members who conduct personal business on an office-issued or funded PCD have no expectation of privacy as stated in the Privacy Expectation section of this policy. Such devices and the associated telephone number, if any, shall remain the sole property of the Office and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

242.5 PERSONALLY OWNED PCD

Members may only carry a personally owned PCD while on-duty while conducting office related business outside of the secure portion of the facility or unless approved by the Jail Commander (Penal Code 4575(a)). If permitted, members who carry a personally owned PCD while on-duty are subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Office accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications) or as otherwise authorized by office procedures.

1. Use of a personally owned PCD for work-related business constitutes consent for the Office to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
2. Use of, and data within, a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
3. Searches of a personally owned PCD by the Office should be limited to those matters reasonably associated with the work-related business or work-related misconduct.

(e) The device shall not be utilized to record or disclose any office business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Office, without the express authorization of the Sheriff or the authorized designee.

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(f) If the PCD is carried on-duty, members will provide the Office with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings, or other public records created or received on a member's personally owned PCD should be transferred to the Nevada County Sheriff's Office and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreement, or if the member has prior express authorization from their supervisor, the member may engage in office business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty office-related business activities in any manner shall promptly provide the Office with a copy of such records to ensure accurate recordkeeping.

242.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct office business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform unless it is in an approved carrier.

(b) All PCDs in the workplace should be set to silent or vibrate mode.

(c) A PCD may not be used to conduct personal business while on-duty except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.

(d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

(e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recorded media unless it is directly related to official office business. Disclosure of any such information to any third party through any means requires the express authorization of the Sheriff or the authorized designee.

(f) Members will not access social networking sites for any purpose that is not official office business. This restriction does not apply to a personally owned PCD used during authorized break times.

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(g) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

242.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Sheriff or the authorized designee.

242.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while using PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other office communications network.

242.9 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Members who are operating office vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Office or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature. If the matter is of an urgent nature, members should, where practicable, stop the vehicle at an appropriate location to use the PCD.

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Chapter 3 - Recruitment Selection and Planning

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Employee Orientation

301.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation.

301.2 NEW EMPLOYEE ORIENTATION

Each new facility employee shall receive an orientation prior to assuming their duties as a solo officer. At a minimum, the orientation shall include the following:

- Working conditions
- Code of ethics
- Personnel policy manual
- Employee rights and responsibilities
- Overview of the criminal justice system
- Tour of the facility
- Facility goals and objectives
- Facility organization
- Staff rules and regulations
- Program overview

301.3 EMPLOYEE ACKNOWLEDGEMENTS

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

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

301.4 POLICY

It is the policy of the Nevada County Sheriff's Office to provide new employees with basic information about the facility and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance, or regulations.

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Continuing Education and Professional Development

302.1 PURPOSE AND SCOPE

This policy is designed to support the ongoing professional education and professional development of office personnel at all levels.

302.2 POLICY

It is the policy of the Nevada County Sheriff's Office to encourage members to participate in continuing education and professional development opportunities whenever practicable.

The Office encourages all personnel to participate in formal education on a continuing basis.

302.3 OBJECTIVES

The objective for continuing education and professional development is for all members to enhance their knowledge and skills to their fullest potential.

Members who engage in furthering their education in conjunction with skills-based training make for well-rounded employees who can better serve the mission of the Office and the community.

Supervisors should accommodate, to the extent feasible and schedules permitting, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education and professional development efforts.

302.4 REQUIRED TRAINING

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

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Jail Training Officer Program

304.1 PURPOSE AND SCOPE

The jail training officer program is intended to provide a standardized program to facilitate the correctional officer's transition from the academic setting to the actual performance of general corrections duties.

304.2 TRAINING OFFICER

The Jail Training Officer (JTO) is an experienced correctional officer trained in the art and science of supervising, training and evaluating entry-level correctional officers in the application of their previously acquired knowledge and skills.

304.2.1 SELECTION PROCESS

Training officers will be selected based on certain requirements including:

(a) A desire to perform the training mission.

(b) A minimum of two years as a correctional officer.

(c) A demonstrated ability to be a positive role model.

(d) Successfully passed an internal oral interview selection process.

(e) Two recent consecutive satisfactory or higher performance evaluations.

(f) Refer to Lexipol Policy 107.3.5.

304.2.2 TRAINING

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

304.3 TRAINING OFFICER RESPONSIBILITIES

The JTO's responsibilities include the following:

(a) JTOs shall complete and submit a written evaluation on the performance of their assigned trainees to the JTO's immediate supervisor on a daily basis.

(b) JTOs shall review the performance evaluations with the trainees each day.

(c) JTOs shall complete detailed end-of-phase performance evaluation on the assigned trainee at the end of each phase of training.

(d) JTOs shall be responsible for signing off all completed topics contained in the Jail Training Manual, noting the methods of learning and evaluating the performance of the assigned trainee.

304.4 TRAINING OFFICER PROGRAM SUPERVISOR

The JTO program supervisor will be selected from the rank of sergeant or above by the Jail Commander or the authorized designee and shall possess supervisory credentials from the state's law enforcement certifying agency, where applicable. The supervisor's responsibilities include the following:

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(a) Assignment of trainees to JTOs.

(b) Conduct JTO meetings.

(c) Maintain and ensure JTO/trainee performance evaluations are completed in a timely manner.

(d) Maintain, update and issue the training manual to each trainee.

(e) Monitor individual JTO performance.

(f) Monitor the overall JTO program.

(g) Develop ongoing training for JTOs.

304.5 POLICY

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

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Recruitment and Selection

305.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Nevada County Sheriff's Office and that are promulgated and maintained by the Department of Human Resources.

305.2 POLICY

In accordance with applicable federal, state, and local law, the Nevada County Sheriff's Office provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Office does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Office will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

305.3 RECRUITMENT

The Administration Division Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates. The strategy should include:

(a) Identification of racially and culturally diverse target markets.

(b) Use of marketing strategies to target diverse applicant pools.

(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive office website and the use of office-managed social networking sites, if resources permit.

(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.

(e) Employee referral and recruitment incentive programs.

(f) Consideration of shared or collaborative regional testing processes.

The Administration Division Commander shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Administration Division Commander should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of their status in the recruiting process.

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305.4 SELECTION PROCESS

The Office shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects.

Minimally, the Office should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

1. The personnel records of any applicant with prior peace officer experience in this state shall be requested from the appropriate law enforcement agency and reviewed prior to extending an offer of employment (Penal Code § 832.12).
2. This includes review of prior law enforcement employment information maintained by the California Commission on Peace Officer Standards and Training (POST) (Penal Code § 13510.9).

(b) Driving record

(c) Reference checks

(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state, and federal criminal history record checks (Government Code § 1030; Penal Code § 11105.002; Penal Code § 11105.05)

(h) Lie detector test (when legally permissible) (Labor Code § 432.2)

(i) Medical and psychological examination (may only be given after a conditional offer of employment)

1. The Medical Suitability Declaration (POST form 2-363) provided by the evaluating physician shall be maintained in the candidate's background investigation file (11 CCR 1954).
2. The Psychological Suitability Declaration (POST form 2-364) provided by the evaluator shall be maintained in the candidate's background investigation file (11 CCR 1955).

(j) Review board or selection committee assessment

305.4.1 VETERAN'S PREFERENCE

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran’s

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preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

305.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify their personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Nevada County Sheriff's Office (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

305.5.1 BACKGROUND INVESTIGATION UPDATE

A background investigation update may, at the discretion of the Sheriff, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the Nevada County Sheriff's Office (11 CCR 1953(f)).

305.5.2 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

305.5.3 STATE NOTICES

If information disclosed in a candidate’s criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

305.5.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall include sections that summarize relevant Background Investigation Dimensions and include any findings of behaviors, traits, and/or attributes relevant to bias per the Bias Assessment Framework as described in the POST Background Investigation Manual: Guidelines for the Investigator. The report shall identify the data sources reviewed for the findings, regardless of weight given. The report shall include narrative information in the format described in 11 CCR 1953(g)(1). The report shall also include whether the candidate has engaged or is engaging in membership in a hate group, participating in hate group activity, advocacy, or public expressions of hate pursuant to Penal Code § 13680 et seq. (11 CCR 1953).

The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation, including relevant documentation of bias-related findings and documentation obtained through the

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social media search, shall be included in the candidate's background investigation file (11 CCR 1953).

The background investigator shall document proof of verification of qualification for peace officer appointment on the Verification of Qualification for Peace Officer Appointment form and forward it to the Administration Captain for final review and submission to POST (11 CCR 1953).

The background investigation file shall be made available during POST compliance inspections (11 CCR 1953).

305.5.5 REVIEW OF SOCIAL MEDIA SITES

All peace officer candidates shall be subject to a social media search for statements, postings, and/or endorsements made by the candidate that are relevant to suitability for peace officer employment, including bias-relevant information consistent with the requirements of 11 CCR 1955(d)(3), and any public expression of hate made in an online forum as defined in Penal Code § 13680(g) (11 CCR 1953(e)(12)).

Due to the potential for accessing unsubstantiated, private, or protected information, the Office shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Administration Captainshould consider utilizing the services of an appropriately trained and experienced third party to conduct open-source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.

(b) Material and information to be considered are verified, accurate, and validated.

(c) The Office fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Office should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

305.5.6 RECORDS RETENTION

The background report and all supporting documentation shall be maintained according to the established records retention schedule and at a minimum as follows (Government Code § 12946; 11 CCR 1953):

(a) Reports and documentation for candidates hired by the office shall be retained for the entire term of employment and for a minimum of four years after separation from the office.

(b) Reports and documentation for candidates not hired by the office for a minimum of four years.

305.5.7 INVESTIGATOR TRAINING

Background investigators shall complete POST-certified background investigation training before conducting investigations (11 CCR 1953).

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305.5.8 CONFIDENTIAL POST RECORDS

Records released to the Nevada County Sheriff's Office from POST that were previously withheld from the candidate by POST shall be kept confidential as provided in Penal Code § 13510.9.

305.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators, candidate information, and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

305.6.1 MANDATORY DISQUALIFICATION

No members or contractors shall be hired who have (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 USC § 1997).

(b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent, or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

The Office shall ask all candidates who may have contact with incarcerated persons to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

The Office shall make reasonable efforts to contact prior institutions that the candidate has been employed by to inquire about sexual abuse allegations in accordance with 28 CFR 115.17.

305.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; Penal Code § 13510.1; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the

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high standards of integrity and ethics valued by the Office and the community. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

305.7.1 STANDARDS FOR CORRECTIONAL OFFICERS

Candidates shall meet the minimum standards established by POST or required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

(a) Free of any felony convictions

(b) Legally authorized to work in the United States under federal law

(c) At least 21 years of age except as provided by Government Code § 1031.4

(d) Fingerprinted for local, state, and national fingerprint check (Government Code § 1030; Penal Code § 11105.002; Penal Code § 11105.05)

(e) Good moral character as determined by a thorough background investigation (11 CCR 1953)

(f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution

(g) Free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)

(h) Free of hate group memberships, participation in hate group activities, or advocacy of public expressions of hate within the previous seven years and since age 18 as determined by a background investigation (Penal Code § 13681)

(i) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):

1. Reading and writing ability assessment (11 CCR 1951)
2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)

(j) POST certification that has not been revoked, denied, or voluntarily surrendered pursuant to Penal Code § 13510.8(f)

(k) Not identified in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or similar federal government database that reflects revoked certification for misconduct or reflects misconduct that would result in a revoked certification in California

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In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Office (Penal Code § 13510(d)).

305.7.2 STANDARDS FOR DISPATCHER
Candidates shall satisfy the POST selection requirements, including (11 CCR 1956):

(a) A verbal, reasoning, memory, and perceptual abilities assessment (11 CCR 1957)

(b) An oral communication assessment (11 CCR 1958)

(c) A medical evaluation (11 CCR 1960)

305.8 PROBATIONARY PERIODS

The Professional Standards Unit should coordinate with the Nevada County Department of Human Resources to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.

(b) Assessing the level of performance required to complete probation.

(c) Extending probation.

(d) Documenting successful or unsuccessful completion of probation.

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Training

306.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for correctional officers, support personnel, supervisors, and managers. The policy addresses the training program and the probationary period.

306.2 POLICY

It is the policy of this office to assign all members to a structured jail training program designed to prepare the member to perform their assigned duties in a custodial jail in a safe, productive, and professional manner.

306.3 TRAINING OBJECTIVES

The objectives of the training program are to:

(a) Improve the competency of staff at all levels.

(b) Ensure that staff can carry out the mission of the Office through a thoroughly demonstrated knowledge of office policies and procedures.

(c) Increase the technical expertise and overall effectiveness of personnel.

(d) Provide for continued professional development of office personnel.

306.4 MINIMUM TRAINING REQUIREMENTS

All correctional 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)).

Custodial personnel who have successfully completed the course of instruction required by Penal Code § 832.3 shall successfully 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 facility prior to completing the required training may do so only when under the direct supervision of a fully trained correctional officer.

Transfer courses may be utilized to meet 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).

306.4.1 TRAINING FOR MANAGERS AND SUPERVISORS

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

All Jail Commanders and supervisors (full- or part-time) shall receive management and supervision training specified by the Commission on Peace Officer Standards and Training

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(POST) and the Standards and Training for Corrections Program (STC) within the first year of their appointment 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).

306.4.2 REQUIRED ANNUAL TRAINING

With the exception of the year that the staff member is enrolled in a core training module, all facility/system administrators, managers, supervisors, and custodial staff members shall complete the annual required training specified in Section 184 of Title 15 CCR (15 CCR 1025). Additionally, correctional officers shall complete no fewer than four hours of annual in-service training on mental and behavioral health (15 CCR 184; 15 CCR 1025).

306.4.3 REQUIRED CPR TRAINING

All correctional officers shall complete CPR certification as required by 15 CCR 184 and 15 CCR 1028. Training shall include that when it is safe and appropriate, CPR shall begin on a nonresponsive person without obtaining approval from a supervisor or medical staff (15 CCR 184; 15 CCR 1028).

See the Emergency Health Care Services Policy for additional CPR requirements.

306.5 JAIL TRAINING PROGRAM PHASES

The jail 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 jail training program consists of the five phases described below.

Phase I and Phase II shall consist of a minimum number of weeks, each week shall consist of a minimum of four (4) work days.

306.5.1 PHASE I - FACILITY ORIENTATION

The trainee will be assigned to a jail Training Officer (JTO). The JTO will, at a minimum:

(a) Brief the trainee on the purpose, scope and responsibilities expected during the training program.

(b) Explain the evaluation system and acquaint the trainee with the rating forms that will be used.

(c) Provide the trainee with any required equipment or materials.

(d) Tour the entire facility and support services with the trainee.

(e) Introduce the trainee to the Jail Commander and supervisory, administrative and support personnel.

Phase I of training shall last a minimum of one (1) week.

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306.5.2 PHASE II

In this phase the trainee will be exposed to the many duties at each post, including transportation and special functions, by observing the JTO demonstrate how each task is to be performed. The JTO should provide instruction to the trainee and encourage the trainee to ask questions. This phase shall last a minimum of eleven (11) weeks.

Time should be made available during this phase to allow the trainee to study policies and procedures, directives, post orders and any other materials deemed necessary by the JTO.

The JTO will monitor the trainee’s progress by asking questions and administering tests on the materials and demonstrations that have been provided to the trainee.

The work performance of the trainee will be evaluated and recorded daily by the JTO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the JTO.

306.5.3 PHASE III - SOLO WITH MONITORING

The trainee will be required to satisfactorily pass an oral interview board comprised of the Facility Training Sergeant and any other members selected by the Facility Commander or their designee. If the trainee does not pass this oral interview, he/she will be placed on a Personal Improvement Plan to correct all deficiencies.

Once the trainee has satisfactorily passed the oral interview, the trainee will be directed to work solo in each area that training has been provided.

The solo activities of the trainee will be monitored by the JTO and a supervisor.

The trainee will receive periodic evaluations of his/her performance for the remainder of the probationary period as assigned by Human Resource or the Professional Standards Unit. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the Supervisor.

306.5.4 PHASE IV - WORKING INDEPENDENTLY WITH SUPERVISION

At the termination of the probationary period, the officer will undergo continued training throughout the remainder of his/her employment with the Office. The officer will continue to be evaluated annually by a supervisor. He/she may be evaluated more often if deemed necessary.

306.6 PROBATIONARY PERIOD EVALUATION

Prior to being permanently appointed, each probationary employee will receive a final evaluation. These evaluations shall be in writing and discussed with the employee by his/her supervisor. The final evaluation shall be made a part of the employee's personnel record.

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Firearms Training

308.1 PURPOSE AND SCOPE

This policy is intended to ensure that all personnel legally assigned a firearm will develop proficiency in the use, care and safety of firearms through a regular training schedule in accordance with all laws and regulations.

308.2 FIREARMS TRAINING

Whenever possible, the Office will use firearm training courses certified by a competent government or standards-setting organization. Whenever training is provided by the Office, the Training Sergeant should ensure that a course outline and/or lesson plan, a roster signed and dated by those in attendance and the name of the person coordinating the event are on file.

Personnel who are authorized to carry a firearm in the performance of their duties are required to maintain proficiency with firearms used in the course of their assignment. All custody personnel who carry firearms are required to qualify quarterly with their duty weapon on an approved range course.

The Rangemaster shall keep accurate records of quarterly qualifications, repairs, maintenance and training records as directed by the Training Sergeant. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all affected personnel with annual practical training that is designed to simulate situations that may occur in a custody facility setting. At least annually, all personnel carrying a firearm will receive training on the Use of Force Policy and demonstrate their knowledge and understanding by passing either a performance or written test.

308.3 FIREARMS NON-QUALIFICATION

If any staff member is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that staff member shall submit a Missed Training document to their immediate supervisor prior to the end of the required shooting period. The immediate supervisor will complete the Missed Training document and forward the document to the Training Sergeant. (See the Training Plan Policy)

Members who repeatedly fail to qualify will be relieved from the assignment that required a firearm; appropriate disciplinary action may follow.

Personnel who fail to qualify on the first shooting attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.

(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

(c) No range credit will be given for the following:

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1. Unauthorized range makeup
2. Failure to qualify after remedial training

308.4 POLICY

All personnel authorized to use firearms shall receive training in accordance with state law.

Notwithstanding any statutory and regulatory requirements, at a minimum, firearms training will include the use and care of firearms and knowledge of the office Use of Force Policy and of relevant state and federal regulations involving the use of firearms.

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Chemical Agents Training

309.1 PURPOSE AND SCOPE

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

309.2 POLICY

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

309.3 CHEMICAL AGENT TRAINING

Only members 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.

(a) The Training Sergeant shall ensure that appropriate training for all chemical agents occurs annually at a minimum.

(b) All initial and proficiency training for chemical agents will be documented in the member's training file.

(c) Members 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. If, after two remedial training sessions, a member fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the member may be subject to discipline.

(d) The Training Sergeant 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.

309.4 PROFICIENCY TESTING

The Training Sergeant shall ensure that all training delivered to staff should also test proficiency in order to document that the member understands the subject matter, and that proficiency training is monitored and documented by a certified chemical agents instructor.

309.5 TRAINING RECORDS

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

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

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The Training Sergeant shall ensure that copies of such training records are forwarded to the Professional Standards Unit to be placed in the member's training file and retained in accordance with established records retention schedules.

309.6 REVIEW, INSPECTION AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the Sergeant or Officer in Charge.

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Prison Rape Elimination Act Training

310.1 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 et seq.).

310.2 POLICY

The Nevada County Sheriff's Office endeavors to comply with the training standards in the PREA Rule and to ensure that all staff, volunteers, and contractors, are aware of their responsibilities and that staff, volunteers, contractors, and incarcerated persons are aware of the policies and procedures of the facility as they relate to PREA.

310.3 MEMBER TRAINING

All staff, volunteers and contractors who may have contact with incarcerated persons shall receive office-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility.

All staff, volunteers and contractors will receive initial training from the Training Sergeant or Compliance Officer on the zero-tolerance policy and the prevention and detection of sexual abuse, sexual harassment and sexual misconduct prior to contact with incarcerated persons. Each staff member, volunteer, and contractor will be given " A *Guide for the Prevention and Reporting of Sexual Abuse and Sexual Misconduct with Offenders/Incarcerated Persons "* brochure and will sign a PREA acknowledgement form stating he/she understands and will comply with the information provided.

In Week 1 of the Jail Training Program, the Jail Training Officer will ensure that the trainee reads the PREA policy and discusses the information with the trainee to make sure they understand their role and responsibility under PREA.

After the initial training, the Training Sergeant shall ensure that the staff receives comprehensive 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 Sergeant shall be responsible for developing and administering this training, covering at minimum (28 CFR 115.31; 28 CFR 115.32):

(a) The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.

(b) The dynamics of sexual abuse and sexual harassment in confinement.

(c) The common reactions of sexual abuse and sexual harassment victims.

(d) Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the jail.

(e) Procedures for the investigation of a report of sexual abuse and/or sexual harassment.

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(f) Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.

(g) An individual's right to be free from sexual abuse and sexual harassment.

(h) The right of incarcerated persons to be free from retaliation for reporting sexual abuse and sexual harassment.

(i) How to detect and respond to signs of threatened and actual sexual abuse.

(j) How to communicate effectively and professionally with incarcerated persons, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming incarcerated persons.

(k) How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.

(l) How to avoid inappropriate relationships with incarcerated persons.

Training shall be tailored according to the gender of the incarcerated persons at the facility. Staff should receive additional training on security measures and the separation of multiple gendered populations in the same facility if incarcerated persons have been reassigned from a facility that houses a single gender incarcerated person populations.

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

The Training Sergeant shall ensure that members undergo refresher training every two years that covers the office's sexual abuse and sexual harassment policies and related procedures. In years in which a member does not receive refresher training, the agency shall provide refresher information on the office's current sexual abuse and sexual harassment policies. (28 CFR 115.31)

310.4 SPECIALIZED MEDICAL TRAINING

All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all of the member training listed above, as well as training that includes (28 CFR 115.35):

(a) Detecting and assessing signs of sexual abuse and sexual harassment.

(b) Preserving physical evidence of sexual abuse.

(c) Responding effectively and professionally to victims of sexual abuse and sexual harassment.

(d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by this facility conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

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The Training Sergeant shall maintain documentation that the facility's health care and mental health professionals have received the training referenced above, either from this office or elsewhere.

310.5 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).

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Health Care Staff Orientation

311.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an orientation period for all new health care staff working in the facility, in cooperation with the health authority. The goal is to improve the competency of the health care staff and the effectiveness of the care delivered, as well as to maintain the safety and security of the custody environment and to comply with all applicable laws, regulations and national health care standards observed by the Office.

311.2 NEW HEALTH CARE STAFF ORIENTATION

All new health care staff shall complete an orientation program before independently working in their assignments. At a minimum, the orientation program will cover the following:

(a) A general understanding of the purpose, goals, policies and procedures for the Nevada County Sheriff's Office

(b) Security and contraband regulations

(c) Access control to include use of keys

(d) Appropriate conduct with incarcerated persons

(e) Responsibilities and rights of facility employees and contractors

(f) An overview of the correctional field as it relates to custody functions

(g) Initial PREA education / training

(h) Use of the radio / ten codes

See attachment: Health Care Staff Orientation.pdf

311.3 HEALTH CARE STAFF REFRESHER TRAINING

All health care staff shall meet refresher-training requirements as established by the local public health entity or their minimum licensing requirements as established by the state licensing body.

311.4 FACILITY-SPECIFIC TRAINING

The Training Sergeant should include these staff members in training and training exercises relative to facility safety and security including, but not limited to, the following:

- Emergency medical triage in the facility
- Emergency evacuation routes and procedures
- Communication systems during facility emergencies
- Security during facility emergencies
- Qualified health care professional response during “officer down” incidents
- Responding to critical facility emergencies
- Facility hostage policy and medical response tactics

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- Medical emergency transportation procedures
- Media relations

311.5 TRAINING RECORDS

The Training Sergeant, in coordination with the Responsible Physician, shall be responsible for developing and maintaining training records in accordance with established records retention schedules. The Training Sergeant shall also maintain a file of professional licensure and certifications for each member of the health care staff.

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Volunteer Program

312.1 PURPOSE AND SCOPE

It is the policy of this office to use qualified volunteers to assist in the daily operation through their contribution of services to the incarcerated person and the families of incarcerated persons, and to serve as a link between the facility and the community. Volunteers are intended to supplement and support, rather than supplant, correctional officers and other personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to corrections institutions.

312.2 POLICY

The Nevada County Sheriff's Office shall ensure that volunteers are properly appointed, trained, and supervised to carry out specified tasks and duties in order to create an efficient Office and improve services to the community.

312.3 DEFINITION OF VOLUNTEER

An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve correctional officers, interns and persons providing administrative support.

312.4 VOLUNTEER PROGRAM MANAGEMENT

312.4.1 PROGRAM COORDINATOR

The program coordinator shall be appointed by the Jail Commander. The function of the program coordinator is to provide a central coordinating point for effective program management within the Office, and to direct and assist staff and volunteer efforts to provide more productive services. The program coordinator should work with other Office staff on an ongoing basis to assist in the development and implementation of volunteer positions.

The program coordinator or the authorized designee shall be responsible for:

(a) Developing and maintaining a volunteer recruiting plan.

(b) Developing and maintaining a handbook that minimally identifies expectations and the lines of authority, responsibility and accountability for the various volunteer assignments.

(c) Recruiting, selecting and training qualified volunteers for various positions.

(d) Facilitating the implementation of new volunteer activities and assignments.

(e) Maintaining records for each volunteer.

(f) Tracking and evaluating the contribution of volunteers.

(g) Maintaining a record of volunteer schedules and work hours.

(h) Completion and dissemination as appropriate of all necessary paperwork and information.

(i) Planning periodic recognition events.

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(j) Administering discipline when warranted.

(k) Maintaining liaison with other community programs that use volunteers and assisting in community efforts to recognize and promote volunteering.

312.4.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with office policy on equal opportunity non-discriminatory employment. A primary qualification for participation should be an interest in, and an ability to assist the Office in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the program coordinator through the requester's immediate supervisor. A complete position description, including when the volunteer would be needed, should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The program coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

312.4.3 SCREENING

All prospective volunteers should complete the volunteer application form. The program coordinator or the authorized designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

(a) Traffic, state and national criminal history background check; fingerprints shall be obtained from applicants and submitted to the California Department of Justice (Penal Code § 11105.05; Penal Code § 11105.002.

(b) Employment

(c) References

(d) Credit check

A polygraph exam may be required of each applicant depending on the type of assignment.

312.4.4 SELECTION AND PLACEMENT

Service as a volunteer with the Office shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Office, normally the program coordinator. No volunteer should begin any assignment until they have been officially accepted for the position. Each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement of service with the Office.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the facility.

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312.4.5 TRAINING

The program coordinator or the authorized designee shall be responsible for developing and maintaining training curriculum and any related forms specific to volunteer assignments.

The program coordinator or the authorized designee shall be responsible for ensuring that volunteers are provided with an orientation program to acquaint them with the Office, personnel, and policies and procedures that have a direct impact on their work assignment. The training/ orientation will include, but not be limited to, the following topics:

(a) Office policies and procedures

(b) Rules related to contraband in the facility

(c) Prohibition on carrying weapons in the facility

(d) Volunteer/offender relationship and general rules of conduct

(e) Safety and emergency information

(f) An overview and history of the Office

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

Volunteers should receive position training by their immediate supervisor to ensure they have adequate knowledge and skills to complete tasks required by the position. They should receive periodic ongoing training as deemed appropriate by their supervisor or the coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer, that they are sworn correctional officers or other full-time members or employees of the Office. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office.

312.4.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when their mental or physical condition has been impaired by alcohol, medication, or other substances, or when the volunteer is experiencing illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes but is not limited to the following:

(a) Driver's license status if driving is part of the duties of the assignment

(b) Any medical condition that might impair the volunteer's ability to perform the duties of the position

(c) Arrests

(d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this office regarding drug and alcohol use.

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312.4.7 DRESS CODE

As representatives of the Office, volunteers should present a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to office-approved dress in accordance with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by correctional officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty. However, volunteers may choose to wear the uniform while in transit to or from official office assignments or functions, provided an outer garment is worn over the uniform shirt to avoid bringing attention to the volunteer while they are off-duty.

Volunteers shall be required to return any issued uniform or office property at the termination of service.

312.5 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Office and assigned to the jail must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned and act as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. The following are some considerations to keep in mind while supervising volunteers:

(a) Take the time to introduce volunteers to employees on all levels.

(b) Ensure volunteers have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

312.6 HEALTH CARE VOLUNTEERS

The program coordinator will coordinate volunteer activities with the qualified health care professionals. Health care volunteers will be subject to all of the volunteer, recruitment, selection, and training requirements of the Office. The qualified health care professionals may have additional requirements and training for health care volunteers.

The program coordinator shall ensure that any volunteer performing health care duties possesses the appropriate credentials and training, in coordination with the qualified health care professionals, and shall ensure that signed agreement forms pertaining to the security and confidentiality of information are on file with the Office.

The program coordinator shall also ensure that volunteers performing health care duties have received specific training in topics that include fire, safety, security, contraband, and incarcerated person culture.

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312.7 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor or office policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know, as determined by office policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Office. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Office, or maintain that they represent the Office in such matters without permission from the proper office personnel.

312.8 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty.

Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

312.8.1 VEHICLE USE

Volunteers assigned to duties that require the use of a vehicle must first complete:

(a) A safety briefing and office-approved driver-safety course.

(b) Verification that the volunteer possesses a valid driver’s license.

(c) Verification that the volunteer carries current vehicle insurance.

The program coordinator should ensure that all volunteers receive safety briefing updates, and should verify their license and insurance at least once a year.

When operating any office vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all office vehicles.

312.8.2 TELECOMMUNICATION SYSTEMS USAGE

Volunteers with access to law enforcement telecommunication systems shall successfully complete all mandated access training and radio procedures training prior to using any such equipment. Volunteers shall comply with all policies and procedures related to the use of such equipment. The program coordinator should ensure that appropriate training is provided for volunteers whenever necessary.

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312.9 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Sheriff, Jail Commander or the program coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with the Office at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

312.9.1 EXIT INTERVIEWS

Exit interviews, when practicable, should be conducted with volunteers who are leaving their positions. The interview should attempt to ascertain the reason for leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Office.

312.10 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the program coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

312.11 VOLUNTEER REGISTRATION

All volunteers shall be registered with the Office for insurance purposes, and each volunteer shall be issued an identification card. The facility shall maintain an identification record for each volunteer that includes a photograph, home address, current telephone numbers, background certification, training/orientation certifications, and list of special skills, languages spoken or volunteer specialty.

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Briefing Training

313.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the correctional officer's assigned shift. Briefing training provides an opportunity for an important exchange of information between employees and supervisors.

313.2 POLICY

Briefing is intended to facilitate the accurate flow of information to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

313.3 BRIEFING

Briefing training covers a wide range of topics selected by the management/supervisory and training staff.

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 correctional officer in their absence or for training purposes. The briefing training will be based upon a structured program to provide topics related to but not limited to the following:

- Custody facility policies and procedures
- Office General Orders not yet established into policy
- Reviewing recent incidents for training purposes
- In preparation or response to an unusual occurrence
- Statutory requirements or court orders
- Operation of new equipment, including computer software
- Notifying the staff of changes in schedules and assignments
- Any other topic as determined by the Sheriff or the Jail Commander

313.4 COMPUTER-BASED TRAINING OPTIONS

The Lexipol Daily Training Bulletins (DTBs) is a web-based system that provides training on the Nevada County Sheriff's Office Custody Manual and other important topics. Generally, 20 training bulletins are available each month. However, the number of DTBs may be adjusted.

Personnel assigned to participate in DTBs should only use the passwords and login names assigned to them by the Training Sergeant. Personnel should not share their passwords with others and should frequently change their passwords to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Office.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisors. Employees should not

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allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet-active computer, employees shall only take DTBs as part of their on-duty assignments as there will be no authorization for taking or viewing DTBs while off-duty.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

313.5 TRAINING RECORDS

The Training Sergeant will assist the Sergeant or Officer in Charges with identifying relevant topics for delivery during briefing training and will be responsible for maintaining all briefing training records.

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Training Plan

314.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally manage the incarcerated person population.

314.2 POLICY

The Training Sergeant shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Training Sergeant to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Sergeant. The Training Sergeant shall coordinate with the budgeting office to develop a funding source for all mandatory training.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Training Sergeant will execute the training plan on behalf of the Sheriff.

314.3 TRAINING SERGEANT

A qualified individual shall be appointed by the Sheriff or the authorized designee to serve as the Training Sergeant, who shall report to the Sheriff or the authorized designee.

Full-time employees who are assigned to be trainers should receive specialized instruction, which at a minimum should include a train-the-trainers course.

The Training Sergeant is responsible for developing an annual training plan. The plan should ensure that employees meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff.

314.4 TRAINING RECORDS

An individual training file shall be maintained by the Training Sergeant or the authorized designee for each member. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas, and other documentation) for all members.

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The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.34).

It shall be the responsibility of the member to provide their immediate supervisor or the Training Sergeant evidence of completed training or education in a timely manner.

The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member's training file.

Training records should contain the following information:

- Name of the member
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Sergeant shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing.

314.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at minimum, provides:

- A complete description of the course, including the number of certified training hours achieved.
- A curriculum including job-related topics, and content and performance objectives.

Training should not only comprise the minimum number of hours required annually but also instruction specific to tasks performed by members in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

314.5.1 COURSE RECORDS

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

(a) The course outline or lesson plan

(b) A roster signed and dated by those in attendance

(c) The name of the person coordinating the training

(d) The credentials of the instructors/trainers

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314.6 TRAINING PROCEDURES

(a) All members assigned to attend training shall attend as scheduled, unless previously excused by their immediate supervisor or the Training Sergeant. Excused absences from mandatory training should be limited to the following:

1. Court appearances
2. Authorized vacation
3. Sick leave
4. Physical limitations preventing the member's participation
5. Emergency situations

(b) When an member is unable to attend mandatory training, that member shall:

1. Notify their supervisor as soon as possible but no later than one hour prior to the start of training.
2. Document their absence in a Missed Training Document addressed to the supervisor.
3. Make arrangements through the supervisor and the Training Sergeant to attend the required training on an alternate date.

(c) All training programs, whether in-house or outside the facility, are considered on-duty work assignments and the following should apply:

1. Members should participate during training.
2. Members shall display a professional demeanor.
3. Members shall adhere to the Drug- and Alcohol-Free Workplace Policy.

See attachment: Missed Training.pdf

314.6.1 ATTIRE

In-house training attire:

- Casual clothing is acceptable provided all clothing is neat, clean, and in good repair.
    - Ragged jeans, tank tops, shorts, sweatpants, sandals, and provocative clothing are not acceptable.
- Employees attending CERT, range, weaponless defense, baton, or other training requiring rigorous exercise are allowed to wear the appropriate clothing associated with that training and as directed by the instructor.

Outside agency training attire:

(a) Business casual attire that is neat, clean, and in good repair.

1. Casual clothing, jeans, tank tops, shorts, sweatpants, hats and provocative clothing are not acceptable.

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(b) Employees attending CERT, Range, weaponless defense, baton or other training requiring rigorous exercise are allowed to wear the appropriate clothing when directed by the outside agency.

314.6.2 PARTICIPATION

Employees assigned to training are to be on time and attend the full presentation of all training.

Employees are to observe any and all rules or requirements of the training providers.

Electronic Devices, such as cellphones, shall be turned off while in class unless there is prior approval from the instructor. This approval shall be on a case-by-case basis. If approved, the device must be silenced/muted to prevent a disruption to the class.

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Support Personnel Orientation and Training

315.1 PURPOSE AND SCOPE

The Office has developed an orientation and training program for professional support and contract personnel, whether full- or part-time, to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their position as it relates to this facility.

315.2 POLICY

It is the policy of the Nevada County Sheriff's Office to establish minimum training guidelines for support and contract personnel.

315.3 TRAINING SERGEANT RESPONSIBILITIES

The Training Sergeant is responsible for coordinating orientation and training. They will ensure that the training and orientation given to all support or contract personnel is properly documented and placed in the worker's training file. At a minimum, the record should contain the name of the individual, the assignment, the date that the training and orientation was presented, the orientation outline indicating the subject material and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record. General service or contract employee orientation records will be maintained within the jail.

Orientation documents may include but are not limited to the following:

- PREA and Hostage acknowledgement(s)
- Support Personnel orientation acknowledgment

315.4 PART-TIME PERSONNEL

Supportand contract personnel working part-time shall receive formal orientation and training commensurate with the scope of their work assignments, as determined by the Jail Commander, before assignment to duties within the facility. At a minimum, the training and orientation should include:

- Safety and security
- Jail regulations
- Jail operations
- Guidelines for conduct with incarcerated persons

Support and contract personnel who fail to successfully complete all required training shall not be permitted to work in the secure portions of the facility.

315.5 PERSONNEL WITH MINIMAL INCARCERATED PERSON CONTACT

New professional support and contractor personnel who have minimal incarcerated person contact will receive training and orientation prior to any solo work within the secure portions of the facility. At a minimum, the orientation will cover the following:

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(a) A general understanding of the purpose, goals, policies and procedures for the Nevada County Sheriff's Office.

(b) Security and contraband regulations.

(c) Access control to include the use of keys.

(d) Appropriate conduct with incarcerated people.

(e) Responsibilities and rights of facility employees/contractors.

(f) Overview of the correctional field as it relates to custody functions and medical needs.

(g) Use of radio / ten codes.

See attachment: Support Personnel Orientation.pdf

In addition to orientation, new professional support and contractor personnel who have minimal incarcerated person contact will receive a minimum of 8 hours of Prison Rape Elimination Act (PREA) training during the first year of employment.

Minimal incarcerated person contact is defined as tasks that do not involve the supervision of incarcerated persons, incarcerated person's discipline or specific tasks that involve custody and control of an incarcerated person.

315.6 TESTING

All training delivered to support personnel should include testing to document that the employee understands the subject material presented.

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Subpoenas and Court Appearances

317.1 PURPOSE AND SCOPE

This policy establishes the guidelines for office members who must appear in court. It will allow the Nevada County Sheriff's Office to cover any related work absences and keep the Office informed about relevant legal matters.

317.2 POLICY

Nevada County Sheriff's Office members will respond appropriately to all subpoenas and any other court-ordered appearances.

317.3 SUBPOENAS

Only office members authorized to receive a subpoena on behalf of this Office or any of its members may do so. This may be accomplished by personal service to the member or by delivery of two copies of the subpoena to the member's supervisor or other authorized office agent (Government Code § 68097.1; Penal Code § 1328(c)).

The party that issues a civil subpoena to a member to testify as a witness must tender the statutory fee of $275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

(a) They know that they will be unable to deliver a copy of the subpoena to the named member within sufficient time for the named member to comply with the subpoena.

(b) It is less than five working days prior to the date listed for an appearance and they are not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that they are unable to deliver a copy of the subpoena to the named member within sufficient time for the named member to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

317.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the County Counsel or the prosecutor shall notify their immediate supervisor without delay regarding:

(a) Any civil case where the County or one of its members, as a result of their official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of their official capacity, is a party.

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(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member's on-duty activity or because of their association with the Nevada County Sheriff's Office.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Nevada County Sheriff's Office.

The supervisor will then notify the Sheriff or designee and the appropriate prosecuting attorney as may be indicated by the case. The Sheriff should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

317.3.2 CIVIL SUBPOENA

The Office will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Office should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

317.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

317.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

317.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Office.

If a member on standby changes their location during the day, the member shall notify the party that issued the subpoena how they can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

317.6 COURTROOM PROTOCOL

When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the office uniform or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

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317.6.1 TESTIMONY
Before the date of testifying, the subpoenaed member should request a copy of relevant reports and become familiar with the content in order to be prepared for court.

317.7 OVERTIME APPEARANCES
When a member appears in court on their off-duty time, they will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

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Facility Tour Policy

318.1 PURPOSE AND SCOPE

The Facility Tour Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Facility Tour Program. It is specifically intended that this program be limited to departmental personnel or prospective departmental personnel who can benefit from it, a citizen who has a genuine law enforcement interest either from an academic or journalistic perspective, or for any other legitimate purpose.

318.1.1 ELIGIBILITY

The Nevada County Sheriff's Office Facility Tour Program is offered to residents, adult students and those employed within the County. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

Persons who fall under the categories listed below in this policy may be allowed to participate in the Facility Tour Program. Any other person must obtain permission on a case-to-case basis from the Sheriff, Undersheriff, or Division Commander.

The following persons are authorized to tour the Wayne Brown Correctional Facility:

(a) Any employee of the Nevada County Sheriff's Office;

(b) Police officers, reserve officers, or correctional officers currently employed by a law enforcement agency;

(c) Regular applicants who have completed the testing process and are on the eligibility list for hire. Persons in this category should be assigned to a Jail Training Officer (JTO) whenever possible;

(d) Any regular employee of Nevada County with a legitimate interest or law enforcement purpose;

(e) Any citizen who has a legitimate law enforcement purpose which could include journalistic, academic, or public relations related interest.

The Administrative Sergeant or Shift Sergeant shall verify that the individual falls under one of the above listed categories.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Office
- Denial by any supervisor

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318.1.2 AVAILABILITY

The Facility Tour Program is available on most days of the week, with certain exceptions. The tour times are at the discretion of Administrative Sergeant or the Shift Sergeant..

318.2 PROCEDURE TO REQUEST A FACILITY TOUR

Generally, tour requests will be scheduled by the Administrative Sergeant or Shift Sergeant. The participant will complete a Facility Tour Waiver form. Information requested will include a valid ID or California driver's license, address, date of birth, and telephone number.

The Administrative Sergeant, Shift Sergeant or designee will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Shift Sergeant as soon as possible for their scheduling considerations.

If the tour is denied after the request has been made, a representative of the Office will contact the applicant and advise them of the denial.

ALL non-Nevada County Sheriff employees or non-law enforcement personnel, in order for the tour to be approved, SHALL read and sign the Wayne Brown Correctional Facility Tour Wavier. This form, once completed and approved, SHALL be kept on record for a period of at least three (3) years. The completed forms will be uploaded to the appropriate Sharepoint site.

See attachment: WBCF Tour Waiver (1).pdf

318.2.1 PROGRAM REQUIREMENTS

Once approved, civilians will be allowed to tour the jail facility no more than once every six months. An exception would apply to the following: RSVP, Chaplains, Reserves, sheriff's office or correctional applicants, and all others with approval of the Administrative Sergeant or Shift Sergeant.

An effort will be made to ensure that no more than one citizen will participate in a facility tour during any given time period.

No one shall be permitted to tour the facility if they arrive with the odor of alcohol on the breath, or has taken a drug or medication which might adversely affect their conduct or impair their judgment during the tour period.

Tour participants are not permitted to bring weapons, keys or cell phones into the secured portion of the jail. All items must secured in the person's vehicle or in a locker located in the jail lobby.

318.2.2 SUITABLE ATTIRE

Any person approved to tour the facility is required to be suitably dressed in collared shirt, blouse or jacket, slacks or blue jeans, and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. The Shift Sergeant or Officer in Charge may refuse the tour to anyone not properly dressed.

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318.2.3 CRIMINAL HISTORY CHECK
Tour applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval to tour the facility (provided that the tour participant is not an employee of the Nevada County Sheriff's Office) .

318.3 CORRECTIONAL OFFICER'S RESPONSIBILITY
Correctional officers shall consider the safety of the tour participant at all times. Correctional officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, have the participant exit the secure portion of the facility. The facility tour may be continued or terminated at this time.

Any concerns regarding the behavior of the tour participant should be documented in a memo up the chain of command.

318.4 CONTROL OF FACILITY TOURS
The assigned employee shall maintain control over the tour participant at all times and instruct them in the conditions that necessarily limit their participation. These instructions should include:

(a) The tour participant will follow the directions of the correctional officer

(b) The tour participant will not have discussions with inmates or arrestees, or handle any sheriff's office equipment

(c) The tour may terminate at any time if the tour participant interferes with the performance of the correctional officer's duties

(d) The tour participant will not make any recordings or take any photographs without permission

(e) The Shift Sergeant or Officer In Charge may terminate a participant's tour if such action is justified based on the participant's attitude or actions

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Chapter 4 - Emergency Planning

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Facility Emergencies

400.1 PURPOSE AND SCOPE

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

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

400.2 POLICY

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

400.3 PROCEDURE

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

(a) Fires

(b) Escapes

(c) Disturbances/riots

(d) Taking of hostages

(e) Mass arrests

(f) Natural disasters

(g) Periodic testing of emergency equipment

(h) Storage, issue, and use of weapons, ammunition, chemical agents, and related security devices

(i) Other emergencies as needs are identified

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

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

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

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

400.4 LOCKDOWN

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Central Control and the Sergeant or Officer in Charge. The Sergeant or Officer in Charge may determine whether to order a partial or full lockdown of the facility and shall notify the Jail Commander as soon as practicable.

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

A headcount shall be immediately conducted for all incarcerated persons, visitors, contractors, and staff. The Sergeant or Officer in Charge shall be immediately notified of the status of the headcount. If any person is unaccounted for, the Sergeant or Officer in Charge shall direct an immediate search of the facility and notify the Jail Commander 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 HUNGER STRIKE

Upon being made aware that one or more incarcerated persons is engaging in a hunger strike, the staff will notify the Sergeant or Officer In Charge. The Sergeant or Officer In Charge should evaluate the basis for the strike and seek an appropriate resolution.

Should the Sergeant or Officer In Charge be unable to resolve the grievance leading to the strike, the Sergeant or Officer In Charge will notify the Operations Lieutenant and provide updates on the status of the hunger strike.

400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Jail Commander or the authorized designee should notify the Responsible Physician to review, coordinate, and document any medical actions taken, based upon protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of incarcerated persons involved in the hunger strike and make recommendations to the Jail Commander or the supervisory staff responsible for oversight of the incident.

If an incarcerated person is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental illness will be followed.

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400.5.2 RESPONSE TO HUNGER STRIKES
Beginning at the line staff level, a resolution to grievances should be sought at the lowest level. The Grievances Policy shall guide staff on resolving incarcerated person grievances.

If the hunger strike remains unresolved, the Jail Commander may direct the appropriate staff to examine the incarcerated person's commissary purchases made in advance of the hunger strike, and to monitor commissary purchases made during the hunger strike. Additional staff should be directed to observe the cell area, including trash containers, of the incarcerated persons involved for evidence of food items purchased from the commissary and of food hoarding.

400.5.3 LEGAL GUIDANCE
If all attempts to resolve the grievance are unsuccessful or not reasonably possible, the Jail Commander should consider consulting with legal resources or the health authority, as appropriate, to develop other steps to resolve the issues.

400.6 RESPONSE TO DISTURBANCES
The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The staff should immediately notify the Sergeant or Officer In Charge of the incident. The Sergeant or Officer In Charge may direct additional staff as needed to resolve the disturbance (15 CCR 1029(a)(7)(B)).

400.6.1 NOTIFICATIONS
Based on the seriousness of the incident the Sergeant or Officer In Charge should notify their chain of command of the disturbance as soon as practicable. Based on the seriousness of the event, the Jail Commander should notify the Undersheriff who may notify the Sheriff as appropriate.

Classification will notify the appropriate contract agency if the involved inmate(s) is/are contract inmates as soon as practicable.

400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS
The Jail Commander or the authorized designee should notify the appropriate qualified health care professionals in order to review, coordinate, and document medical actions based upon protocols and/or at the direction of the Responsible Physician.

400.6.3 REPORTING
The Sergeant or Officer In Charge should direct that an incident report be completed containing the details of the disturbance no later than the end of the shift. If appropriate, a crime report shall be initiated and prosecution sought.

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

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

400.7.1 RESPONSE TO RIOTS

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

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

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

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

400.7.2 QUALIFIED HEALTH CARE PROFESSIONALS RESPONSE

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

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

400.7.3 NOTIFICATIONS

As soon as practicable, the Sergeant or Officer In Charge or a responsible staff member shall notify their chain of command, who in turn, shall relay the information further up the chain of command as necessary.

Classification will notify the appropriate contract agency if the involved inmate(s) is/are contract inmates as soon as practicable.

400.7.4 REPORTING

The Jail Commander or the Sergeant or Officer in Charge shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the responsible law enforcement agency.

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400.7.5 DEBRIEFING

All responding staff, including medical responders, should be debriefed on the incident as soon as practicable after the conclusion of the emergency incident. The staff should examine the incident from the perspective of what worked, what actions were less than optimal, and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facility disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator should be used to ensure that no individual or group involved in the response is publicly ridiculed.

400.8 HOSTAGES

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

It is the policy of the Nevada County Sheriff's Office to use all available resources necessary to bring about a successful end to a hostage situation (15 CCR 1029(a)(7)(B)).

400.8.1 RESPONSE TO HOSTAGE INCIDENT

The Sergeant or Officer In Charge should immediately be notified at the earliest sign of a hostage incident. As soon as practicable, the Sergeant or Officer In Charge or a responsible staff member shall notify their chain of command, who in turn, shall relay the information further up the chain of command as necessary.

The Sergeant or Officer In Charge shall make every effort to ensure that the 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 as necessary.

400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

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

400.8.3 HOSTAGE RESCUE

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the staff to open doors will not be met. A hostage rescue team should be immediately summoned and the established protocols for resolving the situation shall be implemented. The hostage rescue team should consist of SED, CERT, CINT and any other element believed necessary to aid in resolution of the situation. The Jail Commander and Sheriff should be consulted regarding decisions faced by the hostage rescue team.

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400.8.4 REPORTING AND DEBRIEFING

Following the conclusion of a hostage incident, the Jail Commander 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 incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

Classification will notify the appropriate contract agency if the involved incarcerated persons is/are contract incarcerated persons as soon as practicable.

400.9 ESCAPES

Upon being made aware that an escape may have occurred, or did in fact occur, the staff member should immediately notify Sergeant or Officer In Charge. As soon as practicable, the Sergeant or Officer In Charge or a responsible staff member shall notify their chain of command, who in turn, shall relay the information further up the chain of command as necessary.

Once the escape is verified and immediate actions taken inside the facility (lockdown, etc.), the Sergeant or Officer In Charge should notify all local law enforcement agencies.

400.9.1 INCARCERATED PERSON COUNTS

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

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

400.9.2 SEARCH

Concurrent with the lockdown, the area surrounding the facility 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.

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

Classification will notify the appropriate contract agency if the involved incarcerated persons is/are contract incarcerated persons as soon as practicable.

400.9.3 REPORTING

The Sergeant or Officer In Charge or a designated staff member should submit an incident report to the Jail Commander. 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.

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The Jail Commander should review the reports, ensure all involved parties are interviewed, 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 Sergeant or Officer in Charge should notify the Jail Commander. The Jail Commander should make the determination regarding the magnitude of the event and whether it warrants notification of the Sheriff.

The size of the event may also require a lockdown, suspension of any programs that are not critical to jail operations, and/or implementation of alternate staffing plans. To accommodate the influx of incarcerated persons, the Sergeant or Officer in Charge shall develop a housing plan that will not adversely affect the safety and security of the facility. Program spaces, such as exercise yards, 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 the safety and security of the facility, mutual aid may be requested from allied counties. Title 15 CCR standards may be temporarily suspended. The Jail Commander shall notify the California Board of State and Community Corrections (BSCC) in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days require approval of the chairperson of the BSCC (15 CCR 1012).

400.11 REVIEW OF EMERGENCY PROCEDURES

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

(a) Assignments of persons to specific tasks in emergency situations.

(b) Instructions in the use of the alarm systems and signals.

(c) Systems for the notification of appropriate persons outside of the facility.

(d) Information on the location and use of emergency equipment in the facility.

(e) Specification of evacuation routes and procedures.

400.12 TRAINING

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

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Facility Emergencies

Emergency planning training may 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. Trainings not documented with a roster shall be memorialized in an incident report.

The Training Sergeant should forward an annual report to the Sheriff and Jail Commander on the status of emergency response plan training. Any training deficiencies identified in this report should be rectified within 90 days of the report.

The facility emergency plans and all training shall be documented by the Training Sergeant and retained in accordance with established records retention schedules.

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Emergency Staffing

401.1 PURPOSE AND SCOPE

The facility must operate at all times as a safe and secure environment, regardless of staffing levels. Consequently, contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing appropriate emergency staffing training to supervisory and management personnel, and identifying an update schedule and distribution list for the plan, as identified by the Sheriff or the authorized designee.

401.2 POLICY

It is the policy of this office to be prepared to operate a safe and secure facility in the event of a work staffing emergency. Staffing emergencies that could negatively affect the good order of the facility may include but are not limited to an outbreak of infectious disease, a work stoppage or strike by the staff, a natural disaster, or other disruption. The Sheriff, the Jail Commander, or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists.

401.2.1 EMERGENCY STAFFING

In the event the Jail Commander becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts. Plans should include measures to achieve minimum staffing for the facility within four hours of a staffing emergency and may include the following operational adjustments:

- The facility may go to a lockdown. Minimum activities, including visiting, exercise and other programs will be suspended only if necessary. Meals, cleaning, medical services, court transportation and attorney visits will continue. Other activities will be assessed by the Jail Commander on a case-by-case basis.
- Supervisory and management personnel may have time-off canceled or rescheduled for the duration of the staffing emergency.
- Staff from other areas of the office who have custody experience may be used to fill vacancies in the facility.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facility.
- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facility.
- In the event of a health-related staffing emergency, the office Exposure Control Officer and medical staff shall be notified in accordance with the Communicable Diseases Policy.

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401.2.2 LEGAL ASSISTANCE

In cases where the Jail Commander becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the employees' representatives may also be necessary to prevent or conclude the job action.

401.2.3 TRAINING

The Jail Commander or the authorized designee should be responsible for:

(a) Establishing a distribution list for the contingency plan.

(b) Establishing a periodic review and update of the plan.

(c) Ensuring that all supervisors and managers are periodically trained on the plan.

(d) Ensuring that all supervisors and managers are provided a copy of the plan and/or a means to access it in the event of an emergency.

(e) Documenting all training.

(f) Maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the plan.

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Fire Safety

402.1 PURPOSE AND SCOPE

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

402.2 POLICY

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

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

402.2.1 FIRE CODES

The Office shall conform to all federal, state, and local fire safety codes.

402.2.2 FIRE PREVENTION RESPONSIBILITY

All staff, volunteers, and contractors who work in the facility 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.

402.3 FIRE SUPPRESSION PRE-PLANNING

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

(a) A fire suppression pre-plan by the local fire department, to be included as part of this policy.

(b) Fire prevention, safety inspection plans, and record retention schedules developed by designated staff or as required by applicable law.

(c) Fire prevention inspections as required by Health and Safety Code § 13146.1(a) and (b), which requires inspections at least once every two years.

(d) Documentation of all fire prevention inspections, all orders to correct, and all proofs of correction should be maintained for a minimum of two years or as otherwise required by law.

(e) An evacuation plan (see the Evacuation Policy).

(f) A plan for the emergency housing of incarcerated persons in case of fire.

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(g) A plan for the cross-training of responders and facility staff via drills, which should occur at least quarterly, if practicable.

402.4 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 Commander or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as possible and that staff is provided with an alternative emergency fire safety and evacuation plan.

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

402.5 FIREFIGHTING EQUIPMENT

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

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

402.6 FIRE TRAINING

The Training Sergeant is responsible for ensuring that within the first six months of assignment to the facility all staff members receive training in the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff should receive refresher training at least annually on the use of firefighting equipment.

402.7 INSPECTIONS

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

The Jail Commander or the authorized designee shall ensure that staff conduct weekly fire and safety inspections of the facility and that all fire safety equipment is tested at least quarterly (15 CCR 1029(a)(7)(E)). The Compliance Officer will audit the logs monthly to ensure the inspections are accurate.

A staff member shall be assigned to coordinate with local or state fire officials for the inspections as required once every two years, pursuant to Health and Safety Code § 13146.1(a); and Health and Safety Code § 13146.1(b). The result of all fire inspections and fire equipment testing shall

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be provided to the Jail Commander and the Sheriff, and the records maintained for at least two years (15 CCR 1032(b)).

402.7.1 FURNISHINGS
All furnishings allowed in the facility shall meet fire authority standards for fire performance characteristics.

402.7.2 FLAMMABLE, TOXIC AND CAUSTIC MATERIALS
All materials introduced into the facility will be reviewed to ensure that flammable, toxic, and caustic materials are controlled and used safely. All such materials will be safely stored and only used by incarcerated persons under the direction of the staff.

402.8 EMERGENCY HOUSING OF INCARCERATED PERSONS

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

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Emergency Power and Communications

403.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office jail facilities must continue to operate as safe and secure environments regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding back-up power and communication systems, and the inspection, preventive maintenance and testing of the systems to ensure a seamless transition in the event of a loss of power.

403.2 POLICY

It is the policy of this office to ensure that power to critical systems and communications continues to operate within the facility in the event of a loss of power.

403.2.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Sheriff and the Jail Commander 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 facility 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 Commander or the Sergeant or Officer in Charge 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 until the repair or replacement of the primary system occurs.

403.2.2 SAFETY AND SECURITY

All safety and security equipment will be repaired or replaced in an expedited manner by qualified personnel. In the event that safety and/or security equipment become inoperable or damaged and it is not safe to operate a secure portion of the facility, that portion of the facility should be vacated and the incarcerated persons housed elsewhere. Or, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

403.2.3 INSPECTION AND TESTING

The Jail Commander or the authorized designee is responsible for scheduled testing of emergency power systems (15 CCR 1029).

Power generators should be inspected and tested by Nevada County Facilities Department or their contractor to ensure operational capabilities.

403.3 COURT SECURITY ALARM TEST

It is the responsibility of the court security staff (or assigned deputy) to conduct a test of the court alarm system on a routine basis. These tests should be done at least once per month.

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Emergency Power and Communications

Prior to testing any alarm, all affected personnel shall be notified. Areas outside the facility that record or respond to alarms shall also be notified prior to the alarm test and upon completion of the test.

Completed alarm test reports are to be forwarded to the appropriate supervisor who will ensure that all defects have been documented and repairs have been made.

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Evacuation

404.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities, and training requirements for the staff of the Nevada County Sheriff's Office jail in case of fire and other emergency evacuations.

404.2 POLICY

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

404.3 EVACUATION PLAN

The Nevada County Sheriff's Office maintains an evacuation plan to be implemented in the event of a fire, natural disaster, or other emergency (15 CCR 1032(d)). At a minimum the evacuation plan shall address the following:

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

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

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

404.3.1 EXITS

All facility exits should be marked with signs that clearly indicate the direction of traffic.

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

All housing areas and places of assembly that are designed for occupancy of 50 individuals or more shall have two available exits.

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404.3.2 EVACUATION PLANS AND ROUTES
All custody staff will be familiar with evacuation routes for incarcerated persons.

404.3.3 EMERGENCY HOUSING OF INCARCERATED PERSONS
The Jail Commander or the authorized designee shall develop a plan on the emergency housing of incarcerated persons in the event of a full or partial evacuation of the facility. The plan will address when incarcerated persons should be housed in place, identification of alternate facilities, and the potential capacity of those facilities, incarcerated person transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

404.4 TRAINING DRILLS

The Jail Commander should ensure that drills of the evacuation plan are conducted at least annually, or more often if required by code, for each shift and at all facility locations. Drills will include staff and volunteers. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant inmates may participate. Violent and/or dangerous inmates or those known to be a flight risk will not be involved in the drills.

Drills should be designed to ensure that all staff members are proficient in their duties during each type of evacuation. Each drill should be documented as to its scope and participants. Upon completion of the drill an incident report will be completed notating the details of the drill and the names of all staff involved.

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Response to Bomb Calls

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Nevada County Sheriff's Office in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

405.2 POLICY

It is the policy of the Nevada County Sheriff's Office to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

405.3 RECEIPT OF BOMB THREAT

Office members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established office evidence procedures.

The member receiving the bomb threat should ensure that the Sergeant or Officer in Charge is immediately advised and informed of the details. The Sergeant or Officer in Charge shall immediately notify dispatch of the bomb threat and request to speak with a sworn shift sergeant. The following are some questions which should be asked of someone reporting a threat:

(a) When is bomb going to explode?

(b) Where is it right now?

(c) What does it look like?

(d) What kind of bomb is it?

(e) What will cause it to explode?

(f) Did you place the bomb?

(g) Why?

(h) What is your address?

(i) What is your name and date of birth?

In addition to the above, the person receiving the threat should note the tone, accent, and demeanor of the caller in addition any background noise which may assist in determining the caller's location or identity.

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405.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

405.4.1 NEVADA COUNTY SHERIFF'S OFFICE FACILITY

If the bomb threat is against the Wayne Brown Correctional Facility, Truckee Jail Facility, or Courthouse, the Patrol Shift Sergeant will direct and assign deputies or correctional officers as required for coordinating a general building search or evacuation of the jail or courthouse, as they deem appropriate.

405.4.2 COUNTY BUILDING OR PROPERTY

If the bomb call is at a county facility inside city limits, the primary jurisdiction rests with the police departments, except if it is within the following locations, in which case the Sheriff's Office will retain jurisdiction:

(a) The jails

(b) The dispatch and training center

(c) The courthouse

(d) Evidence storage facilities

(e) Nevada County Government Centers including Truckee

405.5 PRIVATE FACILITY OR PROPERTY

When a member of this Office receives notification of a bomb threat at a location in the County of Nevada County, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.

(b) The nature of the threat.

(c) Whether the type and detonation time of the device is known.

(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.

(e) Whether the individual is requesting Sheriff's assistance at the facility.

(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat should ensure that the Sergeant or Officer in Charge is immediately advised and informed of the details. The Sergeant or Officer in Charge shall immediately notify dispatch of the bomb threat and request to speak with a sworn Shift Sergeant.

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405.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:

1. Two-way radios
2. Cell phones
3. Other personal communication devices

(d) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(e) A safe access route should be provided for support personnel and equipment.

(f) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(g) Promptly relay available information to the Patrol Shift Sergeant including:

1. The time of discovery.
2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

405.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding deputies or correctional officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

405.7.1 CONSIDERATIONS

Correctional officers responding to explosions at the Wayne Brown Correctional Facility, Truckee Jail Facility, or the Courthouse, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid.

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(d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.

(e) Assist with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate if necessary.

(i) Identify witnesses.

405.7.2 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

405.7.3 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Patrol Shift Sergeant should assign deputies to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

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Chapter 5 - Incarcerated Person Management

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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 facility on a daily operational basis. It assembles data that enables the Office 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 facility that an incarcerated person population management system should be established and maintained to account for the admission, processing, transfer, and release of incarcerated persons.

500.3 REPORTS

The Jail Commander or the authorized designee is responsible for ensuring that detailed daily reports of the facility's incarcerated person population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced incarcerated persons by categories of gender. The Jail Commander should ensure the data is collected and available to the Sheriff upon request. The Sheriff or the authorized designee should maintain the data in an accessible format for historical purposes, and trend analysis, and to respond to funding opportunities (see the Crowding Policy)(15 CCR 1040).

500.4 DATA COLLECTION

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

(a) Current number of beds in:
    1. Compliance with local or state standards
    2. General housing
    3. Medical/mental health

(b) Average daily population (ADP) for:
    1. Minimum security
    2. Maximum security
    3. High security
    4. Administrative separation

(c) Highest one-day incarcerated person population

(d) Number and percentage of:
    1. Bookings
    2. Incarcerated persons by gender
    3. Non-sentenced incarcerated persons

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4. Felony incarcerated persons
5. Pretrial incarcerated persons released
6. Sentenced incarcerated persons released early due to lack of space
7. Incarcerated persons receiving psychotropic medication

(e) Number of incarcerated persons:

1. Enrolled in work release program
2. Enrolled in work furlough program
3. Assigned to home electronic monitoring program

(f) Number of:

1. Incarcerated person-on-incarcerated person assaults
2. Incarcerated person-on-staff assaults
3. Escapes/attempted escapes
4. Active misdemeanor warrants
5. Active felony warrants
6. Incarcerated person grievances and dispositions
7. Incarcerated person disciplinary reports and dispositions

(g) Any other demographic information (e.g., gang activity)

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

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Counts

501.1 PURPOSE AND SCOPE

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

501.2 POLICY

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

501.3 PROCEDURE

The Jail Commander or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Incarcerated person counts shall be conducted at the beginning of each shift and at each meal. Emergency counts may be conducted at the direction of the Sergeant or Officer in Charge 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 Sergeant or Officer in Charge. Counts shall include all persons in custody, including those on work assignments, furlough, and education release, and those who are off-site, such as at the hospital or court.

Any discrepancy in the count should immediately be reported to the Jail Commander and resolved prior to the release of the shift personnel responsible for the count. In the event of a discrepancy in the count, a formal count in which all incarcerated persons are personally identified by a correctional officer should be started by comparing the incarcerated person movement card to the incarcerated person population board at pod control and JMS. Officers shall physically compare the incarcerated person movement card with each incarcerated person housed in the section.

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

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

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Reception

502.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office has a legal and methodical process for the reception of arrestees into the facility. This policy establishes guidelines for admission, identifying security needs, initiating the classification process, identifying medical and mental health issues, seizing and storing personal property, and providing intake telephone calls.

502.2 POLICY

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

502.3 PRE-BOOKING SCREENING

All arrestees shall be screened by medical staff prior to booking to ensure the arrestee is medically acceptable for admission (see the Medical Screening Policy) 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) Documentation of 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 or assessments of suicide risk

(h) Medical and mental health records

Arresting officers shall disclose to correctional staff any information that would indicate that the arrestee had been involved in a traffic accident, was injured prior to arrest, or if a carotid hold was applied to subdue the arrestee during the arrest process. Also, the arresting/Transportation Officer will indicate whether they are aware of any circumstances involving mental health issues with the arrested subject.

Nothing in this policy shall be construed in a manner that would require the sheriff to receive a person who is in need of immediate medical care until the person has been transported to a hospital or medical facility so that his or her medical needs can be addressed prior to booking into county jail (Penal Code § 4015(b)).

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

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

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

502.3.1 TRUCKEE SCREENING

Once the incarcerated person is searched, the arrestee will be escorted to the booking cage.

If "Yes" is answered on any of the medical questions, the medical unit at the Wayne Brown Correctional Facility or contract agency shall be called to evaluate the situation, and/or the arrestee shall be taken to the nearest emergency room for medical clearance.

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 of the following (Government Code § 7282.5; Government Code § 7284.6):

(a) Has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c)

(b) Has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary

(c) Has been convicted of an offense as identified in Government Code § 7282.5(a)

(d) Is a current registrant on the California Sex and Arson Registry

(e) Is identified by the U.S. Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE) as the subject of an outstanding federal felony arrest warrant

See attachment: ICE notified of release date.pdf

502.3.3 NOTICE TO INDIVIDUALS

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

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

See attachment: ICE request for hold.pdf

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502.3.4 ICE INTERVIEWS

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

The written consent form shall be witnessed by staff, scanned and placed into the incarcerated person file for administrative purposes. The original should be given to the incarcerated person or placed on their property.

See attachment: ICE interview Request.pdf

502.3.5 IMMIGRATION INQUIRIES PROHIBITED

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

502.4 SEARCHES BEFORE ADMISSION

All arrestees and their property shall be searched for contraband by jail staff before being accepted for booking. All contraband items will be handled according to jail procedures. Items of possible evidentiary value may be turned over to the arresting or transporting officer for processing or be 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. If the transporting officer is a Nevada County Correctional Officer, the items should be turned over to a Nevada County Sheriff's Deputy. A description of the items returned to the arresting or transporting officer shall be documented in an incident report.

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

502.4.1 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

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

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

502.5 ADMISSION PROCESS

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

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Reception

The admission process should 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 correctional officer and transporting correctional officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction
- Gender
- Gender identity
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact, including name, address, telephone number, and relationship to the incarcerated person
- Driver's license number and state where issued, state identification number, or passport number
- Social Security number
- Information regarding religious practices
- Information regarding disabilities
- Local, state, and federal criminal history records
- Photographs, and notation of any unique marks or physical characteristics, such as scars, birthmarks, deformities, or tattoos
- Fingerprints
- Medical, dental, and mental health screening records, including suicide risk
- Inventory of all personal property, including clothing, jewelry, and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

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

Inventoried items of rare or unusual value should be brought to the attention of a supervisor.

The incarcerated person's signature should be obtained on the booking record and on any forms used to record money and all property.

502.5.1 SUICIDE RISK ALERTS

If at any time the incarcerated person is identified as a current or prior suicide risk, the following criteria will be used to determine what level of risk the incarcerated person is. When determining the risk level, the officer will consult with their supervisor and the jail medical provider concerning the incarcerated person's past and current behavior. The level of risk will be indicated as a caution code under the supplemental portion of the JMS booking screen, using the following criteria:

(a) Suicide Risk 1: Defined as having identified previous or current ideation only. This warning would be for custody purposes and provided to medical staff.

(b) Suicide Risk 2: Defined as having attempted suicide at any time in their lifetime. This warning would be for custody purposes and provided to medical staff.

(c) Suicide Risk 3: Defined as having attempted suicide in any correctional facility at any time in their lifetime. This warning would require the on-duty watch commander to contact and consult with medical staff regarding housing options and decisions.

Housing of the incarcerated person will be determined by classification or the Sergeant or Officer in Charge.

502.5.2 LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility should be notified of the charge or legal basis of confinement in a language they understand.

502.5.3 ADMISSION OF SEX OFFENDER REGISTRANTS

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

502.5.4 RELIGIOUS ACCOMMODATIONS AT INTAKE

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

(a) Allow the individual to purchase facility-issued religious clothing and headwear or provide access as defined by Penal Code § 2607.

    1. If religious clothing or headwear is unavailable, the individual shall be allowed to retain their religious clothing or headwear until facility-issued religious clothing and headwear can be accessed or purchased.

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(b) Not require an individual's hair or beard to be trimmed or cut during the booking, intake, or classification process.

For additional guidance, see the Religious Programs Policy.

502.6 INFRACTIONS / WARRANTS / HOLDS

Infraction Arrests:

- Persons arrested for outstanding warrants on two or fewer outstanding warrants for failure to appear on a citation for parking offenses or a traffic infraction shall be provided the opportunity to immediately post bail and shall not be booked, photographed, or fingerprinted nor shall an arrest record be made (Vehicle Code 40304.5).
- If the person has sufficient cash in his/her possession, that person shall be given the opportunity immediately to post bail.
- If the person does not have sufficient cash in his/her possession:
    - The person will have 3 hours in which to post bail;
    - The person has the right to make no less than three (3) completed phone calls to arrange bail.
- If the warrant is for an infraction and the person cannot post bail, the person will be booked and then released on their own recognizance.
- Persons arrested for fresh infractions shall not be booked.

Calculating Pick-up Times for Out of County Warrant:

- If no other charges or sentences are pending, then the county issuing the warrant will be notified the incarcerated person is ready for immediate pick-up by that county or agency. Agencies that are within 400 miles have five (5) days (includes weekends and holidays) in which to pick-up the incarcerated person. If the charge is a felony and the agency is further than 400 miles they will have five (5) court days in which to take the incarcerated person into custody.
- Do not count the day of arrest or the day the incarcerated person is time served when notifying the agency. The five (5) day or five (5) court day time limit, whichever applies, will start the following day. The time for pick-up on the last day will be 2359 hours. If the incarcerated person is not picked up, they will be released.

Out of State Holds (1551.1 PC):

- Whenever an incarcerated person has an out-of-state hold and they waive extradition through court proceedings, the appropriate agency will be sent an abstract stating the incarcerated person is ready for pick-up. A date of three (3) weeks will be set as the last day for pick-up by that agency.

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502.7 TRANSITION FROM RECEPTION TO HOUSING UNITS

The Sergeant, Officer In Charge, or Classification is responsible for ensuring only arrestees who qualify, are placed into general population cells or housing. Those who will not be placed into general population include:

(a) Arrestees who are eligible for release following a citation (Penal Code § 4030).

(b) Arrestees held in custody on a misdemeanor offense not involving weapons, controlled substances, or violence who are eligible for release on his or her own recognizance (Penal Code § 4030).

(c) Arrestees held in custody on a misdemeanor offense not involving weapons, controlled substances, or violence who are arranging bail shall be permitted a reasonable amount of time, not less than 3 hours, to make telephone calls before being placed in general population (Penal Code § 4030).

(d) All other arrestees who are arranging bail, shall be permitted a reasonable amount of time, at the discretion of the booking officer, to make telephone calls before being placed in general population.

502.7.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

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

Members should respond promptly to an incarcerated person's complaint of symptoms and remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that an incarcerated person may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the Sergeant or Officer in Charge and the appropriate medical staff.

502.7.2 SEPARATION

Incarcerated persons going through the admission process should be kept separate from the general population. Newly admitted incarcerated persons should be separated according to the facility's classification plan (see the Classification Policy).

502.8 PROPERTY CONTROL

All approved personal property received from incarcerated person at the time of booking shall be inventoried. A receipt listing the booking number should be signed by the incarcerated person and the booking officer before the admission is completed. The original copy of the property receipt shall be retained and placed in the incarcerated person's file. A second copy may be presented to the incarcerated person at the time of booking.

Excess personal property may be mailed at the incarcerated person's expense or picked up by a person of the incarcerated person's choosing.

The jail will not store perishable food items for in-custody incarcerated persons.

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The following items will not be accepted into the Nevada County Correctional facilities, and will be the arresting officer's responsibility:

(a) Weapons, except knives with an overall length of less than six (6) inches;

(b) Drugs, other than prescription drugs in the arrestee's name;

(c) Alcoholic beverages;

(d) Explosives or ammunition;

(e) Caustic chemicals;

(f) Personal property larger than twelve (12) inches by twelve (12) inches (i.e., suitcases, boxes, bicycles, et cetera.);

(g) Paraphernalia associated with illegal drug use; and

(h) Any item refused by jail personnel.

Nothing in this policy shall prohibit items necessary for the arrestee's health and welfare due to valid medical reasons.

502.8.1 VERIFICATION OF MONEY

All monies belonging to the incarcerated person and retained by the booking officer shall be handled either by:

- Sealed in a money envelope:
  - This shall be verified by a two officer count and signed by both officers.
  - The total count of bills/change and the total amount shall be written on the outside of the sealed envelope.
  - If the total is over $10, the money deposit shall be made on the Aramark computer, a receipt printed and the sealed envelope secured in the money safe.

    At the request of the incarcerated person, if the total is under $10, the envelope may be inventoried and placed on the incarcerated person's property.
- Deposited in the money kiosk:
  - All bills and change shall be deposited and counted by the money kiosk and a receipt printed.

When possible, the incarcerated person should sign the amount on the receipt.

Negotiable checks or other instruments and foreign currency shall be considered approved personal property and inventoried as such.

502.8.2 PROPERTY STORAGE

All incarcerated person's 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

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property, or to conduct duly authorized work, including maintenance and other duties as directed by the Jail Commander.

502.9 TELEPHONE CALLS

Every person detained in this facility shall be entitled to at least three completed telephone calls, at no expense, immediately upon being admitted and no later than three hours after arrest. The telephones in reception allow for both local and long-distance calls.

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

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

Calls to an attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded.

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

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

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

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

Members shall facilitate reasonable accommodations to individuals with disabilities to make phone calls (see the Incarcerated Persons with Disabilities Policy).

502.10 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 a housing unit (see the Incarcerated Person Hygiene Policy).

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

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case, for a maximum of six hours (Welfare and Institutions Code § 207.1). Detention is subject to the following conditions:

(a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail, such as an interview room, lobby, or office.

(b) The juvenile shall not be physically secured to a cuffing rail or other stationary object.

(c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.

(d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.

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Handbook and Orientation

503.1 PURPOSE AND SCOPE

This policy provides for the orientation of incarcerated persons booked into the Nevada County Sheriff's Office facility. The purpose of the orientation is to inform incarcerated persons of the jail routine, rules, incarcerated persons' rights, and services.

503.2 POLICY

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

503.3 INITIAL ORIENTATION

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

(a) Facility rules and disciplinary actions

(b) Correspondence, visiting, and telephone rules

(c) Incarcerated person grievance procedure

(d) Co-pays, fees, and charges

(e) Medical, dental, and mental health services

(f) Possibilities for pretrial release

(g) Programs and activities, including application procedures

(h) Classification/housing assignments and appeal procedures

(i) Court appearance, where scheduled, if known

(j) Availability of personal care items and opportunities for personal hygiene

(k) Emergency procedures (e.g., fires, evacuations)

(l) Sexual abuse and sexual harassment information, including the following (28 CFR 115.33):

1. Facility's zero-tolerance policy
2. Prevention and intervention
3. Instruction on how incarcerated persons can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
4. Treatment and counseling for victims of sexual abuse or sexual harassment

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5. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations, 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) Voting, including registering to vote

(p) Direction for pregnant incarcerated persons, including the information required in Penal Code § 3407(e) and 15 CCR 1058.5

(q) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

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

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

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

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

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

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

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

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Safety Checks

504.1 PURPOSE AND SCOPE

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

504.2 POLICY

It is the policy of the Nevada County Sheriff's Office that all correctional staff shall conduct safety checks on all incarcerated persons, at a frequency determined by custody status, housing classification, and applicable state law.

504.3 SAFETY CHECKS

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

(a) Safety checks shall be conducted at least once every 60 minutes and more frequently if necessary.

(b) Safety checks shall be conducted on an irregular schedule (staggered) so that incarcerated persons cannot predict when the checks will occur.

(c) Safety checks shall be done by personal observation of the correctional officer and shall be sufficient to determine whether the incarcerated person is experiencing any stress or trauma.

(d) Cameras and monitors may supplement the required visual observation safety checks, but they shall not replace the need for direct visual observation.

(e) Safety checks will be clearly documented on permanent logs in accordance with the office Daily Activity Logs and Shift Reports Policy.

(f) Actual times of the checks and notations should be recorded on the daily activity logs. Once the record has been made in the daily activity log, there shall be no delay in conducting the check.

504.3.1 SAFETY CHECK DOCUMENTATION

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

(a) The actual time when each safety check occurred.

(b) The location where each safety check occurred, such as a cell, module, or dormitory number.

(c) Initials or member identification number of staff who completed the safety check.

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

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Special Management Incarcerated Persons

505.1 PURPOSE AND SCOPE

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

505.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative separation - The physical separation of an incarcerated person who has (15 CCR 1053):

(a) A documented history of activity or behavior, or promoting such activity or behavior, that is criminal in nature, disruptive to facility operations, or affects the safety of the facility, other incarcerated persons, and facility staff.

(b) Influenced or participated in activity that is criminal in nature or disruptive to facility operations or affects the safety and security of the facility, other incarcerated persons, and facility staff.

(c) A history of escape or recently attempted escape.

(d) Committed assault, attempted assault, or participated in a conspiracy to assault or harm other incarcerated persons or facility staff.

(e) A demonstrated need for protection from other incarcerated persons and facility staff.

This is a non-punitive classification process and must not adversely affect an incarcerated person's health (15 CCR 1053).

Protective custody separation - A level of custody either requested or required for an incarcerated person's protection from others.

Special management incarcerated person - An incarcerated person who is either classified as administrative separation or protective custody separation. Classification as a special management incarcerated person is a non-punitive classification.

505.2 POLICY

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

505.3 SPECIAL MANAGEMENT INCARCERATED PERSONS HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies incarcerated persons who pose a risk to themselves or to others. Incarcerated persons who pose such a risk must be promptly and appropriately separated from the general incarcerated persons

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population until such time that they no longer pose a risk. Staff must have the ability to promptly separate these incarcerated persons pending further review.

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

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

505.3.1 INCARCERATED PERSON CLASSIFICATION CODES

AD/SEP A
Incarcerated persons who may interact with other incarcerated persons in the dayroom/recreation yard without restrictions

AD/SEP B
Incarcerated persons who may interact with other incarcerated persons with like charges

AD/SEP C
Incarcerated persons who have medical or mental handicaps and are unable to interact with other incarcerated persons

AD/SEP D
Incarcerated persons who have medical or mental handicaps that may make them a target for abuse by other incarcerated persons

AD/SEP E
Incarcerated persons with serious medical conditions whose placement in general population may be detrimental to their health

AD/SEP F
Incarcerated persons who have mental handicaps that make them prone to violent behavior

AD/SEP G
Incarcerated persons who have a history of suicidal tendencies or attempts

AD/SEP H

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Incarcerated persons who are a witness against others or otherwise need to be protected from general population incarcerated persons (High Profile, High Publicity)

AD/SEP I
Incarcerated persons who are assaultive

AD/SEP J
Incarcerated persons whose actions place them in jeopardy of counter-actions from other incarcerated persons

AD/SEP K
Incarceratedpersons who display seriously anti-social or psychopathic personality traits

AD/SEP L
Incarcerated persons who have escaped from the Nevada County Jail or another facility and have been returned to custody

AD/SEP M
Incarcerated persons who are in custody for a civil charge or on a civil commit

AD/SEP N
Incarcerated persons who ar deemed 1368 by the Courts

AD/SEP O
Incarcerated persons who are deemed 1370 and are awaiting transport to a mental health facility

AD/SEP P
Incarcerated persons who are members of a validated gang

AD/SEP Q
Incarcerated persons who are Civil SVP

505.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEPARATION

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

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

(a) The incarcerated person requests protection or is under court-ordered protection, or the staff has determined that the incarcerated person requires protection.

(b) There is reason to believe the incarcerated person poses a danger to themself or others.

(c) The incarcerated person poses an escape risk.

(d) The incarcerated person requires immediate mental health evaluation and medical housing is not reasonably available.

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(e) The incarcerated person is charged with a disciplinary infraction and is awaiting a disciplinary hearing and in the judgment of the staff, the incarcerated person may become disruptive or dangerous if left in general population.

(f) The incarcerated person is in the process of being transferred to a higher security classification.

(g) Other circumstances where, in the judgment of the staff, the incarcerated person may pose a threat to themself, others, or the security of the facility.

505.4.1 REVIEW PROCESS

The Sergeant or Officer in Charge will be notified when any incarcerated person is placed into immediate separation and will be informed of the circumstances leading to the order to separate. Within 72 hours of the incarcerated person being placed into restrictive housing, Classification must review the circumstances surrounding the separation to determine which of the following actions shall be taken:

(a) The incarcerated person is designated for administrative separation.

(b) The incarcerated person is designated for protective custody.

(c) The incarcerated person remains separated pending a disciplinary hearing.

(d) The incarcerated person is returned to general incarcerated person population.

505.4.2 SEXUAL VICTIMIZATION CLASSIFICATION

Incarcerated persons at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be conducted immediately, the incarcerated person may be placed in involuntarily separated housing for less than 24 hours while completing the assessment.

Incarcerated persons placed in separated housing for this purpose shall have access to programs, privileges, education, and work opportunities. If the incarcerated person is restricted from access to programs, privileges, education, or work opportunities, the following will be documented in a Jail Incident Report:

(a) The opportunities that have been limited

(b) The duration of the limitation; and

(c) The reasons for such limitations.

Incarcerated persons shall be assigned involuntary separated housing only until an alternative means of separation from likely abusers can be arranged and such an assignment shall not ordinarily exceed a period of 30 days.

If an involuntary separated housing assignment is made based on the aforementioned criteria, the following will be clearly documented in the Classification portion of JMS:

(a) The basis for concern for the incarcerated person's safety; and

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(b) The reason why no alternative means of separation can be arranged.

Every 30 days, Classification shall afford each such incarcerated person a review to determine whether there is a continuing need for separation from the general population.

505.5 PROTECTIVE CUSTODY

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

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

505.6 MAINTENANCE OF PROGRAMS AND SERVICES

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

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

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

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

505.7 REVIEW OF STATUS

The Sergeant or Officer in Charge or the classification officer shall review the status of all incarcerated persons who are housed in restrictive housing units and designated for administrative

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separation or protective custody. This review shall occur every seven days. The review should include information about these incarcerated persons to determine whether their status in administrative separation and protective custody is still warranted.

If other reasonable housing options exist that will provide for the safety of the incarcerated person and the facility, the incarcerated person should be moved out of separation. In reviewing an alternative housing decision for an incarcerated person in protective custody, the safety of the incarcerated person should receive the utmost consideration.

505.8 HEALTH EVALUATION REQUIREMENTS

After notification from staff that an incarcerated person is being placed in separation, the Sergeant or Officer in Charge shall ensure that the following occurs:

(a) A qualified health care professional shall assess the incarcerated person's health needs and coordinate the appropriate housing assignment.

(b) If contraindications or special accommodations are noted, the qualified health care professional shall inform the Sergeant or Officer in Charge and coordinate the appropriate plan for the incarcerated person based on the safety needs of the facility and the medical needs of the incarcerated person.

505.8.1 HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of separation, health evaluations should include notations of any bruises and other trauma markings and the qualified health care professional's comments regarding the incarcerated person's attitude and outlook.

When an incarcerated person is classified as a special management incarcerated person due to the presence of a serious mental illness and is placed in a separation setting, the staff shall document this in the incarcerated person's file and notify the qualified health care professional. When an incarcerated person is expected to remain in separation for more than 30 days, the qualified health care professional should be notified. Classification will provide a list of all incarcerated persons placed on separation status to medical on a daily basis. A qualified health care professional should conduct weekly mental health evaluations.

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk during the three days following admission to the restrictive housing unit.

505.9 SAFETY CHECKS

A staff member shall conduct a face-to-face safety check of all special management incarcerated persons, including those housed in administrative separation or protective custody, at least every 60 minutes on an irregular schedule.

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

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

505.10 LOG PROCEDURES

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

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

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

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

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

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check. All documentation will be gathered and provided to the Sergeant or Officer in Charge or the Jail Commander as requested.

505.10.1 LOG INSPECTION AND ARCHIVE OF LOGS

The Sergeant or Officer in Charge shall review and evaluate the logs and pass any significant incidents via the chain of command to the Jail Commander for review.

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

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Civil Detainees

506.1 PURPOSE AND SCOPE

This policy provides safeguards to ensure that persons held under a civil detainee are afforded appropriate standards of custody.

Nothing in this policy prevents application of discipline under the Discipline Policy.

506.1.1 DEFINITIONS

Definitions related to this policy include:

Civil detainee - Any person in custody held for a reason other than for criminal matters.

Enhanced security concern - A status applicable to a civil detainee that indicates the person poses an enhanced threat to staff or others due to the person's past criminal behavior, criminal sophistication, or other actions.

506.2 POLICY

It is the policy of the Nevada County Sheriff's Office that any confinement conditions placed on civil detainees are for legitimate, non-punitive purposes.

506.3 LESS RESTRICTIVE CONDITIONS

Civil detainees should not be restricted in their activities to any extent greater than that reasonably necessary to maintain order and security, and to ensure their appearance at any arraignments or trials. Generally, the accommodations of these detainees should be above the level of non-sentenced, general population incarcerated persons. The Jail Commander or the authorized designee should institute alternative and less harsh confinement methods for these detainees, while still maintaining security and effective management of the facility.

506.4 SCREENING

Civil detainees should undergo the same screening process as incarcerated persons, including attention to whether the person poses an enhanced security concern. Any reason for departure from the standard treatment of civil detainees as defined in this policy or in related procedures should be documented with specific recommendations included addressing the risks.

The Jail Commander or the authorized designee should review the screening documents to ensure any safety concerns are appropriately addressed and are part of the detainee's record.

506.5 ORIENTATION

Civil detainees should receive orientation materials explaining the benefits and rules that are applicable to civil detainees. Staff should meet one-on-one with the civil detainee during orientation to review the orientation material and conditions of custody with the detainee. Staff should specifically review the grievance process with the civil detainee and encourage the detainee to use the grievance process when appropriate.

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506.6 CONDITIONS OF CONFINEMENT IN HOUSING

All civil detainees should be housed separately from other incarcerated persons.

Civil detainees should be housed in designated housing areas as identified by Classification staff, grouped according to classification, and separate from all other criminally committed incarcerated persons. Civil detainees are subject to the same screening process as criminal pretrial and committed incarcerated persons, including attention to whether the person poses an enhanced security concern. The only exception to the housing classification is if the Court has approved a waiver submitted by a sexually violent predator under Penal Code Section 4002(b).

When housed in a section where criminal pretrial and criminally committed incarcerated persons are housed, (pursuant to a Court approved waiver under Penal Code section 4002(b), where applicable), the civil detainee will be administratively segregated from other incarcerated persons in the section and no incarcerated persons will share a cell with civil detainees.

The Truckee Jail should not house civil detainees unless an emergency exists and only with prior approval of the Jail Commander.

506.6.1 CLOTHING

Civil detainees should be provided a minimum of 50 percent additional clothing exchanges than incarcerated persons receive and be provided with an extra set of undergarments and socks that they may retain in their housing area.

Civil detainees should be provided an additional storage container for their personal belongings and extra-issued clothing.

Civil detainees shall be dressed to allow visual identification of their custody status as civil.

506.6.2 USE OF RESTRAINTS AND TRANSPORTATION

Civil detainees should not be placed in leg or waist restraints absent an identified security concern.

Civil detainees may be handcuffed in the event that there is a need to control the detainee based on identified security concerns.

Civil detainees should be transported separately from incarcerated persons.

506.6.3 OUT OF CELL TIME

Civil detainees should receive a minimum of 50 percent additional out of cell time (indoor and outdoor) than incarcerated persons in the general population. Out of cell time may be increased by the Jail Commander as resources allow.

506.6.4 ACCESS TO MAIL AND TELEPHONE

Civil detainees shall have the same access to books, periodicals, and magazines as any other general population incarcerated person, except incoming books and magazines must only be censored with a substantial government interest, and only when it is necessary or essential to address the particular government interest. Incoming books, periodicals, or magazines may be justifiably confiscated from a detainee when there is a government interest to:

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(a) Maintain facility security and safety, such as a book covering improvised weapons or promoting aggression.

(b) Prevent dangerous conduct.

(c) Comply with a court order or court-ordered treatment plan.

Outgoing and incoming mail may be inspected but not read, unless there is specific and articulable information to believe a particular security or safety issue.

Civil detainees should be provided with a minimum of 50 percent additional telephone access than incarcerated persons in the general population. Civil detainees should be provided with telephone privacy. A reasonable amount of telephone messages should be taken for a civil detainee.

506.6.5 ACCESS TO INTERNET

Civil detainees should receive a minimum of 50 percent more time to access the internet than incarcerated persons in the general population.

506.6.6 VISITING

Civil detainees should be allowed to receive a minimum of 50 percent additional visitation time than incarcerated persons in the general population.

506.6.7 MENTAL HEALTH CARE

Civil detainees who are detained due to issues related to their mental health should be provided with:

(a) An interview with the civil detainee's established mental health care provider and/or a review of the civil detainee's records by an office mental health professional.

(b) A review of the reasonable options available to address the civil detainee's continued mental health care. The office's mental health professional and the Jail Commander or the authorized designee should identify benefits or restrictions that may advance the purpose of the civil detainee's confinement. Examples include:

1. Restricting or providing special access to books, periodicals, or internet sites as part of the civil detainee's treatment.
2. Providing special access to mental health care professionals or other visitors.

(c) A conference with the detainee's mental health care provider prior to the decision to discipline the detainee.

506.7 SEARCHES

Strip searches of civil detainees must be justified by probable cause, unless the Jail Commander specifies otherwise based upon an identified security concern. The specified concern shall be documented in the detainee's record. Modified strip searches may be conducted when a detainee has entered an environment where contraband or weapons may be accessed (see the Searches Policy).

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Absent an identified security concern or reasonable suspicion that contraband may be found, there should be no unscheduled cell searches of a detainee's personal effects or a cell search when the detainee is not present. Non-invasive cell inspections for security purposes may still be conducted.

506.8 SEXUALLY VIOLENT PREDATORS

Incarcerated Persons classified as sexually violent predators are persons in which non-criminal proceedings have been initiated to determine that a person is a "sexually violent predator" pursuant to Welfare and Institutions (W&I) Code section 6600 et seq. A sexually violent predator is a person who has been convicted of a sexually violent offense against one or more victims, subsequently sentenced to a term of imprisonment and, upon completion of a term of imprisonment, is diagnosed with a mental disorder which makes them a danger to the health and safety of others, and it is likely they will engage in sexually violent criminal behavior.

Persons brought into the facility for W&I 6600 commitments shall be booked with "W&I 6600" as their primary booking charge so they are easily identified by staff.

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Management of Weapons and Control Devices

507.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

507.2 POLICY

It is the policy of the Nevada County Sheriff's Office that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use those weapons for which they have been trained in and are qualified to use.

507.3 FIREARMS

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

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

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Commander or authorized designee and under the direct supervision of a supervisor.

507.4 OTHER WEAPONS, TOOLS, AND CHEMICAL AGENTS

Office-approved weapons, tools, and chemical agents, including but not limited to pepper projectiles, batons, conducted energy devices (CEDs), impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades, and similar devices, may be possessed and used only by custody staff members who have received office-authorized training and are qualified to use them.

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

507.5 STORAGE OF WEAPONS, CHEMICAL AGENTS, AND CONTROL DEVICES

The armory shall be located in a secure and readily accessible repository outside of incarcerated person housing and activity areas. It shall be secured at all times. Access to the armory shall be limited to the Jail Commander and the Sergeant or Officer in Charge or the authorized designee. Only personnel who have received office-approved training in the maintenance of the stored equipment and who have been designated by the Jail Commander are authorized to be inside the armory.

The following equipment shall be stored and secured in the armory, CERT locker, or weapons locker:

(a) All office-approved weapons

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(b) All office-approved control devices and associated supplies, with the exception of the CED's

(c) All security equipment, such as helmets, face shields, stab or protective vests, and handheld shields

(d) All office-approved chemical agents

Explosive materials will be stored in a safe approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and in compliance with 27 CFR 555.201 et seq.

507.5.1 WEAPONS LOCKER

There should be a secure weapons locker located outside of the secure perimeter of the jail.

507.5.2 INVENTORY

The Jail Commander should designate one or more properly trained staff to be responsible for maintaining all weapons, chemical agents and control devices in a safe and secure manner, and to inventory and report the condition and availability of the facility's weapons and control devices on a quarterly basis.

To facilitate the inventory, all weapons, chemical agents and control devices should be stored in assigned locations inside the armory, CERT locker, or weapons locker. A log should be maintained within the armory, CERT locker, or weapons locker at all times, detailing the exact location of each item. The removal of any weapon, chemical agent or control device should be documented on the log sheet, showing who removed the item, the date and time of removal and the reason for removal. An additional log entry should be made indicating the date and time of the item's return.

The Sergeant or Officer In Charge and the Jail Commander shall be immediately notified in the event that any weapon, chemical agent or control device is determined to be missing. An immediate and thorough search of the facility shall take place in order to locate the item.

507.5.3 REVIEW, INSPECTION, AND APPROVAL

Every control device and chemical agent will be periodically inspected for serviceability and expiration dates by the Rangemaster or the instructor designated to train on the use of a particular control device or chemical agent. The Rangemaster or the designated instructor is responsible for ensuring replacement of outdated or unserviceable items.

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Classification

508.1 PURPOSE AND SCOPE

This policy describes the Nevada County Sheriff's Office's classification process, which is designed to identify security and health issues so that incarcerated persons may be held and housed in such a way as to foster a safe and secure facility (15 CCR 1050).

508.1.1 DEFINITIONS

Definitions related to this policy include:

Civil detainee - Any person held in custody for a reason other than for criminal matters.

Classification correctional officer - The on-duty classification supervisor or correctional officer, or in their absence, the on-duty Sergeant or Officer in Charge.

508.2 POLICY

It is the policy of this office to process all arrestees and detainees entering this facility to determine whether they will be housed in the facility, cited and released, released on their own recognizance (O.R.) or bail, or released back to the community through an appropriate release mechanism, including alternatives to incarceration programs, such as electronic supervision.

Anyone housed in the facility shall be properly classified according to security and health risks so that appropriate supervision, temporary holding, and housing assignments may be made.

508.3 RELEASE AT OR FOLLOWING CLASSIFICATION

Individuals arrested for intoxication only, with no further proceedings anticipated, should be released as soon as custodial staff reasonably determine they are no longer impaired to the extent that they cannot care for their own safety.

Misdemeanor incarcerated persons who meet criterion established by local courts may be cited and released on O.R. by the Sheriff or the authorized designee. Incarcerated persons who meet the established criteria will be interviewed by correctional officer personnel and a determination will be made whether there is good cause to release the incarcerated person on O.R. (15 CCR 1029(a)(5)).

508.4 CLASSIFICATION PLAN

The Jail Commander or the authorized designee should create and maintain a classification plan to guide members in the processing of individuals brought into the facility.

The plan should include an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42). The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, intake and housing forms, and a process to ensure that all classification and housing records are maintained for each incarcerated person. The plan should include an evaluation of the following criteria (15 CCR 1050):

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- Age
- Gender identity
- Current charges
- Behavior during arrest and intake process
- Criminal and incarceration history
- Emotional and mental condition
- Potential risk of safety to others or self
- Special management status
- Special needs assessment for vulnerable incarcerated persons
- Behavioral or physical limitations or disabilities and physical/mental health needs
- Medical condition
- Level of sobriety at booking
- Suicidal ideation
- Escape history and degree of escape risk
- Prior assaultive or violent behavior
- The need to be separated from other classifications of incarcerated persons (e.g., gang affiliation, confidential informant, former law enforcement, sexual orientation)
- Prior convictions for sex offenses against an adult or child
- Whether the incarcerated person is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (see the Prison Rape Elimination Act Policy for transgender and intersex definitions)
- Previous sexual victimization
- The incarcerated person's own perceptions of vulnerability
- Whether the incarcerated person is detained solely for civil immigration purposes
- Whether the incarcerated person is a foreign national and, if so, from what country (see the Foreign Nationals and Diplomats Policy)
- Prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the Office (28 CFR 115.41)
- Any other criteria as deemed appropriate by the Sheriff or the authorized designee
- Any other requirements for a classification plan under 15 CCR 1050

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

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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 (28 CFR 115.41).

508.4.1 INCARCERATED PERSON RESPONSE TO SCREENING

Incarcerated persons may not be compelled by threat of discipline to provide information or answers regarding (28 CFR 115.41):

(a) Whether the incarcerated person has a mental, physical, or developmental disability.

(b) Whether the incarcerated person is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming.

(c) Whether the incarcerated person has previously experienced sexual victimization.

(d) The incarcerated person's own perception of vulnerability.

508.5 INITIAL CLASSIFICATION

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

Incarcerated persons should be interviewed by an intake correctional officer as soon as possible in the booking process. The intake correctional officer shall complete the initial booking assessments in the jail records management system and prior to housing the incarcerated person will provide that information to the on duty supervisor or classification to determine appropriate housing for the individual. Housing should be based on the initial booking assessment form and an assessment of the incarcerated person's condition.

The initial classification assessment shall be maintained in the jail records management system and provided to the classification correctional officer, who will, within the limits of available resources, determine the appropriate housing location.

In the event the initial classification includes housing more restrictive than general intake housing, the supervisor determining such housing will document the basis for that housing in the end of watch. The Classification Unit will review the housing and update the classification module in the jail records management system.

508.6 CLASSIFICATION UPON HOUSING

Once it has been determined that the person arrested will not be released from custody on bail or O.R., a more in-depth classification of the incarcerated person will be conducted as soon as possible but no later than 24 hours after theperson's arrival at the facility, after which the person will be moved to more permanent housing.

508.6.1 INTERVIEW

The comprehensive classification process begins with a review of any initial classification information obtained during the reception and booking process, and may include an interview by the classification correctional officer. The review of initial classification documents and the

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questions, answers, and observations from the incarcerated person's interview will be documented and numerically scored, representing the security level and housing assignment appropriate for each incarcerated person.

Individualized determinations shall be made about how to ensure the health and safety of each incarcerated person (28 CFR 115.42; 15 CCR 1050).

508.6.2 OVERRIDE

The classification correctional officer has the authority to override the scores when it appears necessary to more appropriately assign housing. The override capability exists to use the classification correctional officer's training and expertise in those instances when the numerical scores are not reflective of the incarcerated person's potential security or health risk. All overrides will be reviewed by a supervisor and are intended to be an exception, rather than the rule.

508.7 REVIEWS AND APPEALS

Once an incarcerated person is classified and housed, they may appeal the decision of the classification correctional officer. The appeal process shall begin at classification correctional officer level. The decision by the classification officer may be appealed to the Jail Commander or the authorized designee. The decision by the Jail Commander or the authorized designee is final.

508.7.1 PERIODIC CLASSIFICATION REVIEWS

Within 72 hours the classification correctional officer shall review the status of all incarcerated persons who have been incarcerated in the facility. Additional reviews should occur based on the incarcerated person's housing assignment as follows:

- General population - within 30 days
- Administrative separation - within 7 days
- Medical housing - within 3 days

The review should examine changes in the incarcerated person's behavior or circumstances and should either raise, lower, or maintain the classification status (28 CFR 115.41).

Housing and program assignments for each transgender or intersex incarcerated person shall be reassessed at least twice each year to review any threats experienced by the person (28 CFR 115.42).

Incarcerated person risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the incarcerated person's risk of sexual victimization or abusiveness (28 CFR 115.41).

Within 30 days from the incarcerated person's arrival, Classification will reassess the incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since the initial intake screening.

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508.7.2 MEMBER REQUESTED REVIEW
At any point during an incarcerated person's incarceration, a member may request a review of the incarcerated person's classification. The reason for the review, the review itself, and the outcome of the review shall be documented in the incarcerated person's file. Nothing in this section prohibits members from immediately moving an incarcerated person to another location in the facility based on exigent circumstances. Under such circumstances, the member moving the incarcerated person must immediately document the action and notify the classification correctional officer.

508.7.3 INCARCERATED PERSON REQUESTED REVIEW
Incarcerated persons may request a review of their classification plan no more often than 30 days from their last review (15 CCR 1050).

508.8 HOUSING ASSIGNMENTS

Incarcerated persons should be housed based upon the following criteria:

- Classification level
- Age
- Incarcerated persons will be housed in separate units based on gender
- Legal status (e.g., pretrialor sentenced)
- Special problems or needs
- Need for protection or separation
- Behavior
- Criminal sophistication
- Seriousness of crime charged
- Risk of being sexually abused or sexually harassed
- Deteriorating health conditions
- Injuries sustained while in custody
- Incarcerated person requested or staff initiated protective custody
- Threats by other incarcerated persons
- Incarcerated persons exhibiting suicidal tendencies and/or suicide attempts
- Validated or suspected gang member or gang affiliate
- As a result of disciplinary sanctions
- Any other criteria identified by the Jail Commander

Once classified, all incarcerated persons will receive the same privileges afforded to similarly classified incarcerated persons as prescribed by Title 15.

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508.8.1 SEPARATION
Incarcerated persons shall be housed to ensure visual and physical separation based on gender.

Civil detainees shall be housed according to the Civil Detainees Policy.

508.9 CLASSIFICATION SPACE ALLOCATION

The classification plan depends on the ability of the facility to physically separate different classes of incarcerated persons. To ensure that allocated space meets the current population needs, the Jail Commander or the authorized designee should periodically meet with representatives of the classification correctional officers to discuss the fixed resources (e.g., cells, dorms, dayrooms).

508.10 SINGLE-OCCUPANCY CELLS

Single-occupancy cells may be used to house the following categories of incarcerated persons:

- Maximum security
- Administrative separation
- Medical condition or disabilities (upon consultation with medical staff and the availability of medical beds)
- Mental condition (upon consultation with mental health staff and the availability of mental health beds)
- Sexual predators
- Any incarcerated person with an elevated risk of being taken advantage of, being mistreated, or becoming a victim of sexual abuse or harassment
- Any other condition or status for single-occupancy housing

The classification supervisor shall notify the Jail Commander or the authorized designee when single-occupancy cells are not available for housing the above described incarcerated persons. In such cases, a risk assessment shall be used to identify incarcerated persons in the above categories who may be safely housed together.

508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS

Housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any

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related supervisory, management, or facility security concerns (15 CCR 1050). A transgender or an intersex incarcerated person's views with respect to their own safety shall be given serious consideration.

Lesbian, gay, bisexual, transgender, or intersex incarcerated persons shall not be placed in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement, or legal judgment (28 CFR 115.42).

508.12 STAFF TRAINING IN CLASSIFICATION

Classification correctional officers should receive training specific to incarcerated person classification before being assigned primary classification duties. Individuals not specifically trained in classification may work in classification provided that they are under the immediate supervision of a trained and qualified staff member.

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Conducted Energy Device

509.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

509.2 POLICY

It is the policy of the Nevada County Sheriff's Office to use the CED in an attempt to control a violent or potentially violent incarcerated persons. The appropriate use of such a device may result in fewer serious injuries to staff and incarcerated persons.

509.3 ISSUANCE AND CARRYING CEDS

The CED may only be issued to authorized members who have successfully completed office-approved training for use during their current assignment. Those leaving a particular assignment may be required to return the device to the Office inventory.

The CED Instructor(s) should keep a log of issued CEDs and the serial numbers of cartridges/ magazines issued to members.

Staff shall only use the CED and cartridges that have been issued by the Office. The device may be carried as part of a uniformed member's equipment.

Uniformed members who have been issued the CED shall wear the device in an approved holster.

Correctional Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon (Penal Code § 13660).

(a) The CED shall be maintained in a secure storage location (see the Management of Weapons and Control Devices Policy).

(b) Each CED shall be clearly and uniquely numbered.

(c) Upon arriving for work members shall sign out their devices.

(d) Upon finishing the shift, each member shall turn in the device to the approved secure storage area unless a member is authorized by the Sheriff or the authorized designee to maintain possession of the CED.

(e) Members shall not pass on the devices to oncoming shift members without signing in and signing out the devices on the CED inventory log.

(f) At the beginning of each shift, the oncoming Sergeant or Officer In Charge shall inventory all CEDs.

(g) Whenever practicable, members should carry two or more CED cartridges on their persons at all times when carrying the CED.

(h) Members shall be responsible for ensuring that the issued CED is properly maintained and in good working order at all times. Members carrying the CED should perform a spark test on the unit prior to every shift.

(i) Correctional officers should not hold both a firearm and the CED at the same time.

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(j) The CED should be marked with a distinctive color or marking to distinguish it from a firearm or any other device.

509.3.1 USER RESPONSIBILITIES

Members shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the member's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Taser Instructor for disposition. Members shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

509.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would endanger the safety of staff or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the incarcerated person with a reasonable opportunity to voluntarily comply.

(b) Provide other staff and incarcerated persons with a warning that the CED may be deployed.

If, after a verbal warning, an incarcerated person fails to voluntarily comply with a member's lawful orders and it appears both reasonable and feasible under the circumstances, the member may, but is not required to, activate any warning on the device, which may include, display of the electrical arc (provided that a cartridge is loaded into the device) creating a visual and audible warning, or the laser, in a further attempt to gain compliance before application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the member deploying the device in the related report.

509.5 USE OF THE CED

As with any correctional equipment, the CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range of the device.

Although the CED is generally effective in controlling most individuals, members should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, a member designated as cover for any member deploying a CED may be considered for member safety.

509.5.1 APPLICATION OF THE CED

Authorized personnel may use the CED when circumstances perceived by the member at the time indicate that such application is reasonably necessary to control a person who:

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(a) Is violent or is physically resisting.

(b) Has demonstrated by words or action an intention to be violent or to physically resist and reasonably appears to present the potential to harm staff, themselves, or others.

The CED shall not be used to psychologically torment, elicit statements, or punish any individual.

509.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED should generally be avoided on certain individuals unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the member, the subject, or others, and the member reasonably believes that the need to control the individual outweighs the potential risk of using the device. Such individuals include:

(a) Elderly incarcerated persons.

(b) Incarcerated persons with obviously low body mass.

(c) Incarcerated persons who are handcuffed or otherwise restrained.

(d) Incarcerated persons known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(e) Incarcerated persons whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, etc.).

Because the application of the CED in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between staff and the subject, thereby giving staff time and distance to consider force options or actions.

509.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, members should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or a qualified health care professional.

509.5.4 MULTIPLE APPLICATIONS OF THE CED

Once a member has successfully deployed two probes on the subject, members should apply the CED for only one standard 5-second cycle and then continually assess to determine if addiditonal cycles appear reasonably necessary before applying any subsequent cycles. Multiple applications of the CED against a single individual are generally not recommended and should be avoided unless the member reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

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If the first application of the CED appears to be ineffective in gaining control of an incarcerated person and if circumstances allow, the member should consider certain factors before additional applications of the device, including:

(a) Whether the probes are making proper contact.

(b) Whether the incarcerated person has the ability and has been given a reasonable opportunity to comply.

(c) Whether verbal commands or other options or tactics may be more effective.

Members should generally not intentionally apply more than one CED at a time against a single subject.

509.5.5 DOCUMENTATION

All CED discharges shall be documented in the related incident report and on the use of force report form whether or not there was contact. Notification shall be made to a supervisor in compliance with the office Use of Force Policy and reported to the chain of command. Unintentional discharges, pointing the device at a person, laser activation, or arcing of the device, other than for testing purposes, will also be documented in an incident report.Any report documenting the intentional or unintentional discharge of the CED will include an explanation of the circumstances surrounding the discharge.

Following the discharge, the onboard CED memory will be downloaded through the data port by a CED instructor and saved with the related incident report. Photographs of the probe and contact sites should be taken after the incarcerated person has been seen by qualified medical personnel. The Confetti tags should be collected and the expended cartridge along with both probes and wires should be submitted into evidence for future reference by the member collecting the cartridge. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "biohazard" if the probes penetrated the incarcerated person's skin.

At a minimum the following should be documented:

(a) Date, time, and location of the incident.

(b) Identification of all personnel firing CEDs

(c) Identification of all witnesses

(d) Observations of the incarcerated person's physical and physiological actions

(e) Any known or suspected drug use, intoxication or other medical problems

(f) The brand, model, and serial number of the CED and any cartridge.

(g) Whether any warning, display, laser, or arc deterred a subject and gained compliance.

(h) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.

(i) The approximate range at which the CED was used.

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(j) The type of mode used (e.g., probe deployment, drive-stun).

(k) Location of any probe impact.

(l) Location of contact in drive-stun mode.

(m) Description of where missed probes went.

(n) Whether the subject sustained any injuries.

(o) Whether any members sustained any injuries.

(p) Medical care provided to the incarcerated person

The Office should periodically analyze the report forms to identify trends, including deterrence and

509.5.6 TASER® CAM™

The TASER is equipped with TASER Cam, which is an audio-video recording device integrated into the power supply. The TASER Cam is activated anytime the safety is in the off position. The safety should not be in the off position unless the member intends to use the device and the guidelines established in this policy are met. Anytime the TASER Cam is activated, the video and audio data should be downloaded in accordance with office evidence procedures and referenced in any related report. All video and audio not booked as evidence will be retained for the period required by established records retention schedules.

509.5.7 PREGNANT INCARCERATED PERSONS

Application of the CED shall not be used on a pregnant incarcerated person (Penal Code § 4023.8).

509.5.8 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

509.5.9 OFF-DUTY CONSIDERATIONS

Members are not authorized to carry office CEDs while off-duty.

Members shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

509.5.10 ACTIONS FOLLOWING DEPLOYMENTS

Members should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, members shall notify a supervisor any time the CED has been discharged in compliance with the Use of Force Policy. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti

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tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

509.6 MEDICAL TREATMENT

Absent extenuating circumstances or unavailability, only qualified medical personnel should remove CED probes from an incarcerated person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

Allpersons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to continued processing or housing. Anyperson who falls under any of the following categories should, as soon as practicable, be examined by qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The CED probes are lodged in a sensitive area (e.g., groin, area of the heart, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or promptly examined by qualified medical personnel.

If any individual refuses medical attention, such a refusal should be witnessed by another member and/or medical personnel and shall be fully documented in related reports.

The transporting member shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Access to Health Care and the Non-Emergency Health Care policies).

509.7 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial office-approved training. Any personnel who have not carried the CED as a part of their assignment for a period of six months or more shall be recertified by the CED instructor approved by this office prior to again carrying or using the device. Possession of Conducted Energy Devices in the jail facilities by any other personnel shall not be permitted.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of a correctional officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Training Sergeant.

Command staff and supervisors should receive CED training as appropriate for the investigations they conduct and review.

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Members who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with members who use the device.

The CED Instructor, in cooperation with the Training Sergeant, is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injury to personnel and should be taken into consideration during the certification process.

All training and proficiency for CEDs will be documented in the member's training file.

The Training Sergeant should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

(c) Performing weak-hand draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.

(d) Target area considerations, including techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.

(e) Scenario-based training, including virtual reality training when available.

(f) Handcuffing a subject during the application of the CED and transitioning to other force options.

(g) Restraint techniques that do not impair respiration following the application of the CED.

(h) De-escalation techniques.

(i) Proper use of cover and concealment during deployment of the CED for purposes of member safety.

(j) Proper tactics and techniques related to multiple applications of CEDs.

509.7.1 TESTING

All training delivered to the staff should include testing to document that the employee understands the subject matter presented.

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Control of Incarcerated Person Movement

510.1 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 facility and transportation from the facility to court, medical appointments, or other jurisdictions (15 CCR 1029(a)(6)).

510.2 POLICY

The staff should be vigilant in the control and movement of incarcerated persons between areas within the facility and when transporting persons outside the secure confines of the facility. Control may be by direct or indirect visual observation. All staff should consider all incarcerated person movement as high-risk activity. The staff should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

510.3 CONTROL OF MOVEMENT

Staff shall not allow incarcerated persons to leave their assigned housing area unless they have approved activities that may include but are not limited to the following:

(a) Court

(b) Transportation to another facility

(c) Receiving a visit

(d) Law enforcement interview or to participate in a lineup

(e) Reporting for work

(f) Receiving dental or medical care

(g) Attending educational classes or religious services

(h) Release

(i) Facility Emergency

(j) Any other reason deemed appropriate by staff

510.4 MOVEMENT OF INCARCERATED PERSONS

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

510.5 MOVEMENT OF SPECIAL MANAGEMENT INCARCERATED PERSONS

Incarcerated persons should be restrained during movement based upon individual security classification, with higher risk 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

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may cause serious injury. Pregnant incarcerated persons shall be moved in accordance with the Use of Restraints Policy.

Whenever a high-security incarcerated person is not able to be restrained, the staff should compensate by utilizing wheelchairs and should secure the incarcerated person to the chair. It may also be necessary to increase the number of staff present to ensure the safe movement of high-security incarcerated persons.

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

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Use of Force

511.1 PURPOSE AND SCOPE

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

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

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

This policy is subject to regular review and updating to reflect developing practices and procedures (Government Code 7286(b)).

511.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

Excessive force - A level of force that is found to have violated Section 835a of the Penal Code, the requirements on the use of force required by this section, or any other law or statute.

Corrections Emergency Response Team (CERT) – This team is comprised of correctional staff responsible for resolution of critical incidents within our jail facilities as defined in the Nevada County Sheriff's Office's CERT Policy.

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

Serious bodily injury - "Serious bodily injury" means a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ. (Ca. Gov. Code § 12525.2(d)(4)).

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

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Carotid restraint - A vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person.

Choke hold - Any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe.

Intercede - Includes, but is not limited to, physically stopping the excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer's excessive use of force, and confronting the offending officer about the excessive force during the use of force and, if the officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer's name, unit, location, time, and situation, in order to establish a duty for that officer to intervene.

Retaliation - A demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty.

511.2 POLICY

The Sheriff's Office has a responsibility to provide a safe working environment for staff, a safe custody environment for the incarcerated persons, and to provide for community safety. The use of force will sometimes be necessary to accomplish these goals. The use of force is governed by Constitutional, statutory, and case law and is only authorized by the Sheriff's Office as specified by this policy. Any use of force must be objectively reasonable given the totality of the circumstances perceived by the deputy or correctional officer at the time the force was used. The decision to use force shall be evaluated from the perspective of a reasonable deputy or correctional officer in the same situation, based on the totality of the circumstances known to or perceived by the deputy or correctional officer at the time. Deputies and correctional officers will fully document every use of force, including their perceptions at the time the force was used, document notification of injuries to the appropriate medical staff, and document any efforts made to avoid or limit the amount of the force used.

The Sheriff's Office shall review every use of force and hold employees accountable when the force used was objectively unreasonable from the perspective of a reasonable deputy or correctional officer in the same situation given the totality of the circumstances perceived by the deputy or correctional officer at the time. Unreasonable force includes any force used for an improper purpose, and any force which would be considered excessive or unnecessary from the perspective of a reasonable deputy or correctional officer in the same situation based on the totality of the circumstances known to or perceived at the time. A violation of any provision of this policy may be grounds for corrective training and/or discipline, up to and including termination. **It is never acceptable for a deputy or correctional officer to use force for retaliation, intimidation, or punishment.**

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

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

The Nevada County Sheriff's Office recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting correctional officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

511.2.1 FAIR AND UNBIASED USE OF FORCE

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

511.3 USE OF FORCE

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

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

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

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

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

It is never acceptable for a deputy or correctional officer to use force for retaliation, intimidation, or punishment..

Nothing in this policy is intended to require that force options be used in a particular order. However, the force option used must be objectively reasonable under the totality of the circumstances to accomplish a lawful objective.

511.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

(a) The apparent immediacy and severity of the threat to members or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the member at the time (Penal Code § 835a).

(c) Member/individual factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of members available vs. individuals).

(d) The conduct of the involved member leading up to the use of force (Penal Code § 835a).

(e) The effects of suspected drug or alcohol use.

(f) The individual's apparent mental state or capacity (Penal Code § 835a).

(g) The individual's apparent ability to understand and comply with correctional officer or deputy commands (Penal Code § 835a).

(h) The proximity of weapons or dangerous improvised devices.

(i) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).

(k) The seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.

(l) The training and experience of the member.

(m) The potential for injury to members, incarcerated persons, bystanders, and others.

(n) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the member.

(o) The risk and reasonably foreseeable consequences of escape.

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(p) The apparent need for immediate control of the individual or a prompt resolution of the situation to maintain or restore order.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the member or others.

(r) Prior contacts with the individual or awareness of any propensity for violence.

(s) Any other exigent circumstances.

511.3.2 ALTERNATIVE TACTICS - DE-ESCALATION

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

(a) Summoning additional resources that are able to respond in a reasonably timely manner.

(b) Formulating a plan with responding correctional officers or deputies before entering an unstable situation that does not reasonably appear to require immediate intervention.

(c) Employing other tactics that do not unreasonably put correctional officers or deputies in increased jeopardy.

In addition, when reasonable and feasible, correctional officers or deputies shall evaluate the totality of circumstances presented at the time in each situation and, when reasonable and feasible, shall determine and utilize reasonably available de-escalation techniques, crisis intervention tactics, and other alternatives, if any, that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)).

511.3.3 PAIN COMPLIANCE TECHNIQUES

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

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the correctional officer or deputy.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the correctional officer or deputy determines that compliance has been achieved.

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511.3.4 USE OF FORCE TO SEIZE EVIDENCE

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

511.3.5 MEDICAL CONSIDERATION

Medical checks will be performed by a qualified health care professional on all individuals who have been subjected to force once it is reasonably safe to do so, regardless of apparent injury. (Government Code § 7286(b)).

If no qualified health care professional is available, the incarcerated person shall be transported to the designated health care facility.

511.3.6 DUTY TO INTERCEDE

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

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

511.3.7 FAILURE TO INTERCEDE

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

511.3.8 NOTIFICATION TO SUPERVISORS REGARDING USE OF FORCE

Any use of force by a correctional officer or deputy shall be reported immediately to a supervisor (Penal Code § 832.13).

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

511.3.9 DUTY TO REPORT EXCESSIVE FORCE

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

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

511.3.10 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD
Correctional officers of this office are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person Per California Assembly Bill 1196 (Government Code 7286.5, 15 CCR 1029)), the carotid restraint hold is not authorized; however, it is not the intent of Assembly Bill 1196 to take away the general right to self-defense or defense of others against great bodily injury or death. (Government Code § 7286.5).

511.3.11 RESTRICTIONS ON THE USE OF A CHOKE HOLD
Correctional officers and deputies of this office are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5; 15 CCR 1029). Per California Assembly Bill 1196 (Government Code 7286.5), the choke hold is not authorized; however, it is not the intent of Assembly Bill 1196 to take away the general right to self-defense or defense of others against great bodily injury or death. (Government Code § 7286.5).

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

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

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

511.4.2 ELECTRONIC CONTROL DEVICES
The use of the conducted energy device (CED) shall be in accordance with the Office's Conducted Energy Device Policy.

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

511.4.3 CHEMICAL AGENTS

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

Office-approved OC spray or foam may be possessed and used only by staff members who have received office-authorized training in its use.

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

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

(a) Custody staff advising the incarcerated person how to decontaminate in the cell.

(b) Clean clothing if the incarcerated person's clothing was contaminated.

(c) Documented checks by custody staff of the in-cell incarcerated person at least every 15 minutes, for a minimum of one hour.

511.4.4 PROJECTILE CHEMICAL AGENTS

Pepper projectile systems are plastic spheres filled with a derivative of OC powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. The potential exists for the projectiles to inflict injury if they strike the head, neck, spine, or groin. Therefore, members deploying the pepper projectile system should not intentionally target those areas except when the member reasonably believes the incarcerated person may cause serious bodily injury or death to the member or others. The use of the pepper projectile system is subject to the following requirements:

(a) Office-approved projectile chemical agents may only be used by members who have received office-authorized training in their use.

(b) Members encountering a situation that requires the use of the pepper projectile system shall notify a supervisor as soon as practicable. The supervisor shall respond to all such deployments. The supervisor shall ensure that all notifications and reports are completed as required by this policy.

Each deployment of a pepper projectile system shall be documented and, if reasonably practicable, recorded on video. This includes situations where the launcher was directed toward the incarcerated person, regardless of whether the launcher was used. Only non-incident deployments are exempt from the reporting requirement (e.g., training, product demonstrations).

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511.4.5 IMPACT WEAPONS

The need to immediately incapacitate the incarcerated person must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted with an impact weapon.

511.4.6 KINETIC ENERGY PROJECTILES

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

511.4.7 CHEMICAL AGENTS AND PREGNANT INCARCERATED PERSONS

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

511.5 IMMEDIATE AND CALCULATED USE OF FORCE

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by a member may be necessary to stop an incarcerated person from inflicting self-injury or to stop an assault on any other person, including other incarcerated persons.

The destruction of government property may require the immediate use of force by staff in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

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

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

A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Jail Commander or the authorized designee for approval and consultation prior to any calculated use of force action. Calculated use of force should be documented by video recording. Any calculated use of force that requires CERT will follow the current CERT policy.

511.5.1 CONFRONTATION AVOIDANCE PROCEDURES

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

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

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(a) Mental health specialist

(b) Qualified health care professional

(c) Chaplain

(d) Any other relevant resources

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

If force is determined to be necessary and other means of gaining control of an incarcerated person are deemed inappropriate or ineffective, then the Corrections Emergency Response Team (CERT) may be used in accordance with the CERT policy.

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

511.6 REPORTING THE USE OF FORCE

Every member's use of force, is an incident that shall be reported on the appropriate report form. Any staff member who uses force, any staff directly involved in the incident, or anyone requested to, shall document their actions and responses as soon as practicable and shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor.

The report should include:

(a) A clear, detailed description of the incident, including any application of weapons or restraints.

(b) The identity of all individuals involved in the incident (e.g. incarcerated persons, members, others).

(c) Member should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances.

(d) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.

(e) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

A video recording is required for all calculated use of force incidents and should include all members participating in the process. The recording and documentation will be part of the

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investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Jail Commander.

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

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

511.6.1 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

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

511.6.2 REPORT RESTRICTIONS

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

511.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to:

(a) Ensure a crime scene is established to preserve and protect evidence, when deemed necessary to preserve the scene for a deputy to respond.

(b) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(c) In cases involving the use of deadly force or when serious injury has resulted, obtain an oral statement from the member. The statement should be restricted to concerns of anything that may present an ongoing threat to the security of the facility or public safety.

(d) Take appropriate measures to address public safety concerns, document the essence of the oral statement in writing.

(e) Ensure that the appropriate investigation authority is notified, if needed.

(f) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.

(g) Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury or complaint of

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pain as well as overall photographs of uninjured areas. These photographs should be retained until all potential civil litigation has expired.

(h) Identify any witnesses not already included in related reports.

(i) Review and approve all related reports.

If the supervisor determines that any application of force was not within policy, he/she should detail those findings in a separate memorandum addressed to the Jail Lieutenant.

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

If an incarcerated person has made an allegation of an unnecessary or excessive use of force, the interview should be video-recorded and shall be documented on the appropriate report form.

511.8 USE OF DEADLY FORCE

If an objectively reasonable correctional officer or deputy would consider it safe and feasible to do so under the totality of the circumstances, correctional officers and deputies should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, correctional officers or deputies should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

(a) A correctional officer or deputy may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the correctional officer, deputy or another person.

(b) A correctional officer or deputy may use deadly force to stop an escaping incarcerated person when the correctional officer or deputy has probable cause to believe that the incarcerated person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the correctional officer or deputy reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the incarcerated person is not immediately apprehended. Under such circumstances and when feasible, prior to the use of force, the correctional officer or deputy shall identify him/herself and warn that deadly force may be used, if the correctional officer or deputy objectively believes the incarcerated person is not aware of those facts.

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

An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable correctional officer or deputy in the same situation would believe that

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an incarcerated person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the correctional officer, deputy or another person. A correctional officer or deputy's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

Additionally, a deputy or correctional officer shall not use deadly force against a person whose actions are a threat solely to property unless the person poses an imminent danger of death or serious physical injury to the deputy, correctional officer or others in close proximity.

511.8.1 DISPLAYING FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, a correctional officer or deputy should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

(a) If a deputy or correctional officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.

(b) If the deputy or correctional officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the deputy or correctional officer no longer perceives such threat.

Once it is reasonably safe to do so, correctional officers and deputies should carefully secure all firearms.

511.8.2 USE OF DEADLY FORCE-REPORTING

A correctional officer or deputy who intentionally or accidentally uses deadly force, whether on- or off-duty, shall ensure that a supervisor is notified of the incident without delay.

The supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical and security measures are initiated.

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

Use of force incidents will be reported to the Department of Justice in compliance with Government Code § 12525.2.

511.9 USE OF FORCE REVIEW

The Sergeant or Officer in Charge shall review all related reports of use of force incidents occurring on their command. The review is to determine whether the use of force was in compliance with policy, procedure and applicable law, and to determine if follow-up action or investigation is necessary. The Sergeant or Officer in Charge should also ensure that all pertinent

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reports,materials and a "use of force online reporting" form is prepared and forwarded to jail command staff for review.

Any recommendations for areas identified as needing training will be forwarded to the Jail Administrative Sergeant to review with use of force instructors for development of future trainings. Any further investigation into incidents that may lead to member discipline shall be addressed in a separate memorandum to the Undersheriff.

511.10 TRAINING

The Jail Commander or their designee shall work with the Training Sergeant to ensure legal and facility training mandates are met. This training shall include the following:

(a) Use of force

(b) Weapons training

(c) Self-defense

(d) Confrontation avoidance procedures:

1. Communication techniques
2. De-escalation techniques
3. Dealing with vulnerable populations, including, but not limited to, elderly persons, pregnant women, persons with physical, mental, and developmental disabilities.
4. Application of restraints

(e) Forced cell extraction techniques

(f) Use of force team techniques

(g) General restraint training (soft and hard restraints)

(h) Reporting procedures

511.10.1 CORRECTIONAL OR DEPUTY TRAINING OFFICERS

For a period of at least 3 years from the date that an abuse of force complaint against an officer is substantiated, a correctional officer or deputy shall not train other officers ((Government Code § 7286(b)(18)).

511.10.2 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the member’s training file.

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(c) Members who fail to demonstrate proficiency with the control device or knowledge of this office's Use of Force Policy will be restricted from carrying the control device until demonstrating proficiency. If a member cannot demonstrate proficiency with a control device or knowledge of this office's Use of Force Policy after remedial training, the member may be subject to discipline.

511.10.3 PERIODIC TRAINING
Correctional Officers will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

511.10.4 MINIMUM TRAINING
The Training Sergeant shall ensure that all personnel who are authorized to use force have been properly trained, certified and are retrained or recertified as necessary. These courses shall be approved and certified by the State of California Board of State and Community Corrections. Courses provided to all members shall include:

- Adult Correctional Core Academy
- PC 832 Laws of Arrest
- PC 832 Firearms
- Firearms Qualification
- OC Spray Certification
- Taser Training / Update
- Midrange Baton, Expandable and Straight
- Defensive Tactics

511.11 DISCLOSING PUBLIC RECORDS
Any person seeking disclosure of public records in accordance with California Penal Code 832.7 may obtain them in compliance with the office's Personnel Records Policy. (Government Code § 7286(b)(6))

511.12 USE OF FORCE COMPLAINTS
Procedures for the filing, reporting, receipt, processing and investigation of citizen complaints involving use of force incidents should be handled in accordance with the office's Personnel Complaints Policy. (Government Code § 7286(b)).

511.13 MEDICAL ASSISTANCE
Members shall promptly provide, if properly trained, or otherwise promptly procure medical assistance for incarcerated persons after a use of force incident, when reasonable and safe to do so (Government Code § 7286(b)).

511.14 DISCHARGE OF FIREARM AT OR FROM MOVING VEHICLE
Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, deputies or correctional officers should take reasonable

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steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. A deputy or correctional officer should only discharge a firearm at a moving vehicle or its occupants when the deputy or correctional officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy, correctional officer or others (Government Code § 7286(b)).

Deputies and correctional officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

511.15 POLICY REVIEW

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

511.16 POLICY AVAILABILITY

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

511.17 PUBLIC RECORDS REQUESTS

Any person seeking disclosure of public records in accordance with Penal Code § 832.7 may obtain them in compliance with the Sheriff's Office Personnel Records policy (Government Code § 7286(b)(7)).

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Use of Restraints

512.1 PURPOSE AND SCOPE

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

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

512.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

Restraint Chair - Shall mean a chair with equipment designed to restrain or limit the movement of incarcerated persons who require extreme measures of control.

Restraints - Shall mean physical devices that immobilize an incarcerated person's extremities and/or prevent the incarcerated person from being ambulatory.

Use of Restraints - Shall mean a sustained and prolonged intervention to prevent an incarcerated person from harming themselves, employees, staff, or property.

Facility Manager - The Jail Commander or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator as defined by Title 15. At the Nevada County Sheriff's Office this could be the Jail Commander, Lieutenant, Sergeant or Officer In Charge.

512.2 POLICY

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

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the incarcerated person. Restraints are to be applied only when less restrictive methods, including verbal de-escalation techniques, have been attempted and are deemed ineffective in controlling the dangerous behavior of an incarcerated

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person (15 CCR 1029(a)(4); 15 CCR 1058). Each incident where restraints are used shall be documented by the handling staff member and placed in the appropriate file prior to the end of the staff member's shift.

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

512.3 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 the Sergeant or Officer in Charge prior to application. In instances where prior approval is not feasible, the Sergeant or Officer in Charge shall be apprised of the use of restraints as soon as practicable.

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

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

See attachment: Restraint Log.pdf

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 incident report and shall be recorded unless exigent circumstances prevent staff from doing so. The documentation shall to include, at a minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed, the name of the person authorizing placement, names of staff involved in the placement, any injuries sustained, when the restraints were removed and the duration of placement (15 CCR 1058).

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

(a) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).

(b) Restrained incarcerated persons shall not be placed facedown or in a position that inhibits breathing other than for short periods of time to complete a search of their person, to allow staff to exit a cell, to place or remove alternate restraint devices on

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an incarcerated person, or as otherwise necessary to prevent injury to staff or the incarcerated person.

(c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle except for items installed for passenger safety, such as seat belts.

(d) Incarcerated persons in restraints shall be housed either alone or in an area designated for restrained persons.

(e) Restraints shall be applied for no longer than is reasonably necessary to protect the incarcerated person or others from harm.

(f) Staff members shall conduct continuous direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the incarcerated person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the incarcerated person's behavior. Any actions taken should also be noted in the log.

(g) The specific reasons for the continued need for restraints shall be reviewed, documented, and approved by the Jail Commander, or the Sergeant or Officer in Charge at least every hour.

(h) Continuous direct visual observation shall be maintained until a medical opinion can be obtained.

(i) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.

(j) As soon as practicable, but within four hours of placement in restraints, the incarcerated person shall be medically assessed to determine whether the person has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional.

(k) As soon as practicable, but within eight hours of placement in restraints, the incarcerated person must be evaluated by a mental health professional to assess whether the incarcerated person needs immediate and/or long-term mental health treatment. If the Jail Commander, or the authorized designee, in consultation with responsible health care staff determines that an incarcerated person cannot be safely removed from restraints after eight hours, the person shall be taken to a medical facility for further evaluation.

(l) Where applicable, the Jail Commander shall use the restraint device manufacturer's recommended maximum time limits for placement.

512.3.1 COURT APPROVAL

Prior judicial approval should be obtained for the use of restraints when the incarcerated person is in court if the restraints will be visible to a jury.

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512.4 USE OF RESTRAINTS - CLINICAL

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

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

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

(a) Excluding short-term use to gain immediate control of an incarcerated person exhibiting dangerous or destructive behavior, an incarcerated person may be placed in clinical restraints or therapeutic seclusion only on the orders of a qualified health care professional and only after making a determination that less restrictive interventions are ineffective to prevent the person from causing property damage or serious self-injury or injury to others.

(b) Clinical restraints or therapeutic seclusion shall never be ordered or otherwise applied as a means of coercion, discipline, punishment, convenience, or retaliation.

(c) The qualified health care professional's order may only be in effect for up to 12 hours for adult incarcerated persons.

(d) Within one hour of the application of restraints or therapeutic seclusion, a face-to-face observation of the incarcerated person to evaluate the need for continued restraint or therapeutic seclusion shall be conducted by a qualified health care professional.

(e) If deemed clinically necessary, the qualified health care professional who gave the initial order for restraints or therapeutic seclusion may renew the original order for an additional four hours for an adult.

(f) Incarcerated persons placed in clinical restraints shall be placed in designated cells within the medical unit. The restraints shall be applied in the least restrictive manner possible, based on the qualified health care professional's evaluation and order.

(g) Incarcerated persons placed in restraints shall only be placed in a face-up position.

(h) Following the first face-to-face observation, a qualified health care professional shall conduct face-to-face checks every 15 minutes on an irregular schedule to assess the incarcerated person's condition and behavior. The restraints shall be checked for proper application and to ensure that circulation is not compromised. Checks shall be documented in the incarcerated person's medical file.

(i) Except in the event of a medical emergency for the incarcerated person, only a qualified health care professional shall determine when an incarcerated person shall be released from clinical restraints or therapeutic seclusion.

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512.5 RANGE OF MOTION

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

512.6 FOOD, HYDRATION, AND SANITATION

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

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

512.7 AVAILABILITY OF CPR EQUIPMENT

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

512.8 RESTRAINED INCARCERATED PERSON HOLDING

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

512.9 PREGNANT INCARCERATED PERSONS

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

Incarcerated persons who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints or leg irons. The use of a restraint chair on an incarcerated person known to be pregnant is prohibited.

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

See attachment: Advisement for pregnant or recovering incarcerated persons.pdf

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512.9.1 INCARCERATED PERSONS IN LABOR

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

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

(a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the incarcerated person, the staff of this or the medical facility, other incarcerated persons, or the public.

(b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.

(c) There is no objection from the treating medical care provider.

(d) The restraints used are the least restrictive type and are used in the least restrictive manner.

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

If a pregnant incarcerated person is subject to mechanical restraint, the incident will be documented in an incident report specifically describing the type of restraints used, the justification, and the underlying extraordinary circumstances and the Facility Manager shall be notified.

512.9.2 INCARCERATED PERSONS IN RECOVERY AFTER TERMINATED PREGNANCY

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

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

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Electronic Restraints

513.1 PURPOSE AND SCOPE

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

513.2 POLICY

The Nevada County Sheriff's Office allows the use of office-issued electronic restraints as provided in this policy.

513.3 MEMBER RESPONSIBILITIES

Members shall successfully complete office-approved training prior to using any electronic restraint device. Only office-issued electronic restraint devices shall be used.

Members should perform a function test on the device prior to placing it on an incarcerated person. The Sergeant or Officer in Charge shall ensure that all electronic restraint devices are properly maintained and in good working order.

A member should obtain prior judicial approval for the use of an electronic restraint device in a courtroom. The member should briefly explain the operation of the device to the judge.

513.4 VERBAL WARNING

A verbal warning of the intended use of the electronic restraint device should precede its application, unless it would otherwise endanger the safety of members or when it is not practicable due to the circumstances. The warning is intended to provide the incarcerated person with an opportunity to comply. The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the member deploying the device.

513.5 APPLICATION

Prior to applying the electronic restraint device to an incarcerated person, the member should describe its operation and caution the person about behaviors that may result in its activation.

Although the electronic restraint device is generally effective in controlling most incarcerated persons, members should be aware that it may not achieve the intended result, and that they should be prepared with other options.

The electronic restraint device may be used in the following circumstances, when the circumstances perceived by the member at the time indicate that such application is reasonably necessary to:

(a) Prevent self-injury, suicide, escape, injury to others, property damage, or an attempt to remove or destroy the device.

(b) Control the behavior of a high-risk incarcerated person who poses a serious threat to safety or security when being moved outside a cell or housing unit or transported outside the facility.

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Because the application of the electronic restraint device relies primarily on pain compliance, its use generally should be limited to a distraction technique to gain separation between the member and the incarcerated person, or to disrupt a person's violent or unruly behavior, thereby giving members time and distance to consider other force options or actions.

513.5.1 MULTIPLE APPLICATIONS

Members should activate the electronic restraint device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of an electronic restraint device or for more time than is necessary to control the incarcerated person are generally not recommended and should be avoided unless the member reasonably believes that the need to control the incarcerated person outweighs the potentially increased risk posed by multiple applications.

If the first application of the electronic restraint device appears to be ineffective in gaining control of an incarcerated person, the member should consider certain factors before additional applications, including whether the person has the ability to comply and has been given a reasonable opportunity to comply.

513.5.2 SPECIAL CONSIDERATIONS

Electronic restraint devices should not be used on:

(a) Incarcerated persons who are known to be pregnant.

(b) Elderly or infirm incarcerated persons.

(c) Incarcerated persons with obviously low body mass.

(d) Incarcerated persons who have been recently sprayed with a flammable chemical agent or who are otherwise in proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(e) Incarcerated persons whose position or activity may result in collateral injury (e.g., falls from height, running).

The electronic restraint device shall not be used to psychologically torment, elicit statements from, retaliate against, or punish any incarcerated person.

513.6 DOCUMENTATION

Members shall document each incident where electronic restraints are placed on an incarcerated person or are activated. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional activations will also be documented.

513.7 MEDICAL TREATMENT

All incarcerated persons who have been subjected to the electric discharge of an electronic restraint device should have the contact site medically assessed before further incarceration.

Additionally, any incarcerated person who falls under any of the following categories should, as soon as practicable, be examined by a qualified health care professional:

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(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The person requests medical treatment.

If any incarcerated person refuses medical attention, such a refusal should be witnessed by another staff member and/or medical personnel and shall be fully documented. If an audio recording is made of the contact or an interview with the incarcerated person, any refusal should be included, if possible.

Members shall inform any person providing medical care or receiving custody that the incarcerated person has been subjected to the activation of an electronic restraint device.

513.8 SUPERVISOR RESPONSIBILITIES

Supervisor approval is necessary before an electronic restraint device is placed on an incarcerated person. A supervisor should respond to all incidents where an electronic restraint device was activated.

A supervisor should review each incident where an incarcerated person has been exposed to an activation of an electronic restraint device. Any onboard memory should be downloaded by a supervisor and retained with the person's file.

Photographs of contact sites should be taken and witnesses interviewed.

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Searches

514.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the constitutional rights of incarcerated persons (15 CCR 1029(A)(6)).

The introduction of contraband, intoxicants, or weapons into the Nevada County Sheriff's Office facility poses a serious risk to the safety and security of staff, 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 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 facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of incarcerated persons and their environment.

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

514.1.1 DEFINITIONS

Definitions related to this policy include:

Contraband - Anything unauthorized for incarcerated person to possess, including drugs and weapons of any kind, or anything authorized to possess but modified in any way or being used in a manner in which it was not intended for.

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

Modified strip search - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the exposed breasts, buttocks or genitalia of the person. This search 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 - A routine type of search used by correctional officers within this facility to check an individual for contraband. It involves thoroughly patting down an incarcerated person's clothed body to locate any items that could pose a danger to the correctional officer, the incarcerated person or others.

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

Strip search - A search that requires the removal of rearranging of some or all of a person's clothing to permit a visual inspection of the underclothing, or exposed breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes

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where the person's underclothing, or exposed breasts, buttocks,anus or outer genitalia of the person are visible to the monitoring employee.

514.2 POLICY

It is the policy of this office to promote 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. Members shall always be alert to the possible presence of contraband and shall take immediate action to seize and appropriately handle contraband when found.

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

514.3 PAT-DOWN SEARCHES

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

(a) When incarcerated persons leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.

(b) During physical plant searches of housing units.

(c) When incarcerated persons come into contact with other incarcerated persons housed outside of their housing units, such as work details.

(d) Any time a member believes the incarcerated persons may have contraband on their persons.

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

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

Correctional officers shall consider and be able to articulate the reason for the search, the scope, intrusion, manner, and location of the search, and will utilize the least invasive search method to meet the goals of the search in compliance with Penal Code § 4030.

514.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

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

(a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate

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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 (e.g., past possession of contraband while in custody, assaults on members, escape attempts).
4. The person's actions or demeanor, such as a refusal to submit to a pat-down search.
5. Criminal history (e.g., level of experience in a custody setting, including convictions for escape, possession of drugs or weapons, crimes of violence, or being a fugitive or detainee for any of those offenses).
6. An alert by a metal detector or drug detection device.
7. Other reliable information that the person possesses drugs, weapons, or contraband.

(b) Except in the case of a medical emergency, no modified strip search or strip search of an incarcerated person shall be conducted prior to admittance to a housing unit without prior written authorization from the Sergeant or Officer in Charge.

(c) The staff member conducting the modified strip search or strip search shall:

1. Document the name and gender of the person subjected to the strip search.
2. Document the facts that led to the decision to perform a strip search.
3. Document the reasons less intrusive methods of searching were not used or were insufficient.
4. Document the supervisor's approval.
5. Document the time, date, and location of the search.
6. Document the names, gender, and roles of any staff present.
7. Itemize in writing all contraband and weapons discovered by the search.
8. Process all contraband and weapons in accordance with the office's current evidence procedures.
9. If appropriate, complete a crime report and/or disciplinary report.
10. Ensure the documentation is placed in the incarcerated person's file. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.

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514.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Modified strip searches or strip searches will be conducted on all incarcerated persons upon admission into a housing unit in compliance with Penal Code § 4030.

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

Arrestees held in custody on a misdemeanor offense not involving weapons, controlled substances, or violence who are arranging bail shall be permitted a reasonable period of time, not less than 3 hours, before being placed in a housing unit.

514.4.3 MODIFIED STRIP SEARCHES AND STRIP SEARCHES OF INCARCERATED PERSONS IN A HOUSING UNIT

A strip search of an incarcerated person in a housing unit should be conducted when the 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 leaving the kitchen, shop, or farm

(c) Upon return to the housing unit from outside the confines of the facility (e.g., court, work-release, work detail, medical visits)

Incarcerated persons returning from court with release orders shall not be subject to modified strip searches or strip searches unless the reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The incarcerated person should not be returned to the housing unit, except to retrieve their personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of incarcerated persons outside the above listed circumstances only with supervisor approval. Staff 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 staff member conducting a modified strip or strip search outside the above listed circumstances 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.

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- Document the time, date, and location of the search.
- Document the names of staff 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 office's current evidence procedures.
- If appropriate, complete a crime report and/or disciplinary 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.

514.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

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

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

With the approval of a supervisor, a second staff member of the same gender may be present during the search for security purposes and to witness the discovery of evidence.

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

(a) The searching member may instruct the incarcerated person to:

1. Remove or rearrange 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 to the left and to the right so the searching correctional officer can inspect the person's ear orifices.
5. Open their mouth and run a finger over the upper and lower gum areas, then raise the tongue so the correctional officer can inspect the interior of the person's mouth. Remove dentures if applicable.
6. Incarcerated persons may be instructed to lift, move, or adjust portions of their body to ensure a full visual search is conducted.
7. Turn around and raise one foot first, then the other so the correctional officer can check the bottom of each foot.
8. Turn around, bend forward, and spread the buttocks if necessary to view the anus.

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(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.

See attachment: Strip Search Forms.pdf

514.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

(a) No person shall be subjected to a physical body cavity search without the approval of the Jail Commander or the authorized designee and only with the issuance of a search warrant.

(b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the incarcerated person may conduct the search (15 CCR 1206(o)).

(c) Except for the physician conducting the search, persons present must be of the same gender as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030).

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented including:

1. The facts that led to the decision to perform a physical body cavity search of the incarcerated person.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Jail Commander's approval.
4. A copy of the search warrant.
5. The time, date, and location of the search.
6. The medical personnel present.
7. The names, gender, and roles of any staff present.
8. Any contraband or weapons discovered by the search.

(f) Completed documentation should be placed in the incarcerated person's file. A copy 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 other authorized representative (except for those portions of the warrant ordered sealed by a court).

(g) All contraband and weapons should be processed in accordance with the office's current evidence procedures.

(h) If appropriate, a crime report and/or disciplinary report shall be completed.

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514.4.6 BODY SCANNER SEARCH

When a scanner is reasonably available, a body scanner should be performed on all incarcerated persons/arrestees upon entering the secure booking area of the facility prior to placement in a housing unit.

If a body scanner is used, members (Penal Code § 4030):

(a) Within sight of the visual display of a body scanner depicting the body during a scan shall be of the same gender as the person being scanned, except for physicians or licensed medical personnel.

(b) Should ask incarcerated persons if they are pregnant prior to a body scan and should not knowingly use a body scanner on a person who is pregnant.

The body scanner should generally be used whenever reasonably practicable in place of a modified strip search, strip search or body cavity search of an incarcerated person in housing unless one of those searches is reasonably necessary after the scan.

See attachment: Soter Scanner English.pdf

See attachment: Soter Scanner Spanish.pdf

514.4.7 CROSS-GENDER VIEWING

Except in exigent circumstances or when such viewing is incidental to routine cell/dorm checks, incarcerated persons shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia (28 CFR 115.15(d)).

514.5 TRANSGENDER AND INTERSEX 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 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 115.15).

All modified strip searches, strip searches and pat-down searches of transgender and intersex incarcerated persons will be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. If a transgender or intersex incarcerated person's genitalia status is female, the incarcerated person will be searched by a female correctional officer only. If a transgender or intersex incarcerated person's genitalia status is male, the incarcerated person will be searched by a male correctional officer only.

The on-duty supervisor will be notified prior to a cross-gender search. All cross-gender searches will be documented in an incident report.

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514.6 HOUSING UNIT SEARCHES

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

(a) All incarcerated persons should vacate their living areas and be searched by members.

(b) Incarcerated persons should be escorted to a separate holding area, such as the recreation yard.

(c) Members shall search the living areas of the incarcerated persons, including bedding, personal storage areas, bunks, and other areas with incarcerated person access.

(d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.

(e) Members shall attempt to identify the incarcerated person who possessed the contraband and file appropriate person discipline and/or crime reports.

(f) Any alcoholic beverage possessed by incarcerated persons shall be seized and the appropriate person disciplined and/or criminal charges filed.

(g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized, documented and discarded and/or placed on the person's property.

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

514.7 PHYSICAL PLANT SEARCHES

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

(a) Exercise yards should be searched for contraband prior to and after each incarcerated person group occupies the yard.

(b) Holding cells should be searched prior to and after each incarcerated person occupies the cell.

(c) Program areas, such as classrooms and multipurpose rooms, should be searched after each use by an incarcerated person or incarcerated person group.

(d) Laundry areas should be searched before and after each incarcerated person group occupies the area.

(e) Kitchen areas should be frequently searched for contraband and to account for tools, knives, and food items.

(f) Incarcerated person visiting and public areas should be frequently inspected for contraband.

(g) The facility perimeter shall be searched at least once each shift for contraband.

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514.9 CRIMINAL EVIDENCE SEARCHES

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

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

Crimes committed within the facility should be reported to the operations division as soon as practicable if deemed necessary by a supervisor. The responding peace officer will be responsible for evidence collection and documentation when possible.

514.9 CANINE-ASSISTED SEARCHES

It is the policy of this jail to use canines to assist members in searching for contraband. Such searches shall occur only with a supervisor's approval. Only canines trained to detect contraband 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 physical plant, housing unit, and perimeter searches. Contact between incarcerated persons and canines should be kept to a minimum (see the Canines Policy).

514.10 TRAINING

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

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Reporting In-Custody Deaths

515.1 PURPOSE AND SCOPE

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

515.1.1 DEFINITIONS

Definitions related to this policy include:

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

515.2 POLICY

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

515.3 MANDATORY REPORTING

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

BSCC reporting: A copy of the initial review report for every in-custody death provided to the state Attorney General's office shall be submitted to the Board of State and Community Corrections (BSCC), and contain the information required by 15 CCR 1046 (b)(1)) and comport with the disclosure requirements of Penal Code § 832.10 (public disclosure of records) (15 CCR 1046).

- Submit a copy of the in-custody death report required to be submitted to DOJ, per Government Code Section 12525 to the BSCC within 10 days of the death;
- Conduct an initial review and complete a written report of the death within 30 days of the death (Initial Death Review Report); and
- Submit a copy of the Initial Death Review Report to the BSCC within 60 days of the death.

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

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

In the event that a juvenile dies while in custody, the Jail Commander or the authorized designee shall notify the court of jurisdiction and the juvenile offender's parent or guardian (15 CCR 1047).

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A copy of the report provided to the state Attorney General's office shall be submitted to the Board of State and Community Corrections (BSCC) within 10 days of the death (15 CCR 1046(b)(1)).

515.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this office, the Sergeant or Officer in Charge is responsible for ensuring that the Sheriff and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

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

The Office 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. Correctional officers shall not make a public comment.

515.4.1 REQUIRED NOTIFICATIONS

The Jail Commander or the authorized designee shall notify all persons covered by the incarcerated person's current medical release of information form and next of kin form within 24 hours of their death (Penal Code § 4032.5).

515.5 IN-CUSTODY DEATH REVIEW

The Sheriff 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) Sheriff and/or the Jail Commander

(b) County Counsel

(c) Investigative staff

(d) Responsible Physician, qualified health care professionals, supervisors, or other staff who are relevant to the incident

(e) Chief Deputy Coroner

The in-custody death review should be initiated as soon as practicable, and a written report shall be completed within 30 days of the death. 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).

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515.5.1 BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) IN-CUSTODY DEATH REVIEW RECOMMENDATIONS

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

(a) Identify the recommendations that the Office will implement and the anticipated cost and timeline of implementation.

(b) Identify the recommendations that the Office cannot or will not implement and provide an explanation.

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

515.5.2 BSCC ACCESS TO RECORDS AND PROPERTY

The Office shall cooperate with the director of the BSCC during an in-custody review and allow access, examination, and reproduction of records as specified in Penal Code § 832.10(c)(1) (public disclosure of records). Additionally, the BSCC director shall have access to the records and property of the Office to the same extent the Office has access. Records that are part of an active criminal or administrative investigation may be withheld as set forth in Penal Code § 832.10(c)(4) (Withholding of records is described in the Delay of Release subsection of this policy.) (Penal Code § 6034).

Access, examination, and reproduction shall not constitute a waiver of any confidentiality or privilege regarding any records disclosed to the BSCC director (Penal Code § 6034).

For purposes of this subsection, the term "director" includes employees and agents of the In-Custody Death Review Division of the BSCC (Penal Code § 6034).

515.6 IN-CUSTODY DEATH PUBLICATION

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

515.7 RECORD RELEASE REQUIREMENTS

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

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

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515.7.1 DELAY OF RELEASE

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

(a) Disclosure may be delayed up to 60 days from the date the death occurred or until the Office is informed of the district attorney's charging decision, whichever is first.

(b) The Office may continue to delay the disclosure of records after 60 days from the in-custody death if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against any person.

(c) If criminal charges are filed related to the death, disclosure may be delayed until the court case reaches final disposition.

(d) During an administrative investigation, disclosure may be delayed until the Office determines whether a policy or law was violated related to the death.

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

515.7.2 NOTICE OF DELAY OF RELEASE

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

(a) During the initial 60 days, the Records Supervisor shall provide the requester with the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure and include the estimated date for the disclosure.

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

515.7.3 REDACTION

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

(a) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than people's names and work-related information.

(b) To preserve the anonymity of whistleblowers, complainants, victims, and witnesses.

(c) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct.

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

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

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Staff and Incarcerated Person Contact

516.1 PURPOSE AND SCOPE

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

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

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

516.2 POLICY

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

516.3 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 derogatory or discriminatory comments is strictly prohibited.

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

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

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

516.4 ANTI-FRATERNIZATION

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

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

Members shall not knowingly maintain a personal or unofficial business relationship with any persons described in this section.

Prohibited interactions include, but are not limited to:

(a) Communications of a sexual or romantic nature.

(b) Salacious exchanges.

(c) Sexual abuse, sexual assault, sexual contact or sexual harassment.

(d) Exchanging letters, phone calls or other similar communications, such as texting.

(e) Exchanging money or other items.

(f) Extending privileges, giving or accepting gifts, gratuities or favors.

(g) Bartering.

(h) Any financial transactions.

(i) Being present at the home of an incarcerated persons for reasons other than an official visit without reporting the visit.

(j) Providing an incarcerated persons with the staff member's personal contact information, including social media accounts.

In rare occasions that a relationship needs to be maintained, the employee shall report the circumstances to their supervisor in an official memo.

516.4.1 EXCEPTIONS

The Sheriff or their designee may grant an 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, one should give consideration to factors including, but not limited to:

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

516.5 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 Commander or the authorized designee.

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Staff and Incarcerated Person Contact

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

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Transportation of Incarcerated Persons Outside the Secure Facility

517.1 PURPOSE AND SCOPE

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

517.2 POLICY

It is the policy of the Nevada County Sheriff's Office to provide safe, secure and humane transportation for all incarcerated persons and other persons as required by law.

517.3 DIVISION COMMANDER RESPONSIBILITIES

The Jail Commander should establish related procedures for:

- Safely transporting persons who are restrained.
- Seating placement of persons being transported in vehicles with and without safety barriers.

517.4 MEMBER RESPONSIBILITIES

Only staff members who have completed 64-hours of PC 832 training should be assigned incarcerated person transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

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

(a) Obtaining all necessary paperwork for the incarcerated person being transported (e.g., medical/dental records, commitment documents).

(b) Ensuring that all incarcerated person are thoroughly searched and appropriate restraints are properly applied.

1. Incarcerated person who are known to be pregnant will not be handcuffed behind their backs or placed in leg restraints/irons or waist restraints/chains while being transported (see the Use of Restraints Policy).

2. Incarcerated person 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.

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(d) Thoroughly searching the transporting vehicle for contraband before any incarcerated person is placed inside, and again after removing the person from the transporting vehicle.

(e) Ensuring the transportation vehicle is in appropriate mechanical order prior to departure.

(f) The feeding of incarcerated persons in accordance with Title 15 requirements.

(g) Using discretion when restroom use by incarcerated persons is necessary. Whenever possible, on extended transports, officers should utilize a local agency's restroom facilities for their own needs as well as those of the incarcerated person(s).

(h) Maintaining classification separation of incarcerated persons during transportation.

(i) Assist any incarcerated person getting into and out of the transport vehicle to avoid falls.

(j) Ensuring incarcerated persons are seatbelted in transport vehicles equipped with seatbelts for passengers.

(k) Provide Regional Dispatch Center with any required notifications (e.g., start time, mileage, end time).

(l) Use audio/video equipment (when properly equipped) to observe and record any person in custody during transport (see the Body-Worn Camera policy).

(m) Provide visual observation and audio communication during the transport of:

1. Incarcerated persons in handcuffs or waist restraints.
2. Incarcerated persons in leg restraints.
3. Incarcerated persons wearing a spit mask.
4. Incarcerated persons who are a suspected suicide risk.
    (a) Continue Safety Cell Observation Log (See Safety and Sobering Cells Policy).

(n) Make a reasonable effort to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or any conversations between a person being transported and a member of the public, to include public lobbies (Penal Code § 4570).

Officers shall be armed at all times with an issued departmental weapon when engaged in the transport of any incarcerated person. Officers shall be equipped with departmental radios. While in the County of Nevada transporting officers will monitor the departmental radio.

All out-of-county transports shall be completed by two officers. Exceptions to this must be cleared by a supervisor.

Under no circumstances shall incarcerated persons be left alone and/or out of officers' sight while in transport vehicles.

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Any agency housing incarcerated persons in the Nevada County jail shall be advised of any transport of their incarcerated persons from this facility.

517.4.1 TRANSPORTATION DOCUMENTATION

The transportation of all incarcerated persons shall be documented. The documentation should include:

- Name and identification number of the incarcerated person in the jail management system.
- Date and start/stop time of the transport provided to dispatch via radio.
- Locations of the transport will be provided to dispatch via radio.
- Identification number of the transporting correctional officer provided to dispatch via radio.
- Circumstances of any unusual events associated with the transportation to be documented in an incident report.

Applicable documentation shall be retained by the agency in accordance with established records retention schedules.

A completed transportation plan shall be submitted to the transportation supervisor. Items that should be addressed in the plan include:

- Type of restraints to be used on the incarcerated persons being transported.
- The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with community safety and security in mind.
- Emergency response procedures in the event of a collision, breakdown of a transportation vehicle, or other unforeseen event.
- Site verification.

Transportation plans will be uploaded into the appropriate SharePoint library.

See attachment: Transport Plan.pdf

See attachment: Tranport Plan Local-Truckee.pdf

517.5 TRANSPORT RESTRICTIONS

When transporting multiple persons, members:

(a) Should not transport incarcerated persons of different classifications in the same compartment.

1. Juveniles and adults shall not be transported together.
2. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, shall not be transported in the same compartment.
3. Persons of different genders shall not be transported in the same compartment.

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(b) If segregating individuals is not possible, transporting members shall get supervisor approval and should be alert to inappropriate physical or verbal contact and take appropriate action.

517.6 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY

When transporting an incarcerated person who has a disability, a member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment (e.g., canes, wheelchairs, prosthetics) is transported to the incarcerated person's destination in a way that does not threaten the safety or security of the person in custody or the member.

Members transporting an incarcerated person who has a disability should consult with medical personnel and the Sergeant or Officer in Charge in determining what, if any, restraining devices may be appropriate based on the incarcerated person's disability to ensure the security, safety, and dignity of all persons.

517.7 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons in custody who are unconscious, have serious injuries, or who may be seriously ill. EMS personnel should be called to handle such transportation.

A member should accompany any person in custody during transport in an ambulance.

Any person in custody suspected of having a communicable disease should be transported in compliance with the exposure control plan in the Communicable Diseases Policy.

517.8 TRANSPORTING PREGNANT PERSONS IN CUSTODY

Persons in custody who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Incarcerated persons who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints or leg irons. (see Use of Restraints policy)

Absent exceptional circumstances, persons in labor or delivery should not be transported by a member. EMS personnel should be called to handle transportation.

517.9 INTERRUPTION OF TRANSPORT

517.9.1 NON-CUSTODIAL EMERGENCY

Absent extraordinary circumstances, members should not interrupt a transport to provide emergency assistance without supervisory approval. Members encountering an emergency should notify Regional Dispatch Center or call 911 and request an appropriate response.

517.9.2 CUSTODIAL EMERGENCY

Provide medical aid for the incarcerated person as needed and consistent with your training. Contact local authorities, notify them who you are and the type of emergency and request a

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medical response. Continue to monitor the incarcerated person and/or provide medical aid until relieved by someone with higher medical training.

517.10 EXTENDED TRANSPORTS

During transports for extended durations, transporting members may be required to make necessary stops. With supervisory approval and due consideration for security risks and the incustody person's health and well-being, these stops should be limited to fuel, meals, bathroom breaks, and other purposes reasonably necessary for the continuation of the transport. Any stops shall be documented on the transportation plan.

Whenever possible, on extended transports, officers should utilize a local agency's restroom facilities for their own needs as well as those of the incarcerated person(s).

517.11 PROHIBITIONS

When transporting a person in custody, members should not:

(a) Use transport as a form of punishment or retaliation (e.g., intentionally rough rides, excessive heat or cold, obnoxiously loud music).

(b) Handcuff a person to any part of a vehicle.

(c) Leave the vehicle unattended with the person in custody in the vehicle.

(d) Allow any person who is not in custody (e.g., friend, family member) to have contact with or be in close proximity to the person in custody.

(e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than office personnel or receiving agency personnel.

(f) Stop to conduct any personal activities.

(g) Engage in a pursuit.

517.12 TRANSPORTATION ESCAPES

When a solo incarcerated person is being transported and they break custody, the transporting officer shall immediately call 911 or notify dispatch via radio and pursue the incarcerated person.

When multiple incarcerated persons are being transported and a break in custody occurs the officer(s) shall remain with the other incarcerated persons and immediately call 911 or notify dispatch via radio.

Notification shall include the following:

(a) The officer's exact location

(b) The incarcerated person's name, description and charges if known

(c) The incarcerated person's direction of flight

(d) If the incarcerated person has/had outside help

(e) Description of accomplice(s) if any

(f) Vehicle description of escape vehicle if applicable

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If the escape occurs outside the jurisdiction of the Nevada County Sheriff's Office, the member shall notify the Sergeant or Officer in Charge. The Sergeant or Officer in Charge should contact the appropriate agency or agencies within the jurisdiction where the escape occurred. The Sergeant or Officer in Charge should also notify the Court Security Sergeant or Officer in Charge and the Correctional Lieutenant.

517.13 DOCUMENTATION

If a person is injured during transportation, members should document the injury in the appropriate report. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other persons in custody). Any visible or reported injuries should be photographed and included with the report.

517.14 TRAINING

The Training Sergeant 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.

517.15 TRANSPORTATION TO A CRIME SCENE

During the course of a trial the court may require a visit to a crime scene. This can occur with a court trial or a jury trial with or without defendants in custody. In these instances, the court will issue an order for the Sheriff to arrange transportation.

Upon issuance of court order, the bailiff shall advise the Court Security supervisor of:

(a) The court making the order

(b) Date and time that transportation is required

(c) Location of the crime scene

(d) Incarcerated person's name, booking number, and charges

(e) Any special problems that may arise

The supervisor shall arrange for:

(a) Vehicle and driver for any in-custody defendant(s)

(b) Vehicle and driver for jury, judge, and court personnel, if required.

(c) Extra security staffing requirements

(d) Special security arrangements

(e) Coordination of prisoner movement with the State Department of Corrections (if the defendant is a state prisoner)

In a civil jury trial, transportation and jury accommodations will be the responsibility of court litigants, not the Sheriff.

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High Security and Change of Venue Trials

518.1 PURPOSE

To establish guidelines for high security trials and to provide a procedure to account for time spent providing security during a change of venue trial.

518.2 SECURITY PLAN

Security plans will be developed to meet the specific needs of trials which pose a high risk or likelihood of unusual media attention.

Proposed security measures for inside the courtroom and court building will be discussed with the judge to whom the high security trial is assigned.

A court order may be needed relative to certain aspects of the security process as described in the court security plan such as:

(a) Requiring spectators to identify themselves prior to entering the courtroom.

(b) Use of restraint devices for defendant(s) while in the courtroom.

(c) Searching or screening spectators at courtroom entrance.

Security plan should be based on:

(a) Preparation.

(b) Communication.

(c) Planning.

(d) Intelligence information.

(e) Cooperation.

(f) Attention to detail.

(g) An understanding of all aspects of the security process.

A briefing will be held for all participating security personnel.

Provide a detailed explanation of responsibilities and assignments. The supervisor may designate a deputy to act as team leader.

Provide an overall view of operational guidelines and intelligence information.

(a) Background of defendants and witnesses.

(b) Gang affiliations.

(c) Descriptions of outstanding suspects, related vehicles, etc..

(d) Photographs (when appropriate).

Additional security measures may include, but are not limited to:

(a) Additional security officers at entrance area.

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(b) Deputy stationed on roof.

(c) Use of restraint devices for defendant(s) while in courtroom.

(d) Use of deputies in civilian attire in the courtroom.

(e) Search of spectators with hand-held metal detector prior to entering the courtroom.

(f) Sign-in and ID check of spectators.

(g) Coordination with other agencies.

Evaluate courtroom and facility for:

(a) Holding cell security.

(b) Installation of communication devices to monitor court proceedings.

(c) Alarm system:

1. Who is notified.

2. Estimated response time.

(d) Location of courtroom.

(e) High security courtroom availability.

(f) Audio-equipped room to let defendant(s) hear proceedings if ordered removed from courtroom.

518.3 BAILIFF RESPONSIBILITIES

Search the courtroom at beginning of day and after each recess.

Keep items that may be used as weapons out of the reach of defendants.

Secure court exhibits.

Advise defendants and spectators of rules and regulations that apply to them while in court.

Communications, written, oral, or by gesture, between spectators and prisoners are prohibited:.

(a) Consider judicial admonishment.

(b) Communicate expectations to counsel.

Security for judge:

(a) Security sweep of chambers if requested.

(b) Alert staff to look out and report any suspicious mail.

(c) Advise how to handle personal threats.

(d) Additional agencies or special division personnel may be called upon to assist.

Designated seating in courtroom. Assigned seating for:

(a) Jurors.

(b) Defendant(s).

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(c) Media.

(d) Spectators.

518.4 COURT SECURITY DEPUTY RESPONSIBILITIES

Search prisoners upon arrival.

Ensure prisoners do not bring personal property with them to court other than legal papers.

Search holding cells before placing prisoners there and search again when they leave.

Escort prisoners from holding cell to courtroom.

518.5 TRANSPORT OFFICER RESPONSIBILITIES

Responsibilities of officers involved in transportation of defendant(s) (See Transportation of Incarcerated Persons Outside the Secure Facility Policy):

(a) Search vehicles used to transport.

(b) Use of escort and backup vehicles when appropriate.

(c) Vary route taken from jail facility to court facility and develop a plan in accordance with Nevada County Policy for Transportation of Inmates.

518.6 WEAPON SECURITY

Determine which officers will be armed:

(a) Personnel directly involved with the movement of prisoners shall protect their weapons especially when applying and removing restraint devices.

(b) Determine if investigating officer is armed and where he/she will be sitting in relation to the defendant(s).

(c) Confer with court clerk as to procedures for handling weapons in evidence.

(d) Determine if judge will be armed.

When appropriate, consider after-hours security.

518.7 MEDIA ISSUES

Unusual media attention by itself can create a security concern.

Absent prior court approval, the media shall not bring recording devices and cameras into the courtroom. Spectators may carry personal recording devices after advising the court. (California Rules of Court 1.150).

It is recommended that the pool camera concept be considered whenever possible.

Designate a media interview area remote from the courtroom.

Designate a media liaison officer to work with the media.

Admonish reporters and camera operators of any restriction on filming of the defendant to and from the courtroom.

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518.8 CHANGE OF VENUE TRIALS

When court security personnel become aware that an assigned trial is the result of a change of venue, they shall immediately advise the Court Security Sergeant who will notify the Executive Lieutenant to notify the Jail Commander.

518.9 CHANGE OF VENUE BILLING

Penal Code section 1037.2 states costs incurred by the county receiving a change of venue trial are to be paid by the transferring county. Costs incurred by a change of venue to be paid by the transferring county include, but are not limited to:

- Inmate transportation provided by the county sheriff from the jail to the courthouse.
- Security of the inmate or other participants in the trial.
- Security expenses incurred by the county sheriff or a contracted agency that resulted only from the transfer of the trial.

Claims for the costs described above shall be forwarded to the treasurer and auditor of the transferring county on a monthly basis. The invoice should include the following:

- Venue from which the trial was assigned.
- Court facility in which the trial will be heard.
- Court’s department number.
- Court docket number.
- Judge’s name.
- Defendant’s name.

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Safety and Sobering Cells

519.1 PURPOSE AND SCOPE

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

See attachment: Safety-Sobering Cell Log page 1.pdf

See attachment: Safety-Sobering Cell Log page 2.pdf

See attachment: TRUCKEE SOBERING WATCH.pdf

519.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

519.2 POLICY

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

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

519.3 SAFETY CELL PROCEDURES

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

(a) Placement of an incarcerated person into a safety cell requires approval of the Sergeant or Officer in Charge or Responsible Health Care Staff (15 CCR 1055).

(b) A safety cell log shall be initiated every time an incarcerated person is placed into the safety cell and should be maintained for the entire time the incarcerated person is housed in the cell. Cell logs will be retained in accordance with established office retention schedules.

(c) If the need arises for more than one safety cell an alternate cell may be used as a temporary overflow. This shall be documented in an incident report.

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(d) A safety check consisting of direct visual observation that is sufficient to assess the incarcerated person's incarcerated person's well-being and behavior shall occur twice every 30 minutes (15 CCR 1055) with no more than a 15-minute lapse between safety checks. Each safety check of the incarcerated person shall be documented.

(e) Incarcerated persons should be permitted to remain normally clothed or should be provided a safety suit, except in cases where the incarcerated person has demonstrated that clothing articles may pose a risk to the incarcerated person's safety or the facility. In these cases, the reasons for not providing clothing shall be documented on the safety cell log.

(f) Incarcerated person in safety cells shall be given the opportunity to have fluids (water, juices) at least hourly. Correctional officers shall provide the fluids in safety cups. The incarcerated persons shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an incarcerated person is provided the opportunity to drink fluids will be documented on the safety cell log.

(g) Incarcerated persons will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers. Incarcerated persons shall be given ample time to complete their meals prior to the plate or container being removed. All meals provided to incarcerated persons in safety cells will be documented on the safety cell log.

(h) The Sergeant or Officer In Charge shall inspect the logs for completeness and review the appropriateness for continued retention in the safety cell at least every four hours (15 CCR 1055). The continued retention or removal from the safety cell shall be documented on the safety cell log and Jail incident report

(i) A medical assessment of the incarcerated person in the safety cell shall occur as soon as possible, but not more than 12 hours from the time of placement. The person shall be medically cleared for continued assessment, referral to advanced treatment, or removed from the safety cell a minimum of 24 hours thereafter. Medical assessments shall be documented.

(j) A mental health assessment shall be conducted as soon as possible, but no more than 12 hours of an incarcerated person's placement in the safety cell (15 CCR 1055). The mental health professional's recommendations shall be documented.

(k) An incarcerated person may only be released from a safety watch with the approval of a qualified mental health professional or responsible physician.

519.3.1 TRUCKEE SAFETY WATCH

Any incarcerated person housed at the Truckee Substation requiring placement in a safety cell will be transported to the Wayne Brown Correctional Facility as soon as possible. The on-duty Sergeant or Officer In Charge shall be notified immediately

(a) Direct visual observation of the incarcerated person will be maintained in cell #T105 and documented at least twice every thirty (30) minutes until transportation arrangements can be made.

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519.4 SOBERING CELL PROCEDURES

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

(a) A sobering cell log shall be initiated every time an incarcerated person is placed into a sobering cell. The log shall be maintained for the entire time the incarcerated person is housed in the cell. Cell logs will be retained in accordance with established office 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 twice every 30 minutes on an irregular schedule. Each visual observation of the incarcerated person by staff shall be documented.

(c) Qualified health care professionals shall assess the medical condition of the incarcerated person in the sobering cell at least every four (4) hours. Only incarcerated persons who continue to need the protective housing of a sobering cell will continue to be detained in such housing.

(d) Incarcerated persons will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.

(e) incarcerated persons will be detained in separate sobering cells based on the individuals' actual or perceived gender identity or gender expression.

(f) Incarcerated persons who need to be observed for sobering purposes will be housed in an approved sobering cell. If the need arises for more than one sobering housing area an alternate cell may be used as a temporary overflow. This shall be documented in an incident report.

Incarcerated persons accepted into the facility will:

(a) Be conscious.

(b) Respond to simple verbal commands.

(c) Have no difficulty breathing.

(d) Not appear to be acutely ill or have apparent injuries.

(e) Be able to walk with minimal assistance.

519.4.1 SOBERING WATCH DOCUMENTATION

The officer conducting the check will annotate the following information on the incarcerated person "Observation Form," and report any deterioration of the incarcerated person's condition immediately to medical and the on-duty Sergeant or Officer In Charge. Visual observations will include:

(a) The time the direct visual observation is conducted.

(b) The name of the person conducting the direct visual observation.

(c) Pertinent observations made by the staff person conducting the check.

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(d) Observation of the incarcerated person's breathing to determine if they are breathing regularly.

(e) Observation of the incarcerated person to ensure that there has been no vomiting while they are asleep.

(f) An arousal attempt, as necessary to ensure that the person will respond to verbal or physical stimulation.

(g) Note anything said by the incarcerated person or actions of the incarcerated person that indicates a continual need for said person to remain housed in the sobering cell.

The on-duty watch commander will:

(a) Sign the Sobering Watch Form.

(b) Monitor checks of incarcerated persons placed on a sobering watch.

(c) Ensure that no incarcerated person remains in a sobering cell over four (4) hours without an evaluation by a medical staff person or an evaluation by custody staff, pursuant to written medical procedures in accordance with Section 1213 of Title 15, to determine whether the person has an urgent medical problem.

Termination of a sobering watch:

(a) Sobering watches may be terminated by the qualified health care professional or the Sergeant or Officer in Charge.

(b) Incarcerated persons to be housed subsequent to a termination of a sobering watch will be evaluated by the qualified health care professional prior to housing.

(c) In all instances, the incarcerated person "Observation Form" will be placed in the incarcerated person's hard card, and become a part of their permanent booking record.

519.4.2 TRUCKEE SOBERING WATCH

Truckee will use the same general guidelines as listed above for determining the need for an incarcerated person to be housed in a sobering cell. Staff will conduct and document direct visual observation of the incarcerated person(s) placed on a sobering watch.

Incarcerated persons who need to be observed for sobering purposes will be housed in an approved sobering cell. If the need arises for more than one sobering housing area, an alternate cell may be used as a temporary overflow. This shall be documented in an incident report.

Once housed in the sobering cell, the incarcerated person will be observed at intervals of at least twice every thirty (30) minutes. Officers will have visual and verbal contact noting the incarcerated person's response on the written log. This log will be maintained as part of the incarcerated persons permanent file.

Visual observations will include the time the direct visual observation is conducted and the name of the person conducting the direct visual observation.

Pertinent observations made by the staff person conducting the check. Pertinent observations will include:

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(a) Observation of the incarcerated person's breathing to determine if they are breathing regularly.

(b) Observation of the incarcerated person to ensure that there has been no vomiting while they are asleep.

(c) An arousal attempt as necessary to ensure that the person will respond to verbal or physical stimulation.

(d) Note anything said by the incarcerated person or actions of the incarcerated person that indicates a continual need for said person to remain housed in the sobering cell.

Any deterioration of the incarcerated person's condition, such as unable to arouse, unable to respond to simple commands, trouble breathing, or appears ill, they will be taken to Tahoe Forest Hospital immediately and the Sergeant or Officer In Charge will be notified.

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Biological Samples

520.1 PURPOSE AND SCOPE

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

520.2 POLICY

The Nevada County Sheriff's Office 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.

520.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

Incarcerated persons must submit a biological sample (Penal Code § 296; Penal Code § 296.1):

(a) Upon conviction or other adjudication of any felony offense

(b) Upon conviction or other adjudication of any offense if the person has a prior felony on record.

(c) When arrested or charged with any felony.

(d) A 298.1 Admonition form should be filled out when conducting DNA samples.

See attachment: 298.1 Admonition.pdf

520.4 PROCEDURE

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

520.4.1 COLLECTION

The following steps should be taken to collect a sample:

(a) Verify that the incarcerated person is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.

(b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.

(c) Use the designated collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

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520.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

If an incarceratedpersons refuses to cooperate with the sample collection process, correctional 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 order or approval of legal counsel and only with the approval of the jail's lieutenant. Methods to consider when seeking voluntary compliance include contacting:

(a) The incarcerated person's parole or probation officer when applicable.

(b) The prosecuting attorney to seek additional charges against the incarcerated person for failure to comply or to otherwise bring the refusal before a judge.

(c) The judge at the incarcerated person's next court appearance.

(d) The incarcerated person's attorney.

(e) A chaplain.

(f) A supervisor who may be able to authorize disciplinary actions to compel compliance, if any such actions are available.

The jail lieutenant shall review and approve any calculated use of force. The supervisor shall be present to supervise and document the calculated use of force.

520.5.1 VIDEO RECORDING

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

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

520.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

520.6.1 DOCUMENTATION RELATED TO FORCE

The Sergeant or Officer in Charge (OIC) shall prepare prior written authorization for the use of any force (15 CCR 1059).

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

See attachment: Reasonable Force Form.pdf

520.6.2 BLOOD SAMPLES

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

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(a) The California DOJ requests a blood sample and the subject consents, or

(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)).

520.6.3 STATE MANDATES

Correctional 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).

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End of Term Release

521.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of incarcerated persons to ensure that incarcerated persons are not released in error (15 CCR 1029).

521.2 POLICY

It will be the policy of the Nevada County Sheriff's Office to provide for the timely, efficient, and legal release of incarcerated persons.

521.3 RELEASE PROCEDURE

Incarcerated persons who have reached the end of their sentenced term or who are ordered released by the court will be scheduled for release during daylight hours when services are available. Incarcerated persons scheduled for release should be directed to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release time.

The Sergeant or Officer In Charge shall review the release paperwork on the same day the incarcerated person is to be released.

Incarcerated persons should not be released or moved during incarcerated person count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All incarcerated persons must be positively identified by the staff prior to being released from the facility. Incarcerated person identities should be verified using intake records bearing the incarcerated person's name, photograph, and facility identification number or a single digit fingerprint match system, if available.

Before any incarcerated person may be released, the following conditions must be met:

(a) The identity of the incarcerated person has been verified.

(b) All required paperwork for release is present including but not limited to bail bond paperwork, release forms, citations, restraining orders, etc. The Sergeant or Officer In Charge shall review the active incarcerated person file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:

1. Verifying calculations and release-date adjustments for good time.
2. Any pending arrangements for follow-up, such as medications needed, appointments, or referral to community or social resources.
3. Complete the front of the Incarcerated person Hard Card as required.
4. Unresolved grievances, damage claims, or lost property.

(c) Releasing staff must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders.

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If any agency has outstanding charges against the incarcerated person, the staff shall notify the agency that the incarcerated person is available for release.

(d) If a hold has been placed on an incarcerated person due to a mental health concern by a qualified health care professional or the Sergeant or Officer In Charge, the incarcerated person shall be evaluated by a qualified health care professional and medically authorized for release. To the extent reasonably practicable, individuals who have been determined to be severely mentally ill should be released during business hours to facilitate their ability to receive services immediately after release.

(e) An inspection of the cell must be conducted with the incarcerated person present. Any damage should be documented in an incident report and the Sergeant or Officer In Charge shall be notified.

(f) All personal property shall be returned to the incarcerated person during the release process. The incarcerated person must acknowledge receiving their property by signed receipt. Any discrepancies shall be promptly reported to the Sergeant or Officer in Charge. See Release of Property Section for further information.

(g) All facility property must be returned by the incarcerated person. Any missing or damaged facility property should be documented and promptly reported to the Sergeant or Officer in Charge. The incarcerated person shall remain in custody until the Sergeant or Officer in Charge determines whether additional criminal charges should be filed against the incarcerated person for the damage or loss.

(h) A forwarding address for the incarcerated person should be on file and verified with the incarcerated person for the return of mail.

(i) Incarcerated persons on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release if requested by probation or parole. The parole authorities having jurisdiction shall be notified of the incarcerated persons release, if required.

(j) Incarcerated persons shall have access to at least three free telephone calls to plan for a safe and successful release (Penal Code § 4024.5).

(k) Release standards, release processes, and release schedules shall be made available to an incarcerated person following the determination to release the incarcerated person (Penal Code § 4024.5).

The facility count boards and Jail Management System shall be updated accordingly after the incarcerated person's release. The Sergeant or Officer In Charge shall ensure all release documents are complete and properly signed by the incarcerated person and the staff where required.

521.3.1 DISCHARGE OF INCARCERATED PERSONS WITH MENTAL ILLNESS OR SUBSTANCE ADDICTION

Incarcerated persons who are eligible for release and suffer from mental illness or substance addiction may be offered to stay in the facility for up to 16 additional hours or until normal business hours, whichever is shorter, in order for the incarcerated person to be discharged to a treatment center or be discharged during daylight hours. The incarcerated person may revoke

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the incarcerated person's consent and be released as soon as possible and practicable (Penal Code § 4024).

521.3.2 DISCHARGE OF INCARCERATED PERSONS CONVICTED OF FELONIES

Incarcerated persons who have been convicted of a felony and meet the conditions in Penal Code § 4852.01 shall be advised of the right to petition for certificate of rehabilitation and pardon prior to release. The Records Section shall inform the incarcerated person in writing of the incarcerated person's right to petition, and of the procedures for filing a petition and obtaining the certificate (Penal Code § 4852.21).

521.3.3 TRANSFERS TO IMMIGRATION AUTHORITIES

Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

521.3.4 DISCHARGE OF SEX OFFENDER REGISTRANTS

The Records Section shall inform the California Department of Justice when incarcerated persons required to register changes in address under Penal Code § 290.013 have been released from the jail within 15 days of release (Penal Code § 290.013).

521.3.5 ARRESTEE RELEASED FROM CUSTODY

Upon request, a detained arrestee released from custody shall be provided with the appropriate Judicial Council forms to petition the court to have the arrest and related records sealed (Penal Code § 851.91).

The jail shall display the required signage that complies with Penal Code § 851.91 advising an arrestee of the right to obtain the Judicial Council forms.

Every incarcerated person released from custody shall be provided with a list of services available to them while outside the facility. This shall be in addition to any of the services arranged by Behavioral Health, Probation, the jail medical services provider, or other entities having contact with incarcerated persons while they are incarcerated. This information shall be provided to incarcerated persons prior to their release (15 CCR 1070).

521.3.6 RELEASE OF INCARCERATED PERSONS PURSUANT TO PC 849(B)(2)

It is the responsibility of the arresting agency to determine if the incarcerated person qualifies for release under this section of the Penal Code.

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If the incarcerated person is to be released, the arresting officer will inform the booking officer of the release. Additionally, the arresting officer will complete all required paperwork for the release and give it to the booking officer prior to leaving the facility.

521.3.7 RELEASE OF INCARCERATED PERSONS PURSUANT TO PC 853.6

It is the responsibility of the arresting officer to inform the booking officer if a newly arrived incarcerated person is not to be released.

The arresting officer will complete the back of the "Pre-booking Form" indicating the reason the incarcerated person does not qualify for release under this section of the penal code.

Nothing in this policy shall be construed to affect a defendant's ability to be released on bail.

521.3.8 RELEASE OF PROPERTY

Release all personal property to the incarcerated person. Under no circumstances will an incarcerated person be handed a sealed bag of property and asked to sign for it without a complete inventory being conducted as described below.

The releasing officer and the incarcerated person will inventory all property to be released. The booking officer will maintain custody of any property that may be used as a weapon. The "weapon" will be handed to the incarcerated person at the release door. The incarcerated person will check off each item being returned individually off the Property Inventory Sheet.

The incarcerated person will sign the property inventory sheet only after each item has been returned and checked off the Property Inventory Sheet.

When the incarcerated person has completed all requirements for release, the booking officer will escort the incarcerated person to the booking release door, notify central control of the release, and stand by the release door until it is secure.

Incarcerated persons who are in custody may release property to anyone they wish. The incarcerated person is required to complete a Release of Property Receipt form. Property will be accounted for in the same manner as described above. The incarcerated person's property inventory will be updated in the computer. This update will include the name of the person the property was released to and the date of release. The yellow copy of the Property Receipt will be returned to the incarcerated person and the white copy will be placed in the incarcerated person's hard card.

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Over-Detention and Inadvertent Releases

522.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to staff and management to prevent and address over-detention or inadvertent release.

522.1.1 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.

522.2 POLICY

It is the policy of this office to reasonably ensure that over-detention and inadvertent releases do not occur.

522.3 OVER-DETENTION

Any custody member who discovers or receives information of an over-detention, or a complaint from an incarcerated person regarding over-detention (which could be discovered through a grievance), shall immediately notify the Sergeant or Officer in Charge (see the Grievances Policy).

The Sergeant or Officer in Charge should immediately conduct an investigation to determine the correct release date of the incarcerated person and to report the findings to the Correctional Lieutenant(s).

Incarcerated persons who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Correctional Lieutenant shall ensure that the Jail Commander is notified, an entry is made to the end of watch and that a report is completed.

522.3.1 OVER-DETENTION GRIEVANCES

Any custody member who receives a grievance form shall forward the form directly to the Sergeant or Officer in Charge as soon as practicable.

The Sergeant or Officer in Charge receiving a grievance regarding an over-detention should immediately conduct an investigation to determine the correct release date of the incarcerated person and to report the findings to the Correctional Lieutenant(s).

If the Sergeant or Officer in Charge decides not to release the incarcerated person, the Sergeant or Officer in Charge should treat this grievance as an emergency grievance and ensure the person receives a response within 24 hours of the grievance submission. The response should reflect efforts made to investigate the allegation (see the Grievances Policy).

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522.4 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the custody member making the discovery shall immediately notify the Sergeant or Officer In Charge who will notify the Correctional Lieutenant(s). Notification will be made to the Jail Commander who will notify the Undersheriff. The information will be documented in an incident report.

522.4.1 INADVERTENT RELEASE INVESTIGATION

The Sergeant or Officer in Charge should immediately conduct an investigation to determine the cause of the inadvertent release.

The Sergeant or Officer in Charge 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 person's criminal history and the reason the person is currently in custody, among other factors.

In the case of an inadvertent release, the Sergeant or Officer in Charge should immediately notify the Operations Lieutenant who will notify the Jail Commander and ensure a report is completed. The Jail Commander should notify the Undersheriff.

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

522.4.2 RETURNING THE INCARCERATED PERSON TO CUSTODY

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

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Corrections Emergency Response Team (CERT)

523.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain an emergency response unit, known as the Corrections Emergency Response Team (CERT). CERT will be responsible for the resolution of critical incidents within our jail facilities which are not likely to require, or will not require, the use of deadly force for resolution of the event, and the preservation of life in the event of a natural disaster which affects the Corrections Division (Title 15 CCR, 3301 et. seq.).

523.2 DEFINITIONS

Corrections Emergency Response Team (CERT) - Correctional officers trained in cell insertion and extraction techniques, use of force policies, defensive tactics, riot control, impact weapons, less lethal weapons, munitions and devices, and facility emergency response plans.

Special Enforcement Detail (SED) - The Nevada County Sheriff's Office's established special weapons and tactics team.

Spontaneous Event – An event requiring a response by correctional staff that is not pre-planned but results from a situation such as a fight, an inmate(s) on officer(s) assault, inmate(s) losing control of the ability to follow facility rules and starting a riot, fire, or other such incidents.

Pre-Planned Event – An event such as a housing area search, moving of high-risk inmate(s), or a high-risk cell extraction, which allows staff to plan tactics, gather personnel and resources in advance, and select the time and date for initiating the action.

Team Leader – A team member, who by the demonstration of their abilities, training, and knowledge, has been appointed to supervise and lead any CERT deployment.

Alternate Team Leader – A team member, who by the demonstration of their abilities, training, and knowledge, has been appointed to assist the Team Leader in any CERT deployment or, act as Team Leader if needed.

Team Member – A Correctional Officer, who by the demonstration of their abilities, training, and knowledge, has been appointed as a CERT member, responsible for the security of other team members.

Incident Commander – The Shift Supervisor/Officer in Charge of the area where CERT action is requested.

Tactical Response Request – Written request from the Incident Commander detailing specific reasons for CERT activation and the desired goal to accomplish the mission.

523.3 POLICY

It is the policy of the Nevada County Sheriff's Office that there shall be a Corrections Emergency Response Team (CERT). The CERT team will be comprised of eight total Correctional Officers holding the rank of sergeant or below. Of the above eight-person team, there will be a correctional sergeant designated as a team leader and two alternate team leaders. CERT's function is to assist

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in maintaining facility security in situations that either cannot be handled by the general custodial staff, or where there exists a high risk of personal injury.

523.4 PRIMARY OBJECTIVES

The primary objectives of CERT fall within the confines of the Nevada County Correctional Facilities and they are to:

A. Establish or maintain the integrity of a safe and secure environment.

B. Save, maintain, and protect life and property.

C. Maximize available Sheriff's Office personnel and resources when needed.

D. Provide and maintain a trained and equipped professional unit for lawfully and ethically ensuring order, safety, and security for staff, inmates, and the public.

Only the Sheriff or their designee may approve the deployment of CERT for operations outside Nevada County Correctional Facilities.

523.5 ORGANIZATION

A. Chain of Command

1. Sheriff
2. Undersheriff
3. Jail Commander
4. Executive Lieutenant
5. Correctional Lieutenant
6. CERT Team Leader
7. CERT Member

B. Roles

1. Team Commander (Lieutenant)
2. Team Leader (Correctional Sergeant)
3. Team Member (Correctional Officer or Correctional Sergeant)

523.6 SELECTION PROCESS AND ASSIGNMENTS FOR CERT MEMBERS

A. All selections for the CERT Team are reserved to the Sheriff or their designee. Considerations for positions on the Team will not be based on rank alone.

B. Personnel selected to the Corrections Emergency Response Team (CERT) will serve a one-year commitment with a four-year tour of duty. After a four-year tour of duty, CERT members must re-apply and successfully pass the required test to continue on the specialized team.

C. CERT Member applicants should meet the General Requirements listed under the Special Assignments and Promotions policy.

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D. CERT Member applicants will be required to successfully complete a series of physical and mental tasks to progress on to the oral interview panel.

E. CERT Member Applicants who meet the minimum qualifications shall be screened by a CERT interview panel, which shall consist of an oral interview by a minimum of three correctional personnel, to include the Team Commander, the Team Leader, and at minimum another team member.

F. The CERT interview panel will be responsible for the selection process and will present their recommendations to the Sheriff via the chain of command.

523.7 ONGOING TRAINING AND QUALIFICATION

The CERT team leader shall conduct an annual training needs assessment to ensure that training is conducted within team capabilities and office policy. The result of the inspections will be forwarded to the Operational Lieutenant in writing. The training needs assessment shall then be forwarded up the chain of command.

A. CERT members will attend initial training in all phases of team tasks and functions.

B. A monthly training program specifically designed for the team shall be developed by the CERT Team Leader in conjunction with the Corrections Training Unit. CERT members will attend at least two hours of training per month. The CERT Team Leader will draft a memo at the end of each training that includes topics/training covered and attendee's present.

C. CERT members will attend training as scheduled by the CERT Team Leader which will include all or a portion of the following areas:

1. Physical fitness
2. Defensive Tactics
3. Baton certification
4. Less-lethal weapons, munitions, and devices
5. Cell extraction and insertion techniques
6. Crowd and riot control techniques
7. Video camera operation
8. Evidence collection and documentation
9. Report writing and courtroom testimony
10. Proper application of restraint devices
11. Inflammatory agents
12. De-escalation
13. Policy review

D. Physical Fitness testing shall be required quarterly and will be the same as the applicant testing standards. CERT members who are unable to maintain qualification standards may be removed from the Team.

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E. CERT members with unexcused absences from training may be removed from the Team. Any team member who misses training, shall write a memorandum to the Team Leader explaining their absence.

523.8 MAINTENANCE OF REQUIREMENTS

All members are required to maintain a level of proficiency and physical fitness that allows them to be continuously able to pass physical qualification standards. If a member fails to successfully complete a standard when tested, they will have thirty (30) days in which to pass the required test. Failure to do so will result in the member being released from the Team. Exceptions will be made if and when a team member is injured or ill, and requires additional time to recover and rehabilitate to necessary skill/fitness levels.

For Team members continually deficient in required standards of performance, et cetera, the CERT Team Commander shall forward to the Sheriff a letter explaining where the member is deficient, what corrective measures have been taken, and whether or not the member has corrected the deficiency. The CERT Team Commander shall also include their recommendation as to whether or not to maintain the member as part of the Team. The letter shall be reviewed by the Sheriff for final disposition. The Sheriff may conduct an informal hearing with the Team member and CERT Team Commander to determine if sufficient grounds exist to dismiss or retain the member as part of the team. The decision of the Sheriff shall be final with no appeal rights afforded to the member being terminated from the Team.

Team members may be summarily dismissed from the Team at the discretion of the CERT Team Commander with approval of the Sheriff.

523.9 MEMBER STATUS

A. The probationary period for newly appointed CERT team members will be 1 year from the date of appointment.

B. Any Annual Performance Appraisal received after appointment to CERT that has an overall rating of less than "Satisfactory" may result in termination from the Team.

C. Sheriff's Office personnel assigned to CERT shall attend training at the time scheduled, and at the location designated when so directed by the CERT Team Leader. Any member of the Team who is unable to attend a training session shall notify the Team Leader no later than twenty-four (24) hours prior to the time scheduled for training. EXCEPTION: Emergencies, sudden illness, military leave, or conflict with primary duty assignment.

D. Any member who is inactive for longer than six (6) months, regardless of the reason, may be released from the team. It is imperative that CERT can muster a full, serviceable team in order to safely complete critical missions.

E. All members of this Team serve at the will of the Sheriff and may be removed at any time without cause.

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523.10 EQUIPMENT

A. All personal equipment used must be inspected and approved by the CERT Team Leader and/or Team Commander.

B. Storage of Team Equipment

1. Team equipment will be secured in the administrative area of the facility. Access to Team equipment will be limited to management staff and Team personnel.

2. All CERT less-lethal firearms, munitions, and devices will be maintained and accounted for by the Team Leader and/or less-lethal instructor on a quarterly basis.

3. Team equipment shall only be utilized by appropriately trained personnel.

523.10.1 OPERATION READINESS INSPECTIONS

The CERT team leader should perform operational readiness inspections of all team equipment at least annually. The result of the inspections will be forwarded to the Operational Lieutenant in writing who will forward the inspection results up the chain of command. The inspections will include individual equipment issued to members of the team and operational equipment maintained in the CERT facility.

523.11 ACTIVATION

A. All requests for CERT activation (Spontaneous Incidents or Pre-Planned Events) shall require notification of the Team Leader, Team Commander and Jail Commander.

B. All aspects of the event will be video-recorded, to include:

1. The disturbance prior to any action being taken by CERT

2. Any pre-action warnings or admonishments given by staff members

3. All Team actions and inmate reactions

4. All subsequent inmate movements

C. All requests for CERT activation shall require the Incident Commander to complete a Tactical Response Request for the CERT Team Leader.

D. Incidents or emergencies in which CERT may be used include, but are not limited to:

1. Attempted escapes

2. Mass arrest / field bookings

3. Hostage situations

4. Natural disasters

5. Riots / major disturbances within a correctional facility

6. Facility evacuation

7. Cell extractions

8. Perimeter security

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9. Fire
10. High risk transports / escorts
11. Planned and methodical facility searches

E. When the On-Duty Supervisor feels that circumstances warrant the use of CERT he/she may authorize the use of "On-Duty" CERT members for emergencies inside the facility needing immediate response. In these situations, the CERT Team Leader will be notified.

F. The CERT Team Leader will be responsible for and in control of the Team Members during the incident.

G. The Team Leader will develop tactical strategies for each individual situation. Tactics utilized shall be consistent with Nevada County Sheriff's Office policies and procedures. The use of force and the use of less-lethal devices shall be used discretionally after considering the factors and circumstances surrounding the incident. Relevant factors to consider should include, but are not limited to:

1. The perceived threat
2. Level of force needed
3. Effort(s) made to temper forceful response

523.12 DOCUMENTATION

All CERT deployments / incidents will be documented in an incident report on JMS. Uses of force will be handled pursuant to policy.

523.13 DEACTIVIATION

Upon deactivation of CERT the Team Leader will ensure all equipment, weapons, and munitions are accounted for and returned to their proper storage locations. All necessary documents will be completed and routed to the proper channels.

When circumstances allow, a debriefing of the incident / event shall be conducted with all involved CERT members. This may include, but is not limited to the following:

- Evaluation of the incident
- Evaluation of plan and tactics used
- Provide a forum for input to improve future incident / events

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The Wrap Restraint

524.1 POLICY

It is the policy of the Nevada County Sheriff's Office to use objectively reasonable force in accordance with the law. The Sheriff's Office has approved the use of The Wrap within the guidelines provided.

524.2 PURPOSE

The Wrap provides a safe and quick method of controlling and immobilizing a violent or potentially violent/combative subject who has been taken into custody. This policy is intended to familiarize agency personnel with The Wrap and procedural guidelines for its use.

524.3 DESCRIPTION

The Wrap, manufactured by Safe Restraints, Inc., was designed as a temporary restraining device. Used properly it can increase officer safety and reduce risk of liability due to injuries and in-custody deaths. The Wrap immobilizes the body and restricts a subject’s ability to kick or do harm to oneself and others. The Wrap minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transport or movement.

524.4 FIELD USE

The Wrap can be used prior to or after a violent or potentially violent/combative subject is controlled using approved departmental methods. Like any restraint device, do not assume The Wrap is escape-proof. Once applied, THE SUBJECT SHOULD NOT BE LEFT UNATTENDED.

The Wrap should be considered for use under the following situations:

(a) Whenever you anticipate possible violent/combative behavior.

(b) To immobilize a violent/combative subject.

(c) To limit violent/combative subjects from causing injury to themselves or others.

(d) To prevent violent/combative subjects from causing property damage by kicking.

(e) To restrain subjects after a chemical spray or stunning device is used.

(f) When conventional methods of restraint are not effective.

(g) In transportation of violent/combative subjects.

(h) To assist with cell extraction of violent/combative subjects.

Once the subject is properly restrained in The Wrap, they can be placed on their side or in a sitting position. This will increase the oxygen recovery rate and reduce the incidence of respiratory fatigue or positional asphyxia often caused by a subject being restrained in the prone position.

524.5 APPLICATION

The Wrap can be applied by one person if the subject is passive, but for violent/combative subjects, three or more people should be used. Only qualified personnel who have received training in the

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use of The Wrap should use this restraining device. Refer to the training manual for application guidelines.

524.6 TRANSPORTATION

Movement of the subject can be accomplished in three ways depending on their cooperation. The subject can either be carried, allowed to stand and shuffle step to the destination or be placed in "The Cart", manufactured by Safe Restraints, Inc., and wheeled to the destination.

To carry the subject, it is recommended that between 2 to 4 personnel be used depending on the size and weight of the subject. Lift the subject by the arms and the ankles. A "log lift" carrying technique may be used when moving the subject. Proper lifting techniques should be followed to prevent unnecessary injury.

As an option to lifting, the subject may be moved by means of a shuffle. If the subject has calmed down and is cooperative, the lower Wrap leg band can be loosened to allow some leg movement below the knees without compromising security or safety concerns. By loosening the tether to the shoulder harness, the subject can be brought to a standing position with the help of officers and then allowed to shuffle to or from a vehicle or holding cell. If this method is used, appropriate support must be given to the subject to prevent possible injury.

Prior to vehicle transportation, re-check all belts to ensure that they are securely fastened. The use of a seat belt is recommended to limit movement and reduce the risk of injury to the subject. Whenever possible, one person should ride as an observer with the subject to ensure all straps remain tight and the subject has no medical problems. Re-checking the security of The Wrap and keeping the subject under constant observation should apply to any movement of the subject.

524.7 PRECAUTIONS

(a) The shoulder harness should never be tightened to the point that it interferes with the subject's ability to breathe.

(b) The leg bands and shoulder harness must be checked frequently for tightness and re-tightened or loosened as necessary until The Wrap is removed.

(c) If the restrained subject complains of or show signs of breathing distress, medical attention should be provided immediately.

    (a) Signs of potential agonal breathing/respiration or breathing distress:

        (a) Gasping

        (b) Labored/heavy/noisy breathing

        (c) Snorting/Snoring sounds

        (d) Moaning/Groaning

        (e) Guttural sounds

        (f) Twitching muscles

        (g) Seizures

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(h) Gurgling

(i) Sudden calmness

(j) Change in facial color

(d) THE SUBJECT SHOULD NEVER BE LEFT UNATTENDED WHILE IN THE WRAP.

(e) Subjects should be placed in an upright sitting position or on their side as soon as possible to allow for respiratory recovery.

(f) The Wrap is a temporary restraining device and is not escape-proof.

(g) The Wrap is to be used by "trained personnel only".

524.8 TRAINING

Only qualified personnel who have successfully completed the agency's training in the use of The Wrap should use this restraining device.

524.9 CARE AND MAINTENANCE

The Wrap should be inspected after each use for signs of wear or damage. If any damage is discovered, forward The Wrap to appropriate personnel for repair or replacement. If cleaning is necessary after use, use a mild soapy solution or disinfectant approved for use on vinyl and nylon materials. If blood is absorbed into any part of The Wrap that part should be replaced. Thoroughly rinse all disinfectant from the unit prior to drying. After cleaning The Wrap, allow it to thoroughly air dry before being returned to its carrying bag.

524.10 STORAGE AND PREPARATION FOR RE-USE

It is important that The Wrap is immediately ready for use and prepared for storage in a way that prevents the loop fastening material on the bands from becoming dirty or entangled. This allows The Wrap to be quickly laid out next to the subject and applied without the confusion of having to untangle the bands. To properly prepare The Wrap for storage in the carrying bag;

(a) Lay The Wrap on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.

(b) Individually fold each of the leg bands back onto itself so that the fold of the band protrudes an inch or two from the edge of The Wrap body.

(c) Be sure the retaining "D" ring on the body of The Wrap and harness is open and ready for use.

(d) Keeping the bands inside, roll The Wrap tightly towards the buckle and secure with the ankle strap and place in carrying bag.

(e) Fully extend the harness buckles and tether. Attach buckles to its counterpart and roll the harness up and place it in the carrying bag compartment. Remember, like all tools of the trade, training is essential andTthe Wrap must be kept in good condition. It is also critical to have The Wrap available for use when needed to minimize the time the subject is restrained in a prone position.

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Body Scanner

525.1 PURPOSE AND SCOPE

The low dose, X-ray based operation of the SOTER RS Body Scanner will be used as a tool to assist staff with detection and prevention of weapons, contraband and prohibited items from entering the secure areas of the Wayne Brown Correctional Facility. The purpose of this policy is to establish an effective radiation safety and protection program that will reduce the risk of exposure related to the use of ionizing X-radiation, and provide for the safe operation of the SOTER RS Body Scanner.

525.2 DEFINITIONS

ALARA: "**A**s **L**ow **A**s **R**easonably **A**chievable", which means making every reasonable effort to maintain exposures to ionizing radiation as far below the dose limits as practical, consistent with the purpose for which the licensed activity is undertaken, taking into account the state of technology, the economics of improvements in relation to state of technology, the economics of improvements in relation to benefits to the public health and safety, and other societal and socioeconomic considerations, and in relation to utilization of nuclear energy and licensed materials in the public interest. (10 CFR 20.1003)

Body Scan: X-ray technology used to produce an image revealing the presence of contraband concealed on or inside of a subject.

Body Scan Device: A stationary system for obtaining full height radiographic images of a person to detect any kind of weapons, explosives, drugs, and precious stones and metals either concealed under the clothes, swallowed, or hidden in anatomical cavities of the human body (for example, drugs in capsules) without causing harm to the scanned person. (i.e., SOTER RS Body Scanner)

Ray: Also referred to as X-radiation, is a form of electromagnetic radiation similar to light but of shorter wavelength and capable of penetrating solids and of ionizing gases.

Radiation: Radiation is the process in which energetic particles or waves travel through a medium or space. There are two distinct types of radiation; ionizing and non-ionizing. X- radiation is an ionizing radiation.

Radiation Survey: Measurement of the X-radiation equivalent dose rate at the external surfaces of the body scan device, the personnel work station(s), the boundaries of the working zone, and in adjacent rooms if applicable.

Exposure: A term defining the amount of ionizing radiation that strikes living or inanimate material. The Federal Drug Administration definition is found at 21 CFR 1020.40(b) (5).

Dose: The quantity of radiation or energy absorbed.

RSO: Radiation Safety Officer.

Anomalies: Something that deviates from what is standard, normal, or expected.

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525.3 GENERAL INFORMATION

The SOTER RS Body Scanner will be utilized to scan new intakes, housed incarcerated persons, objects and property. The intent is to prevent weapons, drugs and prohibited items from being concealed on or in a person's body that would compromise the safety and security of the jail facility.

All arrestees and housed incarcerated persons brought into the jail may be subject to an X-ray scan, unless a condition exists that would prohibit scanning. This transmission X-ray scanner may be used for cross-gender scans. As a standard practice, only male staff are allowed to view scans of males and female staff are allowed to view scans of females. If contraband or anomalies are detected on a scan, staff of the same sex will view the scan if a secondary opinion is needed.

525.4 GUIDELINES FOR SCANNING

Pacemakers and other medical devices

There is no FDA published material indicating the use of the body scanner will adversely affect implanted medical devices, such as a pacemaker. However, a person who claims to have such a device shall not be scanned.

Pregnant Incarcerated Persons

(a) The Body Scan device shall not be used to scan arrestees or incarcerated persons who are known or alleged to be pregnant under any circumstances. A statement by the arrested person or incarcerated person that she is pregnant is sufficient for officers to assume the subject is exempt from a body scan.

(b) Pregnancy tests are administered to female arrestees at the time of intake. If medical staff advises a female arrestee claiming to be pregnant has tested negative (not pregnant), the female arrestee shall be scanned with the body scan device. This will only occur if the negative test result is revealed before the female is housed.

(c) Prior to scanning a female arrestee or incarcerated person, the officer performing the scan shall ask the arrestee/incarcerated person if they are pregnant.

Incarcerated persons that have been housed may be scanned any time there is a belief they may have concealed weapons, drugs or contraband on or in their body (unless pregnant).

The scanner may be used to scan any item belonging to an arrestee or incarcerated person who is booked into, or housed within the Nevada County Jail. Scanning of a new arrestee's property may be conducted when articulable facts exist to believe the contents of the property may pose a risk to the safety or security of the facility. Use of the scanner to inspect the contents of packages or articles not belonging to an arrestee, or items that will not be stored inside the jail property room will not be conducted absent clear legal authority or valid court order. The purpose of the scanner is to prevent contraband from entering the facility, and to detect weapons, drugs and contraband possessed by incarcerated persons within the facility, or hidden within their property.

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SOTER RS Body Scanner does not take the place of a pat search or strip search when facts exist to warrant a strip search.

Intoxicated Arrestees

Care should be exercised when scanning persons who demonstrate an acute level of intoxication to such an extent that standing, or remaining still for the duration of the scan might not be possible. If the person demonstrates objective symptoms of intoxication to an extent that their safety may be compromised, the scan should be delayed to a later time, or deferred completely if the person will be released when sober or with sergeant/watch commander approval.

Fresh Arrests

All incarcerated persons who are being housed will be scanned using the following procedures:

(a) The arrestee will be required to change into jail issued clothing. They may be subject to a strip search (see the Searches policy).

(b) Following the changing into jail issued clothing, the incarcerated person will be escorted and instructed to stand on the platform facing the partition, with their feet shoulder width apart and each hand on the rail provided.

(c) The housing process will continue if no anomalies are detected.

525.5 DETECTION OF CONTRABAND

If the scanning process of an arrestee/incarcerated person reveals an object that is clearly identifiable as a weapon, drug or contraband, the following procedures will be followed:

(a) If the object is clearly a weapon or suspected drug, appropriate officer safety practices will be utilized, the incarcerated person may be secured with restraints, and/or placed in a "dry cell".

(b) The Sergeant or Officer in Charge will be advised of the detection. Medical staff shall be notified if the contraband is a suspected drug.

(c) The incarcerated person's clothing will be searched in the approximate area where the object appeared to be located.

(d) If the clothing search is unsuccessful, a strip search may be authorized by the Sergeant or Officer in Charge, based on the totality of the facts known to staff (see below).

(e) If the object appears to be in a body cavity such as the rectum, vagina or mouth, the arrestee will be asked to remove the object. The arrestee will be taken to an appropriate location, for privacy, to facilitate the removal by the arrestee.

(f) If the arrestee refuses to remove the object, or the object appears to be in a location where a physical body cavity search or intrusive medical procedure would be required, medical staff will be notified of the suspected concealed item and apparent location.

(g) Upon a determination from our medical staff that the object presents a medical threat to the health or welfare of the inmate, or can't be removed without intrusive medical procedures, the incarcerated person shall be transported to the nearest emergency room.

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(h) The scan will be marked as "Positive" on the SOTER RS Body Scanner with notes annotating the location of the suspected contraband.

(i) Nothing in this policy will preclude staff from conducting more than one scan of an incarcerated person or arrestee to ensure all possible contraband has been detected, as allowed by the SOTER RS Body Scanner program.

525.6 HOUSED INCARCERATED PERSONS

To prevent the introduction, transfer or concealment of weapons, drugs and contraband inside the facility, all booked and housed incarcerated persons may be scanned at any time. No specific articulable facts are required beyond the routine security precautions necessary to safeguard the safety and security of the facility, and the health and welfare of the incarcerated persons population.

Considerations that may warrant use of the scanner for housed incarcerated persons:

(a) Incarcerated persons returning from court, outside medical appointments or incarcerated persons transfers from other institutions where they may have had access to weapons, drugs or contraband.

(b) Incarcerated persons within housing units who demonstrate signs or symptoms of drugs intoxication.

(c) Housed incarcerated persons who are the subject of a jail or criminal investigation involving weapons, drugs or contraband.

(d) Confidential informant information that indicates a specific incarcerated person is concealing weapons, drugs or contraband.

(e) Other information known to any staff member that would indicate an incarcerated person or group of incarcerated persons, may be in possession of weapons, drugs or contraband.

To maintain the integrity of the Wayne Brown Correctional Facility and control the spread of contraband, we encourage jail staff, when time permits, to randomly scan incarcerated persons of different classifications.

525.7 REFUSAL BY ARRESTEE / COMBATIVE INCARCERATED PERSON

(a) Due to the nature of the scanning process, scanning a combative arrestee or incarcerated person will not produce a usable image. Arrestees or incarcerated persons who refuse to cooperate with the scanning process will be, at a minimum, placed into an observation/holding cell where their activities can be monitored.

(b) Their refusal to submit to a scan may be considered with other factors such as behavior, symptoms of drug use or observations that would seem to indicate an attempt to conceal a weapon or drugs. The Sergeant or Officer in Charge will make a determination, based on the totality of circumstances, regarding the placement of the incarcerated person into a dry cell or a watch.

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(c) The incarcerated person will remain in the observation/holding cell until they have been scanned for weapons, drugs or contraband, unless otherwise directed by the Jail Commander or their designee.

(d) If an incarcerated person is housed in an observation/holding cell due to a refusal to submit to a scan, medical staff will be notified.

In any case where an incarcerated person is placed in a holding cell pursuant to this section, the placement will be reviewed by the Sergeant or Officer in Charge within the first twenty- four (24) hours of placement, and by the jail administration every forty-eight (48) hours thereafter.

525.8 PRESERVATION OF IMAGES

In the event weapons, drugs or contraband items are detected, the image will be flagged as a "positive". The shift supervisor will be notified of the detection and appropriate steps will be taken to preserve the image. The image may be used as evidence for a criminal prosecution. Sheriff's Office protocols for booking evidence will be utilized for criminal cases. If the evidence is being provided to another agency, that agency will be responsible for documenting chain of custody and preservation of the image (digital or print).

When contraband is suspected as a result of the scanner, a jail incident report will be generated.

525.9 INCARCERATED PERSON PROPERTY

(a) Incarcerated persons have traditionally used a variety of methods to conceal weapons, drugs and contraband. Methods have involved concealing prohibited items inside commissary containers, issued bedding and within envelopes used for legal materials.

(b) Notwithstanding language regarding the property of fresh arrestees or persons not housed in the jail facility, any property located in incarcerated person housing may be scanned at any time, and for any reason.

(c) Incarcerated persons property located in a jail property container may be scanned when staff has information to believe articles within the property container may contain illegal property, weapons, drugs or contraband that would pose a risk to this facility if not recovered from the container, a risk to another institution if the incarcerated person is transferred, or a risk to the general safety of the public if the incarcerated person is released.

525.10 SCANNER SYSTEM SAFETY AND OPERATING PARAMETERS

The following provisions shall be adhered to by all staff:

(a) Upon becoming aware of any safety issues related to a body scan device, staff shall immediately report their concerns to their supervisor, who will forward them to the Radiation Safety Officer.

(b) Operators of a body scan device shall use it in a responsible manner, in accordance with this policy, and in accordance with the manufacturer's operating instructions.

(c) The operator's manual for the body scan device shall not be removed from the officer's work station of the unit.

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(d) All part removal and installation of scan device components shall be completed by a service engineer of the representative company and/or other qualified service provider.

525.11 STAFF TRAINING

Body scan device operator training consists of the following subject matter:

(a) Design of the scanner: purpose of the basic components, principles of the scanner operation.

(b) Radiation and overall scanner operation safety principles: History of X-ray, nature of X-rays, the X-ray Tube, penetration and absorption, security X-ray machines, X-ray scanners features, prohibited items, limitations of X-ray, operating procedures, and health and safety.

(c) Control of the scanner: switching on, testing, data input, scanning and switching off.

(d) Principles of investigation of digital images: analysis (determination) of objects on the human body, using the mathematical filters, scaling, etc.

(e) Malfunction diagnostics.

(f) Practice and knowledge testing.

(g) STAFF WHO MAY BE PREGNANT OR HAVE CONFIRMATION OF PREGNANCY SHALL NOT OPERATE OR BE IN THE PROXIMITY OF **SOTER RS BODY SCANNER** DURING ITS USE.

No employee shall operate a body scan device without first successfully completing proper training.

525.12 DUTIES OF THE RADIATION SAFETY OFFICER

The Radiation Safety Officer (RSO) / Compliance Officer will:

(a) Maintain the Radiation Safety and Protection Program and coordinate the safe operation of X-ray based body scan devices in compliance with applicable state and federal regulations.

(b) Ensure all new or relocated radiation sourcing equipment operated by the Nevada County Sheriff's Office within the Custody Division is registered with the Radiologic Health Branch of the California Department of Public Health (form number RH-2261).

(c) Ensure all radiation sourcing equipment operated by the Nevada County Sheriff's Office within the Custody Division is maintained and serviced in compliance with applicable state and federal requirements.

(d) Arrange and schedule any needed repair or service for a body scan device upon being advised of any damage or malfunction.

(e) Retain any survey, service, inspection, and instrument calibration records for the lifetime of the body scan device.

(f) Ensure that the annual fee for each body scan device is paid to the Radiologic Health Branch of the California Department of Public Health prior to the anniversary of the effective date of the license.

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Title 17 of the California Code of Regulations, Section 30231, requires the above payment and mandates that failure to do so requires all usage of the body scan device to immediately cease until such time that the fee and any late fees have been paid.

525.13 DUTIES OF THE SERGEANT OR OFFICER IN CHARGE

In each facility containing an X-ray based body scan device, the Sergeant or Officer in Charge will:

(a) Receive authorization from the Administrative Sergeant prior to allowing staff to operate any new X-ray emitting equipment.

(b) Notify the RSO upon becoming aware of any maintenance issues related to a body scan device.

(c) Notify the RSO immediately upon becoming aware of any safety issues related to a body scan device.

525.14 SOTER RS BODY SCANNER DEVICE SAFETY FEATURES

The system operation modes are preset by the manufacturer during installation and are not to be changed by the operator.

The following design features of the system make it possible to minimize radiation doses for staff conducting the scan and persons being scanned:

(a) Shielding and Leak Proof Joints

i. The panels of Delta Unit that houses the X-ray tube are lined with 0.062 lead sheeting. If two flat surfaces are brought together, the tiny gap that exists between them is often sufficient to allow a measurable amount of radiation to pass through. Overlapping joints are used to eliminate any straight paths where X-rays may escape. The shielding of the X-ray tube is accomplished by encasing the X-ray generator in a 0.4 inch lead enclosure.

(b) X-ray Collimators

i. The 1.88mm slit collimator permits entry of only X-rays that are designed to strike the detectors inside the Detector Unit. It gives a well-defined beam.

(c) X-ray Tube Warning Lights

i. The X-ray tube is off until operator initiates a controlled scan. This insures that no inadvertent exposure will occur except on planned scanning.

ii. Red warning lights and audible alarm are activated when X-rays are generated and scan is in operation. These lights are visible to the operator at the top of the Detector Unit and on the Operations Console. The warning light will remain on unless the X-ray generator is off.

iii. During a normal scan the X-ray tube is on for 12 seconds and the scanned individual is exposed to the X-ray beam for 10 seconds. The X-ray tube will shut off automatically at the end of the scan. If the X-ray tube does not shut off at the end of the scan and no emergency stop button is pushed the tube will shut off automatically after 20 seconds of operation.

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iv. Emergency stop buttons are located on the Operator Console and on the front of the Delta Unit. When pushed, the X-ray tube is automatically shut off, once the emergency is resolved, the system requires a complete shut-down to restart.

(d) Interlock Switches

i. The Delta Unit has a keyed power switch that will turn off all power to the system. Interlocks are incorporated on the Delta Frame to prevent access to the beam when the unit has power on and covers removed. All interlocks should be checked at routine intervals to ensure they are failsafe and functioning properly.

No matter how well a safety device is designed, the best assurance against X-ray over-exposure is to be alert and properly trained. Warning lights are useful, but should never be trusted 100% when they are off.

The status indicators are provided both at the on-off switch on the console and visible on the Detector Unit along with the audible alarm located in the Delta Unit so the operator will be reminded whenever the X-ray beam is on. All indicators should be checked at routine intervals to ensure they are failsafe and functioning properly.

525.14.1 FAILURE OF SAFETY FEATURES / VENDOR REPAIR

The above safety features are required to be functioning to operate the system. Should any of these features become inoperable, the operator of the body scan device shall:

(a) Shut down the body scan device.

(b) Immediately notify his/her supervisor

(c) The supervisor will notify the RSO and Jail Administration.

(d) The RSO and/or Sergeant or Officer in Charge will contact a contracted vendor to make any repairs as necessary.

525.14.2 ANNUAL SERVICING AND SURVEY OF BODY SCAN DEVICE

The calibration, periodic annual maintenance of the X-ray scanner and radiation survey will be performed only by persons and contractors authorized to perform such services. Refer to the SOTER RS Body Scanner Operations Manual for detailed service tasks.

525.14.3 RADIATION SURVEY

A radiation survey shall be performed on each body scan device to ensure no radiation exposure to operators in the following circumstances:

(a) Upon installation of a new unit.

(b) At intervals not exceeding one year.

(c) Upon relocation of an existing unit.

(d) Immediately following any service that could potentially increase the system output.

This survey shall only be performed by persons and contractors authorized to perform this service.

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525.15 RADIATION DOSES AND DOSIMETRY PROGRAM

Safety of the person being scanned

The inspected person dose rate per inspection does not exceed the contracted value of 0.25 µSv.

STAFF WHO MAY BE PREGNANT OR HAVE CONFIRMATION OF PREGNANCY SHALL NOT OPERATE OR BE IN THE PROXIMITY OF THE **SOTER RS BODY SCANNER** DURING ITS USE.

525.15.1 DOSE PER SCREENING

The minimum radiation dose to which an incarcerated person or arrestee being scanned is exposed per scanning session, does not exceed 0.25 µSv. For the SOTER RS Body Scanner device, the annual quota of the dose for one person in case of repeated inspections of them is set to be 5 rem (that is, 0.05 Sv/year). The SOTER RS Body Scanner has built in maximum scans per day, week and year to ensure the annual quota is not exceeded.

525.15.2 SAFETY FOR OPERATORS AND BYSTANDERS

The SOTER RS Body Scanner is a shielded unit which allows bystanders and the operators protection from the level of exposure per day and year. Since operators are routinely rotated throughout the day in booking, the level of exposure per day and year is reduced even more.

BYSTANDERS WHO MAY BE PREGNANT OR HAVE CONFIRMATION OF PREGNANCY SHALL NOT BE IN THE PROXIMITY OF THE **SOTER RS BODY SCANNER** DURING ITS USE.

System Check

A weekly status equipment and safety check of each body scanner shall be performed by the RSO or their designee.

525.15.3 STATUS OF EQUIPMENT AND SAFETY CHECK

Staff completing the status of equipment and safety check will:

(a) Inspect the device for obvious damage.

(b) Ensure all access panels are securely in place.

(c) Ensure all accessible (external) cable connections are secure.

(d) If the system is not already on, turn it on using the key switch (clockwise).

(e) Verify that the "POWER ON" light is lighted.

If any damage or malfunction is found during a system check, staff will:

(a) Power the unit off.

(b) Notify their immediate supervisor who will notify the Facility Manager or designee.

The shift supervisor will:

(a) Advise the RSO the scanner may need service or repair.

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(b) Ensure the scanner is not operated until appropriate service or repairs have been completed.

(c) If it is believed that the damage or malfunction may compromise the safety of any persons in the immediate vicinity of the device, the emergency procedures outlined within will be followed.

525.16 EMERGENCY PROCEDURES

If an emergency situation occurs, the body scan device shall be powered off and the appropriate personnel shall be notified in accordance with the system check requirements.

If the control panel is not accessible or functioning, the main power breaker for the system must be shut off and/or the unit should be unplugged immediately.

The main power disconnect cord for the SOTER RS Body Scanner is located on the wall next to the SOTER RS Body Scanner Device.

If a situation occurs in which staff suspect possible exposure to excessive or dangerous levels of radiation while operating the body scan device, the operator will immediately notify the shift supervisor. The shift supervisor will assess the situation and circumstances. If a risk exists, the shift supervisor will see that the scanner is shut down appropriately and will notify the RSO.

If it is suspected that there was a potential exposure to excessive or dangerous levels of radiation, the shift supervisor will ensure that the use of the body scan device is immediately discontinued and notify the RSO and Jail Administration. The RSO will:

(a) Schedule any needed service and a radiation survey on the identified body scan device.

(b) If it is deemed safe to do so, ensure that the body scan device is surveyed in the condition it was when it became suspect.

(c) Only clear the body scan device to return to normal operations if it is determined to be safe to do so by a service engineer of the SOTER RS Body Scanner representative company and/or other qualified service contractors.

If it is believed a radiation leak has occurred, the RSO will ensure that a service engineer from SOTER RS Body Scanner or other qualified service contractor will calculate the approximate exposure (radiation intensity) of the person(s) possibly exposed.

State and federal regulations mandate that information related to radiation exposure be made available to staff that operate and are in proximity to radiation machinery.

http://www.nrc.gov/reading-rm/doc-collections/cfr/part020/full-text.html

https://www.cdph.ca.gov/Programs/CEH/DRSEM/CDPH%20Document%20Library/RHB/rhb2364.pdf

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Body-Worn Cameras

526.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of a body-worn camera (BWC) by members of this office and for the access, use, and retention of office BWC media.

The provisions of this policy, including notice, documentation, access, and retention, also apply to other portable audio/video recording devices used by members, where applicable.

This policy does not apply to undercover operations, wiretaps, or eavesdropping (concealed listening devices).

This policy does not apply to In Car Camera devices also known as mobile audio/video or MAVs.

526.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

BWC media - The video, audio, and images captured by office BWCs and the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, used by the Office to upload/download, store, view, transfer, and otherwise maintain BWC media.

Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately prior to activation is then stored as part of the BWC media. Deactivate does not mean powering off the BWC.

Direct Incarcerated Persons Contact – Any contact with an Incarcerated Person (IP) where there is not a solid wall or window or a section or dorm door between a member and the person. This does not include a cell door.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

526.2 POLICY

It is the policy of the Office to use BWCs and BWC media for evidence collection and to accurately document events in a way that promotes member safety and office accountability and transparency while also protecting the privacy of members of the public.

A violation of this policy subjects the member to discipline (Penal Code § 832.18) (see the Personnel Complaints Policy).

526.3 RESPONSIBILITIES

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526.3.1 BWC COORDINATOR RESPONSIBILITIES

The Sheriff or the authorized designee should delegate certain responsibilities to the BWC coordinators in the Administrative and Corrections Divisions.

The responsibilities of the coordinator include (Penal Code § 832.18):

(a) Serving as a liaison between the Office and the BWC manufacturer/distributor and any third-party media storage vendor.

(b) Developing inventory procedures for issuing and tracking BWC equipment, including properly marking BWCs as property of the Office and recording the date each BWC is placed into or taken out of service.

(c) Assisting with troubleshooting and maintenance of BWC equipment and media systems and, when necessary, coordinating the repair or replacement of BWCs.

1. All equipment and system malfunctions requiring vendor assistance and their resolutions should be documented, and maintenance and repair records should be maintained for all BWCs.

(d) Managing BWC media systems so that:

1. Access is limited to the minimum necessary authorized users and user privileges are restricted to those necessary for the member to conduct assigned office duties.

2. Security requirements, such as two-factor authentication and appropriate password parameters, are in place for user credentials.

(e) Configuring BWC media systems, or developing manual procedures, so that media is appropriately categorized and retained according to the event type tagged by members.

(f) Retaining audit logs or records of all access, alteration, and deletion of BWC media and media systems, and conducting periodic audits to ensure compliance with applicable laws, regulations, and office policy.

(g) Developing and updating BWC training for members who are assigned a BWC or given access to BWC media systems.

(h) Coordinating with the Records Supervisor to (see the Records Section and Records Maintenance and Release policies):

1. Determine and apply proper retention periods to BWC media. Agency legal counsel should be consulted in determining retention periods.

2. Develop procedures for the appropriate release of BWC media.

(i) Coordinating with the Sheriff's Property Unit to develop procedures for the transfer, storage, and backup of evidentiary BWC media (see the Property and Evidence Policy).

(j) Establishing a system to prevent tampering with, deleting, or copying recordings, and to ensure chain of custody integrity.

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(k) Designating the persons responsible for downloading the recorded data from the BWC.

526.3.2 MEMBER RESPONSIBILITIES

Every member issued a BWC is responsible for its proper use, safekeeping, and maintenance (Penal Code § 832.18).

At the beginning of each shift or period of BWC use, the member should inspect their assigned BWC to confirm it is charged and in good working order.

Members should wear their assigned BWC on their outermost garment positioned at or near chest level and as close to the center of their body as practicable. Members are responsible for ensuring there are no obstructions and that the BWC remains in a position suitable for recording.

When a BWC is not in the physical possession of the member to which it is assigned, it should be placed on the charging dock and stored in a secure location.

Members shall report any malfunction or damage to the BWC coordinator or on-duty supervisor as soon as practicable and, if possible, obtain a functioning BWC to use either temporarily while repairs are being made to the member's BWC or as a permanent replacement.

526.4 BWC USE

The following guidelines apply to the use of BWCs:

(a) Only office-issued BWCs should be used. Members are prohibited from using any other BWC without the express consent of the Sheriff or the authorized designee.

(b) Prior to the use of a BWC, members shall log in with their credentials.

(c) The use of office-issued BWCs shall be strictly limited to office-related activities (Penal Code § 832.18).

(d) Members shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.

(e) Members shall immediately report unauthorized access or use of BWCs or BWC media systems by another member to their supervisor.

526.4.1 PROHIBITIONS

(a) Routine administrative activities of the Office that do not involve interactions with the public and/or incarcerated persons. Care should be taken to avoid incidentally recording confidential documents that the Office has a duty to keep secure (i.e.,criminal justice information).

(b) Areas within the office facilities where members have a reasonable expectation of privacy (e.g., locker rooms or dressing areas, breakrooms) unless responding to a call for service or conducting an investigation.

(c) Conversations of other members without their knowledge.

(d) When a member is taking an authorized break or otherwise engaged in personal activities.

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(e) In a courthouse unless responding to a call for service or emergency situation. (See Nevada County Superior Court - Rules of Court)

(f) Interactions with undercover deputies or confidential informants.

(g) To video record strip searches, however audio recording is permitted.

BWCs shall not be used for the purpose of embarrassment, harassment, or ridicule of any individual or group.

Making copies of BWC videos for personal use, or disseminating those videos in any form or manner outside the parameters of this Body Worn Camera Policy is prohibited. Accessing, copying, or releasing files for non-law enforcement purposes is prohibited.

526.4.2 ADDITIONAL PROHIBITIONS IN THE CORRECTIONS DIVISION

Members generally shall mute audio recording of patients during medical or psychological evaluations by a clinician or similar professional, or during treatment. Members shall resume audio recording upon completion. Audio recording may be activated if the patient becomes uncooperative or resistive and the member needs to intervene for safety and security reasons, or when necessary by law or to preserve evidence. If an incident is inadvertently recorded, the member shall notify the Sergeant or Officer in Charge who will notify the Lieutenant or their designee assigned the ability to redact recordings.

If the medical evaluation would compromise the privacy of the patient, such as if the patient's body is exposed, members generally shall stop video recording patients during that portion of the exam. Video recording may be activated if the patient becomes uncooperative or resistive and the member needs to intervene for safety and security reasons. Members shall resume video recording upon completion.

When recording in hospitals and other medical facilities, members shall be careful to avoid recording persons other than the incarcerated person.

526.5 ACTIVATIONS OF THE BWC

Members should activate their BWC during all calls for service and the performance of law enforcement-related functions. Members are not required to activate their BWC during casual or informal contacts with members of the public that are not part of or related to law enforcement functions. However, members should activate their BWC any time a contact with an individual becomes hostile or adversarial.

Unless otherwise authorized by this policy or approved by a supervisor, BWCs should remain activated until the call for service or law enforcement-related function has concluded. A member may cease recording if they are simply waiting for a tow truck or a family member to arrive, or in other similar situations.

At no time is a member expected to jeopardize their safety to activate their BWC. However, the BWC should be activated as soon as reasonably practicable in required situations.

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If a member attempts to activate their BWC but the BWC fails to record an event, the member should notify their supervisor as soon as practicable.

526.5.1 ADDITIONAL ACTIVATIONS OF THE BWC IN THE CORRECTIONS DIVISION

This policy is not intended to describe every possible situation in which the BWC should be activated.

BWCs shall be activated in the following situations:

(a) While in the secure portion of the facility and in direct contact with an incarcerated person or their housing unit.

(b) All contacts involving an incarcerated person and any potential adversarial contacts involving a contractor, volunteer or member of the public.

(c) All self-initiated activity outside of the agency vehicle in which it is expected to contact a person.

(d) Scene documentation.

(e) Searches of any portion of the facility.

(f) While supervising incarcerated person workers inside or outside the secure portion of the facility.

(g) Providing assistance to another member engaged in any of the above situations.

(h) Any other circumstance where the member believes that a recording of an incident would be appropriate.

Members of CERT shall activate their recorder during the operational phase of any deployment.

At no time is a member expected to jeopardize their safety in order to activate a BWC. However, the BWC should be activated in situations described above as soon as reasonably practicable prior to the contact.

When conducting a clothed search of a person and without sacrificing officer safety, it is advantageous to position the search so that it is captured on the BWC in order to capture the location of contraband items.

526.5.2 ADDITIONAL ACTIVATIONS OF THE BWC WHILE TRANSPORTING INCARCERATED PERSONS

BWCs shall be activated for the loading and unloading of incarcerated persons. If a solid barrier is present, such as the metal divider in the transport vans, it is member discretion to activate the BWC for the transport. If a see-thru divider is present, such as the plexiglass/metal screen in patrol vehicles, BWCs shall be activated for the duration of the transport.

BWCs shall be activated if there is an incarcerated person contact during the transport (i.e. medical emergency, disturbance, etc.).

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526.5.3 MOVEMENT OF INCARCERATED PERSONS WHILE AT THE COURTHOUSE (NEVADA CITY)

The Court Holding Officer will activate their BWC anytime an incarcerated person is in court holding and not secured inside a cell.

BWCs shall be activated for the movement of incarcerated persons to and from the transport vehicle and while inside court holding.

Members escorting incarcerated persons between court holding and a courtroom are not required to activate their BWCs unless an emergency situation or disturbance arises.

BWCs are not to be activated in the courthouse unless responding to a call for service or emergency situation.

526.5.4 MOVEMENT OF INCARCERATED PERSONS WHILE AT THE COURTHOUSE (TRUCKEE)

Members are to activate their BWCs while loading and unloading, as well as escorting incarcerated persons between the transport vehicle and the Truckee Courthouse door.

BWCs are not to be activated in the courthouse unless responding to a call for service or emergency situation.

526.5.5 NOTICE OF RECORDING

Unless otherwise approved based on unique circumstances, a member should wear the BWC in a manner that is conspicuous and shall answer truthfully if asked whether they are equipped with a BWC or if their BWC is activated.

526.5.6 LIVESTREAMING

Livestreaming enables authorized individuals to remotely view the audio and video captured by a member's BWC in real time. Only supervisors and dispatchers approved by the Sheriff or the authorized designee shall have access to livestreaming capabilities.

Livestreaming should only be activated:

(a) For purposes of member safety when the member is not responding to their radio or there is some other indication of distress.

(b) To assist with situational awareness or tactical decisions during a significant incident.

(c) When requested by the member.

526.5.7 DOCUMENTATION

Members are encouraged to provide narration while using a BWC when it would be useful to provide context or clarification of the events being recorded. However, the use of a BWC is not a replacement for written reports and should not be referred to in a written report in place of detailing the event.

Every report prepared by a member who is issued a BWC should state whether a BWC was activated and should document:

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(a) An explanation of why BWC media is unavailable including any malfunction, damage, or battery issue that resulted in the failure of the BWC to capture all or part of the event.

(b) Any exigency or other circumstances that prevented the member from immediately activating the recording at the beginning of the event.

(c) Any period of the event in which the member deactivated or muted their BWC and the reason for such action.

(d) If livestreaming was activated during the event, the reason for livestreaming and the members who communicated or participated in the event through BWC livestreaming.

526.6 DOWNLOADING BWC MEDIA

Unless otherwise authorized by a supervisor, all media from a member's BWC should be properly downloaded and tagged before the end of their shift. BWC media related to a serious or high-profile event (e.g., search for a missing child, active shooter situation) should be downloaded and tagged as soon as practicable upon returning to the Office (Penal Code § 832.18).

Following an officer involved shooting or death or other event deemed necessary, a supervisor should take possession of the BWC for each member present and download and tag the BWC media if the storage system does not have automatic downloading capacity (Penal Code § 832.18)

526.6.1 TAGGING BWC MEDIA

Members should tag all media captured by their BWC with their name and/or identification number, the case or incident number, and the event type. BWC media should be tagged upon downloading or, if capabilities permit tagging in the field, as close to the time of the event as possible. If more than one event type applies to BWC media, it should be tagged with each event type. If BWC media can only be tagged with a single event type, the media should be tagged using the event type with the longest retention period.

BWC media depicting sensitive circumstances or events may be tagged as restricted. Examples of files that may be restricted are:

(a) An incident that is the basis of a formal or informal complaint or is likely to result in a complaint.

(b) When a member has sustained a serious injury or a line-of-duty death has occurred.

(c) When a firearm discharge or use of force incident has occurred.

Supervisors should conduct audits at regular intervals to confirm BWC media is being properly downloaded and tagged by their subordinates.

526.7 BWC MEDIA

All BWC media is the sole property of the Office (Penal Code § 832.18). Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred in a manner that is physically and digitally secure with appropriate safeguards to prevent unauthorized modification, use, release, or transfer.

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Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Office and shall not be used by the vendor for any purpose without explicit approval of the Sheriff or the authorized designee (Penal Code § 832.18).

Members shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Sheriff or the authorized designee (Penal Code § 832.18).

BWC media systems should not be accessed using personal devices unless authorized by the Sheriff or the authorized designee.

526.7.1 ACCESS AND USE OF BWC MEDIA

BWC media systems shall only be accessed by authorized members using the member's own login credentials and in accordance with the Information Technology Use Policy.

BWC media shall only be accessed and viewed for legitimate office-related purposes in accordance with the following guidelines:

(a) BWC media tagged as restricted should only be accessible by those designated by the Sheriff or the authorized designee.

(b) Members may review their own BWC media for office-related purposes. Members should document in their report if they reviewed BWC media before completing the report.

(c) Investigators may review BWC media pertaining to their assigned cases.

(d) A member testifying regarding a office-related event may review the pertinent BWC media before testifying.

(e) Supervisors are permitted to access and view BWC media of their subordinates.

1. Supervisors should conduct periodic reviews of a sample of each subordinate's BWC media to evaluate BWC use and ensure compliance with this policy. The review should include a variety of event types when possible.Supervisors should review BWC media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.

(f) The Training Manager is permitted to access and view BWC media for training purposes.

1. The Training Manager may review of a random sampling of BWC media to evaluate office performance and effectiveness and to identify specific areas where additional training or changes to protocols would be beneficial. Staff may review BWC media as part of their review to identify training needs.

2. The Training Manager may use BWC media for training purposes with the approval of the Sheriff or the authorized designee. The Training Manager should use caution to avoid embarrassing or singling out a member and, to the extent practicable, should seek consent from the members appearing in the BWC media before its use for training. When practicable, sensitive issues depicted in BWC media should be redacted before being used for training.

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(g) The Records Supervisor may access BWC media when necessary to conduct office-related duties.

(h) The BWC coordinator may access BWC media and the BWC media system as needed to ensure the system is functioning properly, provide troubleshooting assistance, conduct audits, and fulfill other responsibilities related to their role.

526.7.2 PUBLIC ACCESS

Unless disclosure is required by law or a court order, BWC media should not be released to the public if it unreasonably violates a person's privacy or sense of dignity or depicts the interior of:

(a) A private residence.

(b) A facility that offers health care, mental health or substance abuse treatment, or social services.

(c) A school building.

(d) Any other building in which public access is restricted or which implicates heightened security concerns.

Requests for the release of BWC media shall be processed in accordance with the Records Maintenance and Release Policy. The Administrative Division Commander or designee should review BWC media before public release.

526.8 RETENTION OF MEDIA

Non-evidentiary BWC media should be retained according to the agency retention guidelines, after which it may be erased, destroyed, or recycled. Non-evidentiary media may be kept for more than the retention period for availability in case of a civilian complaint and to preserve transparency (Penal Code § 832.18).

Unless circumstances justify continued retention, BWC media should be permanently deleted upon the expiration of the retention period in a way that it cannot be retrieved. BWC media shall not otherwise be deleted by any person without the authorization of the Sheriff or the authorized designee.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

526.8.1 EVIDENTIARY BWC MEDIA

BWC media relevant to a criminal prosecution should be exported from the BWC media system and securely transferred to digital evidence storage according to established office procedures. Evidentiary BWC media is subject to the same laws, policies, and procedures as all other evidence, including chain of custody, accessibility, and retention periods (see the Sheriff's Property Unit Policy).

Evidentiary BWC media should be retained for a minimum of two years under the following circumstances (Penal Code § 832.18):

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(a) The recording is of an incident involving the use of force by a deputy or an officer-involved shooting.

(b) The recording is of an incident that leads to the detention or arrest of an individual.

(c) The recording is relevant to a formal or informal complaint against a deputy or the Nevada County Sheriff's Office.

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

526.9 TRAINING

The BWC coordinator should ensure that each member issued a BWC receives initial training before use, and periodic refresher training thereafter. Training should include:

(a) Proper use of the BWC device and accessories.

(b) When BWC activation is required, permitted, and prohibited.

(c) How to respond to an individual's request to stop recording.

(d) Proper use of the BWC media systems, including downloading and tagging procedures.

(e) Security procedures for BWC media, including appropriate access and use.

Members who are not issued a BWC but who have access to BWC media systems shall receive training on the BWC media system, including appropriate access, use, and security procedures.

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Generative Artificial Intelligence Use

527.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for office use of generative artificial intelligence (GenAI). This policy does not apply to artificial intelligence that is integrated into facial recognition applications, voice recognition applications, biometric access controls, or software that redacts documents or video or similar applications.

Additional guidelines for the use of office information technology resources are found in the Information Technology Use Policy.

527.1.1 DEFINITIONS

Definitions related to this policy include:

Generative artificial intelligence (GenAI) - A type of artificial intelligence that is algorithmically trained on one or more large data sets and designed to generate new and unique data (e.g., text, pictures, video) in response to a prompt (generally questions, instructions, images, or video) input by the user.

527.2 POLICY

The use of GenAI systems carries unique benefits within a law enforcement agency, providing ways to increase operational efficiency, enhance office procedures, and improve the overall effectiveness of the Nevada County Sheriff's Office.

However, the prompts input into GenAI systems can present risks to both individuals and law enforcement agencies by making accessible to the public information such as office tactics, investigative and training techniques, confidential information (e.g., confidential informants, protected information), active investigations, and security procedures. In addition, without safeguards in place, GenAI can produce unintended discriminatory or biased output as well as content that is inaccurate, misleading, or copyrighted.

It is the policy of the Office to develop, implement, and use GenAI ethically and responsibly in a way that minimizes potential risk and harm in accordance with the guidelines set forth below. Any function carried out by a member of the Office using GenAI is subject to the same laws, rules, and policies as if carried out without the use of GenAI. The use of GenAI does not permit any law, rule, or policy to be bypassed or ignored.

527.3 RESPONSIBILITIES

527.3.1 AI COORDINATOR

The Sheriff or the authorized designee may appoint an AI coordinator. This responsibility will typically reside under an Administrative Lieutenant.

The responsibilities of the AI coordinator include but are not limited to:

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(a) Work with IS staff and the appropriate Division Commander to evaluate potential GenAI systems and recommend those GenAI systems that appear to be appropriate and trustworthy to the Sheriff or the authorized designee. The trustworthiness of GenAI systems should be evaluated by balancing the following characteristics:

1. Validity and reliability - The system's apparent ability to meet the intended purpose and fulfill the needs of the Office consistently over time.
2. Safety - Any apparent risk to human life, health, property, or the environment that could result from the office's use of the system.
3. Security and resiliency - The system's capability to prevent unauthorized access and misuse and its ability to return to normal function should misuse occur.
4. Accountability and transparency - The ability to track and measure the system's use and activity through histories, audit logs, and other processes to provide insight about the system and identify potential sources of error, bias, or vulnerability.
5. Explainability and interpretability - The ability of the user to understand the purpose and impact of the system, how and why the system reached the resulting output, and what the output means for the user.
6. Privacy - The ability of the system to protect confidentiality and meet applicable privacy standards for the types of data intended to be input into the system (e.g., state privacy laws, Criminal Justice Information Services (CJIS), Health Insurance Portability and Accountability Act (HIPAA)).
7. Fairness - The ability of the system to operate in a way that avoids or minimizes bias and discrimination

(b) Work with IS to ensure appropriate contractual safeguards are in place to manage third-party use of office data and to restrict the use of input in AI training data sets. If the input of protected information is necessary for the proper use of the GenAI system, an information-exchange agreement in compliance with applicable rules and standards (e.g., CJIS requirements) should be used to outline the roles, responsibilities, and data ownership between the Office and third-party vendor.

(c) Coordinating with others within the Office and County, such as the information technology or legal departments, as appropriate to ensure GenAI systems are procured, implemented, and used appropriately.

(d) Ensuring any public-facing GenAI systems notify the user that GenAI is being used.

(e) Developing and updating training for the authorized users of each office-approved GenAI system.

(f) Ensuring access to office GenAI systems is limited to authorized users and establishing requirements for user credentials such as two-factor authentication and appropriate password parameters.

(g) If requested, conduct audits at reasonable time intervals for each of the GenAI systems utilized by the Office to evaluate the performance and effectiveness of each approved system and to determine if it continues to meet the office's needs and expectations

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of trustworthiness. The coordinator may arrange for audits to be conducted by an external source, as needed.

(h) Ensuring each GenAI system is updated and undergoes additional training as reasonably appears necessary in an effort to avoid the use of outdated information or technologies.

(i) Keeping abreast of advancements in GenAI and any GenAI-related legal developments.

(j) Reviewing this policy and office practices and proposing updates as needed to the Sheriff.

527.4 USE OF GENERATIVE AI

The use of office GenAI systems by office members shall be limited to official work-related purposes, and members shall only access and use GenAI systems for which they have been authorized and received proper training.

Members shall use AI-generated content as an informational tool and not as a substitution for human judgment or decision-making. Members should not represent AI-generated content as their own original work.

AI-generated content should be considered draft material only and shall be thoroughly reviewed prior to use. Before relying on AI-generated content, members should:

(a) Obtain independent sources for information provided by GenAI and take reasonable steps to verify that the facts and sources provided by GenAI are correct and reliable.

(b) Review prompts and output for indications of bias and discrimination and take steps to mitigate its inclusion when reasonably practicable (see the Bias-Based Policing Policy).

(c) Include a statement in the final document or work product that GenAI was used to aid in its production.

527.4.1 PRIVACY CONSIDERATIONS

Information not otherwise available to the public, including data reasonably likely to compromise an investigation, reveal confidential law enforcement techniques, training, or procedures, or risk the safety of any individual if it were to become publicly accessible, should not be input into a GenAI system unless contractual safeguards are in place to prevent such information from becoming publicly accessible. Members should instead use generic unidentifiable inputs, such as "suspect" or "victim," and hypothetical scenarios whenever possible.

Protected information should only be input into GenAI systems that have been approved for such use and comply with applicable privacy laws and standards (see the Protected Information Policy).

527.5 PROHIBITED USE

Members shall not use GenAI systems to rationalize a law enforcement decision, or as the sole basis of research, interpretation, or analysis of the law or facts related to a law enforcement contact or investigation.

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Members shall not create user accounts in their official capacity or input work-related data (including information learned solely in the scope of their employment) into publicly available GenAI systems unless the system has been approved by the Sheriff or the authorized designee for the intended use.

527.6 TRAINING

The AI coordinator should ensure that all members authorized to use GenAI have received appropriate initial training that is suitable for their role and responsibilities prior to their use of GenAI and receive periodic refresher training. Training should include but is not limited to the following:

(a) A review of this policy

(b) The need for human oversight of Gen AI outputs

(c) The interpretation, review, and verification of GenAI output

(d) Checking GenAI output for bias or protected information

(e) Ethical use of GenAI technology

(f) Data security and privacy concerns

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Chapter 6 - Due Process of Incarcerated Persons

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Discipline

600.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of incarcerated person rules and disciplinary actions for those who fail to comply (15 CCR 1081).

600.2 POLICY

It is the policy of this office to maintain written general categories of prohibited incarcerated person behavior that are clear, consistent, and uniformly applied. Written rules and guidelines will be made available to all incarcerated persons. They will include a process for resolving minor infractions and a hearing process for a more serious breach of incarcerated person rules. Criminal acts may be referred to the appropriate criminal agency.

600.3 DUE PROCESS

Incarcerated persons who are subject to discipline as a result of rule violations shall be afforded the procedural due process by the Sheriff that is established in the policies, procedures, and practices relating to incarcerated person discipline. All incarcerated persons will be made aware of the rules of conduct related to maintaining facility safety, security, and order, as well as clearly defined actions for rule violations. Staff will not engage in arbitrary actions against incarcerated persons. All disciplinary actions will follow clearly established procedures. All disciplinary actions will be fairly and consistently applied (15 CCR 1081 et seq.).

The process for an incarcerated person accused of a major rule violation includes:

(a) A fair hearing in which the Jail Commander or the authorized designee presents factual evidence supporting the rule violation and the disciplinary action.

(b) Advance notice to the incarcerated person of the disciplinary hearing, to allow the incarcerated person time to prepare a defense.

(c) An impartial hearing officer.

(d) The limited right to call witnesses and/or present evidence on the person's behalf.

(e) The appointment of an assistant or representative in cases where the incarcerated person may be incapable of self-representation.

(f) A formal written decision that shows the evidence used by the hearing officer, the reasons for any actions, and an explanation of the appeal process.

(g) Reasonable actions for violating rules that relate to the severity of the violation.

(h) The opportunity to appeal the finding.

See attachment: Disciplinary Notification and Waiver Form.pdf

See attachment: Disciplinary Disposition and Appeal Form.pdf

See attachment: Disciplinary Note Sheet.pdf

See attachment: Witness Request List.pdf

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600.3.1 RULES AND ACTIONS

The Jail Commander is responsible for ensuring that rules and actions are developed, distributed, reviewed annually, and revised as needed.

Incarcerated persons cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited should be available in each housing unit. All incarcerated persons, regardless of their housing unit, shall have access to these rules. For those individuals with limited literacy, unable to read English, and for persons with disabilities, provisions shall be made for staff to instruct them verbally or provide them with material in an understandable form (15 CCR 1080) (see the Handbook and Orientation Policy).

Disciplinary procedures governing incarcerated person rule violations should address rules, minor and major violations, criminal offenses, disciplinary reports, prehearing detention, and prehearing actions or investigations.

600.3.2 POSTING

The Jail Commander or the authorized designee is responsible for conspicuously posting notices about rules, disciplinary procedures, and actions in a conspicuous location or issued to each incarcerated person upon booking, as set forth in 15 CCR 1080.

600.3.3 RULE VIOLATION REPORTS

California Penal Code § 4019.5 requires that all disciplinary actions administered be documented. This requirement may be satisfied by retaining copies of rule violation reports, including the disposition of each violation (15 CCR 1084). Rule violation reports are required for major rule violations or any other violation that will require investigation or a formal resolution. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation report. The rule violation report shall include, at a minimum:

- The date, time, and location of the incident.
- Specific rules violated.
- A written description of the incident.
- The identity of known participants in the incident.
- Identity of any witnesses to the incident.
- Description and disposition of any physical evidence.
- Action taken by staff, including any use of force.
- Name and signature of the reporting correctional officer.
- Date and time of the report.

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The supervisor investigating the violation shall ensure that certain items are documented in the investigation or rule violation report, including:

- Date and time the explanation and the written copy of the complaint and appeal process was provided to the incarcerated person.
- The incarcerated person's response to the charges.
- Reasons for any actions.
- The identity of any staff or witnesses involved, as revealed by the incarcerated person.
- The findings of the hearing officer.
- The incarcerated person's appeal, if any.
- The appeal findings, if applicable.

600.4 RULE VIOLATION PROCEDURES

Minor acts of non-conformance to the rules may be handled informally by any correctional officer (15 CCR 1081).

A violation of rules observed by general service employees, volunteers, or contractors will be reported to a correctional officer for further action. Correctional officers are authorized to recommend informal actions on minor violations.

Any staff member imposing informal discipline shall complete the reporting portion of the disciplinary report and provide the form to the supervisor for review prior to the imposition of the action.

Disciplinary action that may be imposed for minor rule violations include (15 CCR 1081):

- Counseling the incarcerated person regarding expected conduct.
- Assignment to extra work detail.
- Removal from work detail (without losing work time credits).
- Loss of privileges including but not limited to television, telephone, and/or commissary privileges for a period not to exceed 24 hours.
- Lockdown in the incarcerated person's assigned cell or confinement in the incarcerated person's bunk area for a period not to exceed 24 hours.

An incarcerated person may request that a supervisor review the imposed sanction. The supervisor should respond to the request within a reasonable amount of time and will have final authority as to the imposition of informal discipline.

See attachment: Category III Notification.pdf

600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation report if an incarcerated person is charged with three or more minor rule violations in a consecutive 30-day period. Copies of all minor rule violations will

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be attached to the major rule violation report. A staff member shall conduct a hearing according to the procedures of a major rule violation.

600.4.2 MAJOR RULE VIOLATIONS

Major rule violations are considered a threat to the safety, security, or efficiency of the facility, its staff members, incarcerated persons, or visitors. Staff members witnessing or becoming aware of a major rule violation should take immediate steps to stabilize and manage the situation, including notification of a supervisor. The supervisor should assess the situation and initiate any emergency action, if necessary.

The staff member who learned of the rule violation should write and submit a disciplinary report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift (15 CCR 1081).

600.4.3 ADMINISTRATIVE SEPARATION HOUSING

Incarcerated persons who are accused of a major rule violation may be moved to administrative separation housing for pre-hearing detention, with the Sergeant or Officer in Charge's approval, if there is a threat to safety or security. Incarcerated persons placed in pre-hearing detention are subject to the property and privilege restrictions commensurate with separated confinement (15 CCR 1081).

The Jail Commander or the authorized designee shall, within 72 hours including weekends and holidays, review the status of any incarcerated person in pre-hearing detention to determine whether continued pre-hearing separation housing is appropriate.

600.5 INVESTIGATIONS

Investigations involving major rule violations should be initiated within 24 hours of the initial report and completed in sufficient time for the incarcerated person to have a disciplinary hearing, which is required within 72 hours of the time the incarcerated person was informed, in writing, of the charges. If additional time is needed, the investigating supervisor will request more time in writing from the Sergeant or Officer in Charge. The incarcerated person will be notified in writing of the delay.

If upon completion of the investigation, the investigating supervisor finds insufficient evidence to support a major rule violation, the supervisor may discuss alternative actions with the Sergeant or Officer in Charge, including handling the incident as a minor violation or recommending that charges be removed. Such alternatives shall be documented in the incarcerated person's file.

If the investigating supervisor determines that sufficient evidence exists to support a major rule violation, the supervisor will act as the hearing coordinator and will be responsible for:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.
- Making a determination as to the final charges.

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- Making preliminary decisions about the appointment of a staff member to act as an assistant to the incarcerated person.
- Identifying any witnesses that may be called to the hearing.

600.6 NOTIFICATIONS

An incarcerated person charged with a major rule violation shall be given a written description of the incident and the rules violated at least 24 hours prior to a disciplinary hearing.

Unless waived in writing by the incarcerated person, hearings may not be held in less than 24 hours from the time of notification (15 CCR 1081).

600.7 HEARING OFFICER

The Jail Commander shall appoint at least one hearing officer to preside and conduct disciplinary hearings of major rule violations. The hearing officer should be a qualified supervisor or suitably trained designee who will have the responsibility and authority to rule on charges of incarcerated person rule violations. The hearing officer shall also have the power to impose actions. The hearing officer shall not investigate nor preside over any incarcerated person disciplinary hearing on cases where the hearing officer was a witness or was directly involved in the incident that generated the complaint (15 CCR 1081).

600.8 HEARING PROCEDURE

Incarcerated persons charged with major rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security, and order (15 CCR 1081). Staff shall inform the hearing officer when any incarcerated person is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal. A copy of the report shall be forwarded to the Jail Commander or their designee.

Hearings may be postponed or continued for a reasonable period of time for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Jail Commander or their designee (15 CCR 1081).

The hearing officer shall disclose to the accused incarcerated person all witnesses who will be participating in the hearing. Incarcerated persons have no right to cross-examine witnesses. However, the accused incarcerated person may be permitted to suggest questions that the hearing officer, in the hearing officer's discretion, may ask.

600.8.1 TIME OF HEARING

Unless declined by the incarcerated person, a hearing shall be provided no sooner than 24 hours and no later than 72 hours after the report has been submitted to the hearing officer and the incarcerated person has been informed of the charges in writing (15 CCR 1081).

600.8.2 EVIDENCE

Accused incarcerated persons have the right to make a statement, present evidence, and call witnesses at the hearing (15 CCR 1081). Requests for witnesses shall be submitted in writing by

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the incarcerated person no later than 12 hours before the scheduled start of the hearing unless the incarcerated person has waived the 24 hour limitation. The written request must include a brief summary of what the witness is expected to say.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, when the witness's information would not be relevant or would be unnecessarily duplicative, or is otherwise unnecessary. The reason for denying a witness to testify should be documented in the hearing report. The reason for denial of any documents requested by the incarcerated person should also be documented in the hearing record.

A witness's signed written statement may be submitted by the incarcerated person as an alternative to a live appearance. The hearing officer should review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Absent a safety or security concern, all staff reports and evidence, including exculpatory evidence, obtained during the disciplinary investigation should be made available to the accused incarcerated person prior to the hearing.

600.8.3 STAFF ASSISTANCE

A staff member shall be assigned to assist an incarcerated person who is incapable of self-representation at a disciplinary hearing due to limited literacy, developmental disabilities, language barriers, or mental status (15 CCR 1081). The scope of the duties of the assistant shall be commensurate with the reasons for the appointment. The assistant should be allowed sufficient time to confer with the incarcerated person to fulfill the individual's obligations. In these cases, the incarcerated person does not have a right to appoint a person to assist in the individual's disciplinary hearing. The final decision regarding the appointment rests with the hearing officer.

Incarcerated person discipline is an administrative and not a judicial process. Incarcerated persons do not have a right to an attorney in any disciplinary hearing. Additionally, disciplinary matters may be referred for criminal prosecution and jail disciplinary action concurrently as there is no double jeopardy defense for an administrative process.

600.8.4 DISCIPLINARY DECISIONS

Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

The disciplinary process shall consider whether an incarcerated person's mental disabilities or mental illness contributed to the incarcerated person's behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.78(c)).

600.8.5 REPORT OF FINDINGS

The hearing officer shall write a report regarding the decision and detailing the evidence and the reasons for the disciplinary action. A copy of the report shall be provided to the incarcerated

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person. The original shall be filed with the record of the proceedings. All documentation related to the disciplinary process shall be retained and a copy should be placed in the incarcerated person's file (15 CCR 1081).

If it is determined that the incarcerated person's charge is not sustained at the end of the disciplinary hearing, the documentation shall be documented in the report.

All disciplinary hearing reports and dispositions shall be reviewed by the Jail Commander or the authorized designee soon after the final disposition (15 CCR 1081).

600.9 DISCIPLINARY APPEALS

Incarceratedpersons wishing to appeal the decision of the hearing officer must do so in writing within twenty-four (24) hours of the decision. All appeals will be forwarded to the Jail Commander or the authorized designee for review (15 CCR 1081).

Only appeals based on the following will be considered:

(a) The disciplinary process or procedures were not followed.

(b) There was insufficient evidence to support the hearing officer's decision.

(c) The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as possible if the incarcerated person's appeal is granted or discipline is reduced, but no later than 10 days after the appeal is submitted. The decision of the review authority shall be final and the result of the appeal shall be provided to the incarcerated person in writing.

600.10 LIMITATIONS ON DISCIPLINARY ACTIONS

The U.S. and state constitutions expressly prohibit all cruel or unusual punishment, disciplinary actions shall not include corporate punishment, group punishment when feasible, or physical or psychological degradation (15 CCR 1083). Additionally, there shall be the following limitations:

- Disciplinary separation shall be considered an option of last resort and as a response to the most serious and threatening behavior, for the shortest time possible, and with the least restrictive conditions possible (15 CCR 1083).
- In no case shall any incarcerated person or group of incarcerated persons be delegated the authority to punish any other incarcerated person or group of incarcerated persons (Penal Code § 4019.5; 15 CCR 1083).
- In no case shall a safety cell, as specified in the Safety and Sobering Cells Policy, be used for disciplinary purposes (15 CCR 1083).
- In no case shall any restraint device be used for disciplinary purposes (15 CCR 1083).
- Food shall not be withheld as a disciplinary measure (15 CCR 1083).
- Correspondence privileges shall not be withheld except in cases where the incarcerated person has violated correspondence regulations, in which case correspondence other than legal mail may be suspended for no longer than 72 hours without the review and approval of the Jail Commander (15 CCR 1083).

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- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure (15 CCR 1083).
- No incarcerated person may be deprived of the implements necessary to maintain an acceptable level of personal hygiene (15 CCR 1083; 15 CCR 1265).
- Discipline may be imposed for sexual activity between incarcerated persons. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No incarcerated person may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).

600.11 GUIDELINES FOR DISCIPLINARY ACTIONS

Discipline shall be commensurate with the nature and circumstances of the offense committed, the incarcerated person's disciplinary history, and the actions imposed for comparable offenses by other incarcerated persons with similar histories (28 CFR 115.78(b); 15 CCR 1082).

In all cases, actions should be imposed for the purpose of controlling or changing an incarcerated person's behavior, promotion of desired behavior through a progressive disciplinary process, and not for the purpose of punishment (15 CCR 1082).

Acceptable forms of discipline shall consist of but not be limited to the following (15 CCR 1082):

- Loss of privileges
- Extra work detail
- Short-term lockdown for less than 24 hours
- Removal from work details
- Forfeiture of work time credits earned under Penal Code § 4019
- Forfeiture of good time credits earned under Penal Code § 4019
- Disciplinary detention

The Sheriff or the Jail Commander shall be responsible for developing and implementing a range of disciplinary actions for violations.

Incarceratedpersons shall be subject to disciplinary actions pursuant to a formal disciplinary process following an administrative finding that the incarcerated person engaged in incarcerated person-on-incarcerated person sexual abuse or following a criminal finding of guilt for incarcerated person-on-incarcerated person sexual abuse (28 CFR 115.78(a)).

To the extent that there is available therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the facility shall consider

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whether to require an incarcerated person being disciplined for sexual abuse to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.78(d)).

600.12 TRAINING

The Jail Commander or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that preprinted forms are available for documenting rule violations in a consistent and thorough manner.

The Training Sergeant is responsible for developing and delivering, or procuring, training for staff members who participate in the disciplinary hearing process. Training topics should include the legal significance of due process protections and the hearing officer’s role in assuring that those protections are provided.

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Disciplinary Separation

601.1 PURPOSE AND SCOPE

This policy specifically addresses disciplinary separation and guiding principles relating to the conditions attached to that separation. It will provide guidance to the staff on acceptable practices with regard to management of incarcerated persons in disciplinary separation or classified as requiring special management needs.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Disciplinary separation - A status assigned to an incarcerated person after a disciplinary hearing in which the person was found to be in violation of a jail rule or state or federal law. This status results in separating the person from the rest of the incarcerated person population to serve the consequence imposed.

601.2 POLICY

The Nevada County Sheriff's Office will maintain a disciplinary separation unit to house incarcerated persons who, after an impartial due process hearing, are receiving disciplinary actions for violating one or more jail rules. Incarcerated persons may also be placed on disciplinary separation in a general population housing unit as facility needs dictate.

Restrictions on privileges will be subject to the disciplinary process and in accordance with this policy.

601.3 DISCIPLINARY SEPARATION

Incarcerated persons may be placed into disciplinary separation only after an impartial hearing to determine the facts of the rule violation, in accordance with the Discipline Policy. The hearing officer shall impose discipline in accordance with Article 7 of Title 15. Maximum disciplinary actions for any one incident, regardless of the number of rules violated, shall not exceed 60 days.

If a person is on disciplinary status for 30 consecutive days there shall be a review by the Jail Commander before the disciplinary status continues. The review will be initiated by a scheduled event created by the Classification Unit. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended. These reviews shall be documented (15 CCR 1082(g); 15 CCR 1083(a)).

601.4 ACCESS TO SERVICES

The ability to discipline incarcerated persons for conduct violations is not absolute. Absent legitimate government reasons, incarcerated persons continue to have a right to receive certain services. However, incarcerated persons in disciplinary separation, in accordance with the Discipline Policy, or special management incarcerated persons who are disciplined for one or more rule violations, may be subject to loss of privileges or credit for good time and work time.

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Services to provide for basic human needs must continue to be made available. There are minimum service requirements that must be maintained to ensure the facility continues to operate in a constitutional manner. All custody staff will adhere to the following policy sections to guide them in the supervision of incarcerated persons held in disciplinary separation or classified as requiring special management needs.

601.4.1 MEDICATION, CLOTHING, AND PERSONAL ITEMS

Incarcerated persons placed in disciplinary separation are considered special management incarcerated persons and shall not be denied prescribed medication.

Special management incarcerated persons may be provided with clothing that identifies their status, but in no case will this clothing be used to intentionally disgrace the incarcerated person.

Absent unusual circumstances, special management incarcerated persons will continue to have the same access to personal items in their cell as general population incarcerated persons have, including the following:

- Clean laundry
- Barbering and hair care services
- Clothing exchanges
- Bedding and linen exchanges

Incarcerated persons in disciplinary separation shall not be deprived of bedding or clothing except in cases where the incarerated person destroys such articles or uses them to attempt suicide (15 CCR 1083(a)(2)). The decision to continue to deprive the incarcerated person of these articles must be made by the Jail Commander or the authorized designee and reviewed every 24 hours.

601.4.2 SHOWERING AND PERSONAL HYGIENE

Incarcerated persons in disciplinary separation should be allowed to shower with the same frequency as the general incarcerated person population, if reasonably practicable, but at a minimum shall be afforded the opportunity to shower at least every other day and shave daily (15 CCR 1083(d)). The opportunities for each incarcerated person to shave and shower will be documented on the daily log.

Exceptions to this policy can only be made when the restriction is determined to be reasonably necessary for legitimate government purposes. Any exceptions to this basic requirement must be reviewed and approved by the Sergeant or Officer In Charge. The circumstances necessitating a restriction must be clearly documented in an incident report and may be noted within the incarcerated person's classification log.

601.4.3 DENIAL OF AUTHORIZED ITEMS OR ACTIVITIES

Personal items may be withheld when it reasonably appears that the items will be destroyed by the incarcerated person or it is reasonably believed that the personal item will be used for a self-inflicted injury or to harm others.

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Whenever an incarcerated person in disciplinary separation is denied personal care items or activities that are usually authorized to the general population incarcerated persons, except for restrictions imposed as a result of a disciplinary hearing, the correctional officer taking such action shall prepare a report describing the circumstances that necessitated the need to restrict personal items or activities. The report shall be submitted to a supervisor for review, who will then forward it to the Jail Commander. A copy of the report shall be placed in the incarcerated person's file.

601.4.4 MAIL AND CORRESPONDENCE

Incarcerated persons in disciplinary separation shall have the same privileges to write and receive correspondence as incarcerated persons in general population, except in cases where incarcerated persons violated correspondence regulations. In such cases, mail privilege may be suspended. The Jail Commander or the authorized designee shall approve all mail privilege suspensions that exceed 72 hours. Legal mail shall not be suspended from delivery to the incarcerated person (15 CCR 1083(f)).

601.4.5 VISITATION

Visitation for incarcerated persons in disciplinary separation will be limited to professional visits. Any exceptions to this requirement will be reviewed and authorized by the Sergeant or Officer in Charge.

601.4.6 READING AND LEGAL MATERIALS

Incarcerated persons in disciplinary separation shall have the same access to reading materials and legal materials as the general population incarcerated persons, unless the restriction is directed by a court of law or there is a reasonable basis to believe the materials will be used for illegal purposes or pose a direct threat to the security and safety of the facility. In such cases the basis for the action shall be documented in the incarcerated person's file and unit log. Access to courts and legal counsel shall not be suspended as a disciplinary measure (15 CCR 1083(g)).

601.4.7 EXERCISE

Incarcerated persons in disciplinary separation shall be given a minimum of three hours of exercise per week outside of their cell. Exceptions to this may occur if there are legitimate security or safety considerations. The circumstances relating to the limitation of exercise shall be documented in an incident report. The report shall be reviewed and the restriction shall be approved by a supervisor.

601.4.8 LIMITED TELEPHONE PRIVILEGES

Incarcerated persons in disciplinary separation may have their telephone privilege restricted or denied. Exceptions include the following:

(a) Making legal calls

(b) Responding to verified family emergencies, when approved by the sergeant or Jail Commander

All telephone access based on the above exceptions shall be documented on the unit log.

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601.4.9 BEDDING AND CLOTHING

Incarcerated persons in disciplinary separation shall not be deprived of bedding or clothing except in cases where theperson destroys such articles or uses them for self-harm or to harm others or for something other than the intended purpose. Clothing and bedding shall be returned to the incarcerated person as soon as it is reasonable to believe the behavior that caused the action will not continue. The decision to continue to deprive the incarcerated person of these articles must be made by the Jail Commander or the authorized designee and reviewed at least every eight hours. This review shall be documented and placed into the incarcerated person's file.

601.5 DIET

Under no circumstances will an incarcerated person be denied food as a means of punishment (15 CCR 1083(e)).

601.6 MENTAL HEALTH

Due to the possibility of self-inflicted injury and depression during periods of separation, health evaluations should include notations of any bruises and other trauma markings, and the qualified health care professional's comments regarding the incarcerated person's attitude and outlook.

(a) A qualified health care professional should visit each incarcerated person a minimum of once a day and more often if needed. A medical assessment should be documented in the incarcerated person's medical file.

(b) Mental health staff or a qualified mental health professional should also conduct weekly rounds.

If after placement in separation, mental health or medical staff determine an incarcerated person to have a serious mental illness or an intellectual disability, the person shall be removed from disciplinary separation immediately upon this determination (15 CCR 1083(a)).

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk following admission to the separation unit.

601.6 SAFETY CHECKS

A staff member should conduct a face-to-face safety check of all disciplinary separation incarcerated persons at least every hour on an irregular schedule.

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

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

601.6.1 DOCUMENTATION OF SEPARATION CHECKS

Separation rounds shall be documented in the incarcerated person's classification log. Medical staff shall document the following:,

(a) Date and time of contact

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(b) Signature or initials of the qualified health care professional making rounds

(c) Any needed referrals

(d) All significant findings and observations, medical assessment, treatment, recommendations, notifications, and actions, all of which should be documented in the incarcerated person's health record

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Incarcerated Persons with Disabilities

602.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to Nevada County Sheriff's Office services, programs, and activities for incarcerated persons with disabilities, in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with incarcerated persons with disabilities.

602.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA Coordinator - The member designated by the Jail Commander to coordinate the jail's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used by incarcerated persons with disabilities to facilitate their participation in services, programs, and activities offered by the Nevada County Sheriff's Office and to facilitate effective communication. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); qualified readers; a qualified interpreter; wheelchairs and other devices that facilitate mobility; audio books and large-print material; special diets; lifts, and shower chairs.

Disability - A physical or mental impairment that substantially limits a major life activity, including hearing, seeing, speaking, or performing manual tasks, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders the Nevada County Sheriff's Office service, program, or activity suitable for use, enjoyment, or participation by an incarcerated person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows an incarcerated person with a disability to have equal access to services, programs, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

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602.2 POLICY

It is the policy of the Nevada County Sheriff's Office that incarcerated persons with disabilities have equal access to services, programs, and activities of the Nevada County Sheriff's Office.

The Nevada County Sheriff's Office will not discriminate against or deny any incarcerated person access to services, programs, or activities based upon the presence or suspected presence of disabilities.

602.3 ADA COORDINATOR RESPONSIBILITIES

The ADA Coordinator will work with the Jail Commander and the Responsible Physician as appropriate to (28 CFR 35.130):

(a) Establish procedures to determine at admission if modifications are necessary for participation in the jail's services, programs, and activities, to document an incarcerated person's disability and preferred assistive devices, auxiliary aids, or services as applicable, and to regularly reassess in consultation with the incarcerated person whether alternative or additional modifications are necessary.

(b) Provide notice to incarcerated persons regarding the rights and protections afforded by the ADA (e.g., posters, published notices, handbooks, and orientation materials describing jail services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications) (28 CFR 35.106).

(c) Establish classification criteria to make housing assignments for incarcerated persons with disabilities.

1. Absent unusual circumstances, incarcerated persons with disabilities should not be (28 CFR 35.152):

    (a) Housed in a medical area unless they are receiving medical care or treatment.

    (b) Classified as special management incarcerated persons unless they meet the criteria provided in the Special Management Incarcerated Persons Policy.

(d) Establish housing areas that are equipped to meet the physical needs of incarcerated persons with disabilities, including areas that allow for personal care and hygiene in a reasonably private setting, and that allow incarcerated persons with disabilities to be integrated into the larger incarcerated person population as appropriate to the incarcerated person's needs.

(e) Establish procedures for reviewing and processing requests for modifications that will help members provide incarcerated persons with disabilities access to the jail's services, programs, and activities, as appropriate.

(f) Make reasonable modifications to policies, practices, and procedures as necessary to allow incarcerated persons with disabilities to participate in the jail's services, programs, and activities.

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(g) Enlist or contract with trained service personnel who have experience working with incarcerated persons with disabilities, and assign individuals with adequate training to assist incarcerated persons with disabilities with basic life functions as needed.

(h) Establish procedures for restraining, transporting, and moving incarcerated persons with disabilities.

(i) Establish procedures that give incarcerated persons with disabilities equal opportunities 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 115.16).

(j) Establish procedures for responding to commonly encountered disabilities such as sight or mobility impairments and intellectual or developmental disabilities.

(k) Develop, implement, and publish procedures to provide for prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities (28 CFR 35.107). The complaint procedures should include an appeal process.

(l) Establish procedures for provision, maintenance, and cleaning of assistive devices and auxiliary aids used by incarcerated persons.

(m) Act as a liaison with local disability advocacy groups or other disability-focused groups regarding access to the jail's services, programs, and activities.

(n) Facilitate a process of periodic self-evaluation. The process should include:

1. Inspection of current facilities to identify access issues.
2. Review of current jail services, activities, and programs for access issues.
3. Assessment and update, if necessary, of current compliance measures.
4. Identification of recurring areas of complaint for which new methods of modification should be considered.
5. Review of the jail's emergency programs, services, and activities as they apply to incarcerated persons with disabilities.
6. Recommendation of a schedule to implement needed improvements.

(o) Develop and implement procedures to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).

(p) Verify that third parties providing services, programs, or activities to incarcerated persons through contract, outsourcing, licensing, or other arrangement have established reasonable policies and procedures to prevent discrimination against and denial of access to incarcerated persons with disabilities (28 CFR 35.152).

(q) Recommend amendments to this policy, as needed.

The Training Sergeant will serve as a liaison to the ADA coordinator.

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602.4 REQUESTS

The goal of any modification should be to allow an incarcerated person with a disability to participate in the service, program, or activity the same as an incarcerated person who does not have a disability. The Nevada County Sheriff's Office will not require incarcerated persons with disabilities to furnish their own assistive device, auxiliary aid, or service as a condition for receiving access to Nevada County Sheriff's Office services, programs, and activities (28 CFR 35.160).

Upon receiving a request for a modification, members should make reasonable efforts to accommodate the request based upon the preference of the incarcerated person with the disability by providing a reasonable modification consistent with any procedures related to the incarcerated person's disability. Members should not ask about the nature and extent of an incarcerated person's disability but should limit questions to elicit information necessary to determine the need for a modification and the appropriate type of modification.

If there are no current procedures in place, members receiving an incarcerated person request for a modification should direct the incarcerated person to provide the request in writing or assist the incarcerated person in doing so, as needed. The written request should be brought to the on-duty supervisor as soon as practicable and during the member's current shift. The supervisor should review the request within 24 hours of receipt. The reviewing supervisor should evaluate the request and, if approved, notify the Jail Commander, ADA Coordinator, and any other members as necessary to implement the modification.

A supervisor who does not grant the modification, either in part or in full, should forward the request within 48 hours to the Jail Commander and the ADA Coordinator for processing as soon as reasonably practicable.

Requests that are minor and do not reasonably appear related to a significant or ongoing need may be addressed informally, such as rearranging chairs to make room for a wheelchair. Such requests need not be made in writing.

602.4.1 DENIAL OF A REQUEST

Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):

(a) A substantial alteration of the service, program, or activity.

(b) An undue financial or administrative burden on the Nevada County Sheriff's Office. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.

(c) A threat to or the destruction of the historic significance of a historic property.

(d) A direct threat to the health or safety of others (28 CFR 35.139).

(e) A threat to the orderly operation or function of the jail.

If any of these circumstances are present, the ADA Coordinator should work with Nevada County Sheriff's Office members and the incarcerated person requesting the modification to determine if an alternative modification is available. If no alternative modification is appropriate, the ADA

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Coordinator shall issue a written statement explaining why a modification of the service, program, or activity will not be made (28 CFR 35.150).

Where physical modification of an existing building or facility, or new construction, would be unfeasible or unduly burdensome, the ADA Coordinator should work with Nevada County Sheriff's Office members and the incarcerated person requesting the modification to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):

(a) Reassigning services, programs, or activities to accessible buildings or facilities.

(b) Utilizing technology, equipment, and vehicles or other conveyances.

(c) Any other means or methods that would make services, programs, or activities readily accessible.

602.4.2 SURCHARGES

Surcharges shall not be imposed upon incarcerated persons with disabilities to cover the costs of providing modifications (28 CFR 35.130(f)).

602.5 ASSISTIVE DEVICES AND AUXILIARY AIDS

An incarcerated person should be permitted to retain assistive devices and auxiliary aids prescribed or recommended by a qualified health care professional. An incarcerated person may be required to provide documentation from a qualified health care professional describing the medical necessity for the device or aid. Any devices and aids brought to the jail by the incarcerated person or by others after the incarcerated person has been admitted shall be subject to a security check. The jail accepts no responsibility for loss or damage to any device or aid provided by the incarcerated person.

Any assistive device or auxiliary aid that is determined to present an imminent risk of bodily harm or an imminent risk to the security of the jail may be temporarily removed from use and stored with the incarcerated person's property. The ADA Coordinator or the Sergeant or Officer in Charge should work with the incarcerated person to make alternate modifications pending review by a qualified health care professional. The removal of a device or aid and any alternate accommodations made shall be noted in the incarcerated person's log in the jail management system and the incarcerated person's health care records.

Within 24 hours of any removal of an assistive device or auxiliary aid, a qualified health care professional will consult with the incarcerated person and review relevant records to determine whether the permanent removal may be injurious to the incarcerated person's health or safety. If the qualified health professional finds that the device or aid is medically necessary and the Jail Commander determines after investigation of the specific facts presented that it should not be returned because of verified security concerns, the Jail Commander shall inform the physician and the person of the reasons and promptly provide the person with a form, as specified in Penal Code § 2656, by which the person may petition the Superior Court for return of the appliance. The Jail Commander shall promptly file the form with the Superior Court after it is signed by

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the incarcerated person. The Jail Commander shall consider options which should include the following, as applicable:

(a) Reclassifying the incarcerated person to an accessible housing unit or cell.

(b) With qualified health care professional approval, modifying the device or aid to meet the needs of the incarcerated person and the security needs of the jail.

(c) Supplying the incarcerated person with an alternate device or aid.

602.6 COMMUNICATIONS

Members should remain alert to the possibility of communication problems when engaging with incarcerated persons with disabilities. When a member knows or suspects an incarcerated person requires assistance to effectively communicate, the member should identify the incarcerated person's choice of assistive devices, auxiliary aids, and services. The incarcerated person's choice should be honored unless another effective means of communication exists. Notice of an incarcerated person's disability and preferred method of communication should be provided to members who have contact with the incarcerated person so that effective communication may be achieved. Members should consider all information reasonably available to them when determining how to communicate with an incarcerated person with a disability, including (28 CFR § 35.160):

(a) The methods of communication usually used by the incarcerated person.

(b) The nature, length, and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever modification reasonably appears effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the incarcerated person who is deaf or hard of hearing would prefer a qualified sign language interpreter. Once the emergency has ended, the member should inquire as to the individual's preference and give primary consideration to that preference.

602.6.1 INTERVIEWS AND INTERROGATIONS

In an effort to ensure that the rights of incarcerated persons with disabilities are protected during any formal interview or interrogation that takes place in the jail, the Nevada County Sheriff's Office will provide reasonable modifications before beginning an interview or interrogation, unless exigent circumstances exist or the incarcerated person has made a clear indication that the incarcerated person understands the process and desires to proceed without receiving a modification. If *Miranda* warnings are required under the circumstances, these should be provided to the incarcerated person via the incarcerated person's preferred method of communication.

Interrogations should be recorded whenever reasonably practicable.

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602.6.2 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex interactions (e.g., the admissions process, health care consultations, classification interviews, disciplinary hearings) for incarcerated persons who normally rely on sign language or speechreading (i.e., lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the matter. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a legal proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time.

(b) Experienced in providing interpretation services in the person's primary language.

(c) Familiar with the use of text- and video-based communications products and systems.

(d) Certified in either American Sign Language (ASL) or Signing Exact English (SEE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use jail-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Incarcerated persons with disabilities shall not be required to provide their own interpreters (28 CFR 35.160).

Except in an emergency involving an imminent threat to the safety or welfare of any person and no qualified interpreter is reasonably available, members shall not use another incarcerated person or a member who has not been hired or contracted specifically to serve as a qualified interpreter as an interpreter.

602.7 DOCUMENTATION

Whenever any modification has been provided, the member involved should document:

(a) The type of modification, assistive device, auxiliary aid, or service provided.

(b) Whether the individual elected to use an assistive device, auxiliary aid, or service provided by the jail or another identified source, if applicable.

(c) Whether the individual's express preference for the modification was not honored and the reason an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records and Data Practices Policy.

602.8 COMPLAINTS

A member who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or an incarcerated person's inability to access a jail service, program, or activity should document the complaint and promptly refer the matter to the ADA Coordinator (28 CFR

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35.107). The Nevada County Sheriff's Office shall assist incarcerated persons with disabilities who require assistance to file a complaint regarding members of the Nevada County Sheriff's Office (see the Grievances Policy).

602.9 TRAINING

Members should receive periodic training on ADA compliance, to include:

(a) Awareness and understanding of this policy, related procedures and forms, and available resources.

(b) Procedures for handling requests for modifications.

(c) Accessing assistive devices, auxiliary aids, and services needed to accommodate requests for modifications.

(d) General requirements of the ADA, including modifying policies and practices, communicating with and assisting incarcerated persons, accepting calls placed through alternative systems, and identifying alternate ways to provide access to services, programs, and activities as appropriate.

Management staff, even if they do not interact regularly with incarcerated persons with disabilities, should receive training as appropriate to understand and reinforce this policy.

Training records should be maintained in accordance with the established records retention schedule.

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Access to Courts and Counsel

603.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of incarcerated persons to access the courts and legal counsel, while holding incarcerated persons accountable to the rules and regulations that govern conduct in Nevada County Sheriff's Office facilities. The staff at every level is reminded the fundamental constitutional right of access to courts does not end when a person is incarcerated.

603.2 POLICY

It is the policy of this office that all incarcerated persons will have access to the courts and the ability to consult with legal counsel (15 CCR 1068).

603.3 INCARCERATED PERSON ACCESS

Staff should not unreasonably interfere with incarcerated persons' attempts to seek counsel and where appropriate should assist persons with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney, or legal assistant visits, telephone conversations, or written communication. To facilitate access, the Nevada County Sheriff's Office will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the incarcerated person can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate incarcerated persons and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes, and postage for indigent incarcerated persons for legal communications and correspondence.

The Jail Commander shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the incarcerated persons handbook, which is provided during orientation.

603.4 CONFIDENTIALITY

All communication between incarcerated persons and their attorneys is confidential, including telephone conversations, written communication, and video conferencing. The content of written attorney-client communication will not be reviewed or censored, but the documents may be inspected for contraband.

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Outgoing and incoming legal correspondence shall be routed through the staff, who have received special training in inspecting confidential documents and who are accountable for maintaining confidentiality. Incoming legal correspondence shall be opened and inspected for contraband. All inspections shall be completed in the presence of the incarcerated person. Legal correspondence should not be digitally scanned, stored, or delivered electronically. Legal mail shall be handled in accordance with the Mail Policy.

Incarcerated persons may seek the assistance of other incarcerated persons in writing writs and other legal correspondence to the courts, when needed subject to the security and safety needs of the incarcerated persons, staff, and the facilities.

603.5 REQUEST FOR ASSISTANCE

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

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

See attachment: Writ of Habeas Corpus.pdf

A copy of this form can be found at this link https://www.courts.ca.gov/formname.htm

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

603.6 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)).

(a) Visits shall be of a reasonable length of time to discourage any allegation that the defense of the incarcerated person was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order and discipline of the facilities. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service or other required activities.

(b) Only materials brought to Nevada County Sheriff's Office facilities by an approved legal assistant shall be allowed.

(c) All materials shall be subject to security inspections by the staff for logging and distribution.

603.7 IN PROPRIA PERSONA (PRO PER) INCARCERATED PERSONS

Incarcerated persons may be granted pro per status by court order only. Any time a court order is received designating an incarcerated person as having been granted pro per status, all relevant

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records systems at the facility shall be updated to reflect this information. A copy of the court order shall be maintained in the person's file in accordance with established records retention schedules.

The court may, but is not required to, appoint to an incarcerated person who is designated pro per a back-up attorney, paralegal, or other person to assist the person with legal research. All information related to appointed assistants should be recorded in the relevant facility records.

Any provision of legal materials shall be in accordance with court directives and in consultation with the County Counsel.

603.7.1 PRO PER STATUS MISUSE

Any incarcerated person who is granted pro per status and is found to be misusing or abusing that status to the extent that it poses a demonstrable threat to the safety and security of the facility shall be immediately reported to the Jail Commander. The Jail Commander may recommend the suspension or a limitation of the person's pro per privileges if they adversely affect the safety and security of the jail.

Upon the concurrence with the findings and recommendation of the Jail Commander, the Sheriff or the authorized designee shall consult with the Office's legal counsel prior to notifying the court of any intent to limit the described pro per privileges.

The incarcerated person may petition the court if they are dissatisfied with the action taken.

603.7.2 PRO PER STATUS - MATERIALS AND SUPPLIES

A pro per incarcerated person may possess the following materials and supplies These items may be retained by the incarcerated person but must be kept in the container supplied for such purpose. The items may include:

- Up to one-half of a ream of 8½-inch x 11-inch plain bond typing paper
- Up to three ruled legal notepads
- Standard legal size envelopes
- One dozen (maximum) black lead golf pencils
- Two erasers
- One legal size accordion file
- 9-inch x 12-inch manila envelopes and 10-inch x 14-inch manila envelopes
- Up to a maximum of four law books at one time (paperback only)

Unless otherwise ordered by the court, the Office shall have no obligation to supply the materials listed above. If materials or supplies are ordered by the court, replacement of any of the listed items shall be accomplished through a written request to the Sergeant or Officer in Charge or the authorized designee. Supplies provided by a court legal liaison will be received and distributed by the jail lieutenant or the authorized designee. All supplies distributed to the incarcerated person will

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be recorded in the person's pro per activities record. Supplies not listed in this policy are subject to approval by the Jail Commander or the authorized designee.

Copies of an incarcerated person's final legal (criminal case) work product, upon the incarcerated person's request, may be provided subject to arrangements with the court.

Incarcerated persons may purchase their own legal books and materials. However, such materials will be subject to safety inspection and rules pertaining to items permitted to be in the person's possession. Personal books must be marked with the person's name and booking number.

Any books or materials found in the incarcerated person's possession beyond what is authorized will be returned or placed in the incarcerated person's property.

603.7.3 PRO PER INCARCERATED PERSONS INTERVIEWING WITNESSES

A pro per incarcerated person may be permitted to interview prospective witnesses in the regular visitation area. Requests for visits outside of normal visiting hours will be directed to a supervisor for approval and should be accommodated when practicable.

Interviews conducted by pro per incarcerated persons are subject to the following rules and restrictions:

(a) No interview will be permitted without notification from a judge confirming or validating the prospective witness. The pro per incarcerated person is responsible for providing the judge with the list of prospective witnesses for validation.

(b) No visit shall be permitted by a prospective witness who is in the custody of this office or otherwise detained by a government agency, except upon a specific court order.

603.7.4 PRO PER INCARCERATED PERSONS TELEPHONE USAGE

Pro per incarcerated person may use the telephones in their housing areas to place calls concerning their cases. Court-authorized pro per telephone calls shall not be monitored and shall be provided without charge to the person in accordance with the orders of the court (see the Telephone Access Policy).

603.8 COURT HEARING APPEARANCES RE: CHILD DEPENDENCY

The Jail Commander should ensure that an incarcerated person who is the parent of a child involved in a dependency hearing, as described in Penal Code § 2625, and who has waived the right to be physically present and has not been ordered to appear at the court, is provided the opportunity to participate via videoconference, or by teleconference if videoconferencing is unavailable (Penal Code § 2625).

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Foreign Nationals and Diplomats

604.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

604.2 POLICY

The Nevada County Sheriff's Office 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 Office will investigate all claims of immunity and accept custody of the person when appropriate.

The Nevada County Sheriff's Office 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.

604.3 DIPLOMATIC AND CONSULAR IMMUNITY

604.3.1 AVAILABILITY OF RESOURCES

The jail lieutenant or their designee will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for office members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

https://travel.state.gov/content/travel/en/consularnotification.html

604.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Nevada County Sheriff's Office Jail the receiving correctional officer shall first inform the Sergeant or Officer in Charge and then generally proceed as follows:

(a) Do not accept custody of the person from the transporting officer. The person should not be brought inside the Nevada County Sheriff's Office Jail unless doing so would facilitate the investigation of their claim of immunity.

(b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.

(c) If the person has already been accepted into custody, inform the person that they will be detained until their identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.

(d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

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It will be the responsibility of the Sergeant or Officer in Charge to communicate the claim of immunity to the on-duty supervisor of the arresting agency (if not the Nevada County Sheriff's Office). The Sergeant or Officer in Charge may assist another agency in determining the person's immunity status.

The Sergeant or Officer in Charge is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

604.3.3 REPORTING

If the person's immunity status has been verified, the Sergeant or Officer in Charge should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C., or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

604.4 CONSULAR NOTIFICATIONS

604.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing incarcerated persons of rights related to consular notification should also be posted.

https://travel.state.gov/content/travel/en/consularnotification.html

604.4.2 CONSULAR NOTIFICATION ON BOOKING

Office members assigned to book incarcerated persons shall:

(a) Inform the foreign national, without delay, that the foreign national may have their consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.

(b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

(c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that their consular officers be notified, then:

1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.

2. Forward any communication from the foreign national to their consular officers without delay.

(d) If the foreign national's country is on the list for mandatory notification, then:

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1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
2. Tell the foreign national that this notification has been made and inform the foreign national without delay that they may communicate with their consular officers.
3. Forward any communication from the foreign national to the consular officers without delay.
4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the incarcerated person's file.

See attachment: Consular Fax Sheet for Arrest Or Detention.pdf

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the incarcerated person is requesting asylum. Requests for asylum should be forwarded to the Sergeant or Officer in Charge.

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Incarcerated Person Rights - Protection from Abuse

605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that incarcerated persons are afforded a safe, healthful environment free from abuse, physical punishment, harassment, intimidation, and theft or loss of other property.

605.2 POLICY

It is the policy of this Office to make every reasonable effort to protect incarcerated persons from abuse, corporal punishment, injury, disease, harassment, intimidation, or loss or damage to personal property by other incarcerated persons or staff. Staff shall take reasonable actions to safeguard vulnerable persons from others and should use the classification policies and procedures to make housing decisions that will provide for incarcerated person safety. Abuse of incarcerated persons by staff or other incarcerated persons will not be tolerated

The Jail Commander or the authorized designee should be responsible for including prohibitions against incarcerated person abuse and harassment, rules regarding respect for the property of others, and the prevention of disease in the informational handbook. All incarcerated persons should receive a copy of the informational handbook during the booking process, which should be printed in a language understood by incarcerated persons. Incarcerated persons also should receive verbal instruction on their rights during orientation.

605.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures, and practices to protect incarcerated persons. These procedures include but are not limited to:

- Following the classification guidelines for incarcerated person housing.
- Closely supervising incarcerated person activities and interceding as needed to prevent violence, harassment, or abuse of incarcerated persons.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all incarcerated person injuries, investigating the cause of reported injuries, and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of incarcerated persons conducting kangaroo courts or dispensing discipline toward any other incarcerated person.
- Conducting required safety checks of all incarcerated person housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or the Jail Commander.
- Referring sick or injured incarcerated persons to a qualified health care professional without unnecessary delay.

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- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.

605.4 TRAINING

The Training Sergeant shall be responsible for developing and delivering a training curriculum to all staff on the topic of protecting incarcerated persons from abuse. A roster of attendees shall be maintained from each class. Training completion documents shall be filed in each employee's training file.

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Prison Rape Elimination Act

606.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse, sexual harassment,and sexual misconduct (28 CFR 115.11; 15 CCR 1029).

606.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the incarcerated person does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

(a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.

(b) Contact between the mouth and the penis, vulva, or anus.

(c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

(d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the incarcerated person, detainee, or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
- Contact between the mouth and the penis, vulva, or anus.
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

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- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above.
- Any display by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of an incarcerated person, detainee, or resident.
- Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one incarcerated person, detainee, or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to an incarcerated person, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

Staff sexual misconduct - Any sexual behavior by a Office staff member directed toward an incarcerated person as defined in PC 289.6. The legal concept of "consent" does not exist between staff members and incarcerated persons; any sexual behavior between a staff member and incarcerated person constitutes sexual misconduct and shall subject the staff member to disciplinary action and/or prosecution under the law. Sexual misconduct also includes, but is not limited to:

- Conversations or correspondence that suggests a romantic relationship.

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

606.2 POLICY

This office has zero-tolerance with regard to sexual abuse, sexual harassment, and sexual misconduct in this facility. This office will take appropriate affirmative measures to protect all incarcerated persons from sexual abuse, sexual harassment, and sexual misconduct, and promptly and thoroughly investigate all allegations of sexual abuse, sexual harassment, and sexual misconduct.

606.3 ZERO-TOLERANCE

Sexual abuse, sexual harassment, and sexual misconduct between Staff, Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractors and incarcerated persons is strictly prohibited. The fact that an incarcerated person may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

Staff shall not sexually abuse, sexually harass, or engage in any sexual behavior with incarcerated person's, including, but not limited to, conversations or correspondence suggesting a romantic nature. Staff who sexually abuse, sexually harass, or engage in sexual misconduct, shall be immediately prohibited from having any contact with incarcerated persons and shall be subject to disciplinary action and/ or to prosecution under the law.

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Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors shall not sexually abuse, sexually harass, or engage in any sexual behavior with incarcerated person's, including, but not limited to, conversations or correspondence suggesting a romantic nature. Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors who sexually abuse or sexually harass an incarceratedperson, shall be immediately prohibited from having any contact with incarcerated persons and shall be reported to the Nevada County Sheriff's Office, unless the activity was clearly not criminal,and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

606.4 PRESERVATION OF ABILITY TO PROTECT INCARCERATED PERSONS

The Office shall not enter into or renew any collective bargaining agreement or other agreement that limits the office's ability to remove alleged staff sexual abusers from contact with any incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

Nothing in standard 28 CFR 115.66 shall restrict the entering into or renewal of agreements that govern:

(a) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of 28 CFR 115.72 and 28 CFR 115.76.

(b) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

606.5 SUPERVISION AND MONITORING

The Office shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect incarcerated persons against sexual abuse (28 CFR 115.13).

In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration:

(a) Generally accepted detention and correctional practices;

(b) Any judicial finding of inadequacy;

(c) Any findings of inadequacy from Federal investigative agencies;

(d) Any findings of inadequacy from internal or external oversight bodies;

(e) All components of the facility's physical plant (including "blind spots" or areas where staff or incarcerated persons may be isolated);

(f) The composition of the incarcerated person population;

(g) The number and placement of supervisory staff;

(h) Institution programs occurring on a particular shift;

(i) Any applicable state or local laws, regulation, or standards;

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(j) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and

(k) Any other relevant factors.

In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan in an incident report.

Whenever necessary, but no less frequently than once each year, for each facility the agency operates, the PREA Coordinator, Jail Commander, Executive Lieutenant, and a PREA Manager shall assess, determine, and document whether adjustments are needed to:

(a) The staffing plan established pursuant to paragraph (a) of this section;

(b) The facility's deployment of video monitoring systems and other monitoring technologies; and

(c) The resources the facility has available to commit to ensure adherence to the staffing plan.

606.5.1 UNANNOUNCED ROUNDS

Intermediate level or higher-level supervisors shall conduct unannounced rounds in each housing unit to identify and deter staff sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.13):

(a) Rounds shall be conducted daily on both the day and night shifts.

(b) All rounds shall be documented in the JMS system.

(c) Staff is prohibited from alerting other staff members that these rounds are occurring unless such announcement is related to legitimate operational functions of the facility.

606.6 HIRING AND PROMOTION DECISIONS

The Nevada County Corrections Division shall not hire or promote anyone who may have contact with incarcerated persons, and shall not enlist the services of any contractor who may have contact with incarcerated persons, who (28 CFR 115.17):

(a) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);

(b) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; and

(c) Has been civilly or administratively adjudicated to have engaged in the activity described in subsection (b) above.

Any incidents of sexual harassment shall be considered in determining whether to hire or promote anyone or to enlist the services of any contractor, who may have contact with incarcerated persons.

Before hiring new employees, who may have contact with incarcerated persons, the Nevada County Sheriff's Office shall (28 CFR 115.17):

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(a) Perform a criminal background check; and

(b) Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employees for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

The Nevada County Sheriff's Office shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with incarcerated persons.

Every five (5) years a criminal background check shall be conducted on current employees and contractors who may have contact with incarcerated persons or have in place a system for otherwise capturing such information for current employees (28 CFR 115.17).

All applicants and employees who may have contact with incarcerated persons directly shall be asked about previous misconduct described in paragraph (a) of 28 CFR 115.17 in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of the reviews of current employees. The Nevada County Corrections Division shall also impose upon employees a continuing affirmative duty to disclose any such misconduct (28 CFR 115.17).

Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination (28 CFR 115.17).

Unless prohibited by law, the Nevada County Sheriff's Office shall provide information on substantiated allegations of sexual abuse, sexual harassment, or sexual misconduct involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work (28 CFR 115.17).

606.7 EMPLOYEE TRAINING

All employees shall receive documented PREA training during new employee orientation, initial training, and bi-annually thereafter which shall include, but will not be limited to (28 CFR 115.31):

(a) Zero Tolerance stance;

(b) Review of this policy;

(c) Prevention, detection, investigation, response, and prosecution of sexual abuse, sexual harassment, and sexual misconduct;

(d) An offender's right to be free from sexual abuse, sexual harassment, and sexual misconduct;

(e) The right of incarcerated persons and employees to be free from retaliation for reporting sexual abuse, sexual harassment and sexual misconduct;

(f) The dynamics of sexual abuse, sexual harassment, and sexual misconduct in confinement;

(g) The common reactions of sexual abuse, sexual harassment, and sexual misconduct victims;

(h) How to detect and respond to sign of threatened and actual sexual abuse;

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(i) How to avoid inappropriate relationships with incarcerated persons;

(j) How to communicate effectively and professionally with incarcerated persons, including lesbian, gay, bisexual, transgender, intersex, or nonconforming incarcerated persons;and

(k) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Employees shall complete an Employee PREA Acknowledgement form stating that the employee understands the training they have received training pursuant to 28 CFR 115.31. In addition to general training provided to all employees, Nevada County Corrections Division shall ensure that, to the extent that Nevada County Corrections Division conducts sexual abuse investigations, investigators will receive training in conducting investigations in a confinement setting. Specialized training shall include 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 prosecution referral. The Nevada County Corrections Division shall maintain documentation that investigators have completed the required specialized training in conducting sexual abuse investigations in a confinement setting (28 CFR 115.34).

606.7.1 MEDICAL AND MENTAL HEALTH STAFF, CIVILIAN STAFF, VOLUNTEER, AND CONTRACTOR TRAINING AT WAYNE BROWN CORRECTIONAL FACILITY

Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors shall have no incarcerated person contact and are not allowed into the secure part of Wayne Brown Correctional Facility until they have initial PREA training/orientation.

All Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors who have contact with incarcerated persons shall be notified of the Nevada County Corrections Division zero-tolerance policy regarding sexual abuse, sexual harassment, and sexual misconduct and how to report such incidents (28 CFR 115.32).

All Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors who have contact with incarcerated persons shall receive orientation and periodic training consistent with their level of incarcerated person contact relating to their responsibilities under the sexual abuse, sexual harassment, and sexual misconduct prevention, detection, and response policies and procedures.

Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors shall sign a PREA Acknowledgement Form stating that they understood the information and training they have received.

606.7.2 MEDICAL AND MENTAL HEALTH STAFF AND CIVILIAN STAFF TRAINING-TRUCKEE JAIL FACILITY

Medical and Mental Health Staff and Civilian Staff shall be notified of the Nevada County Corrections Division zero-tolerance policy regarding sexual abuse, sexual harassment, and sexual misconduct and how to report such incidents.

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Medical and Mental Health Staff and Civilian Staff who have contact with incarcerated persons shall receive orientation and periodic training consistent with their level of incarceratedperson contact relating to their responsibilities under the sexual abuse, sexual harassment, and sexual misconduct prevention, detection, and response policies and procedures.

Program Volunteers are not allowed in the Truckee Facility and all Contractors shall be escorted by staff.

Medical and Mental Health Staff and Civilian Staff shall sign a PREA Acknowledgement Form stating that they understood the information and training they have received.

606.8 INCARCERATED PERSON EDUCATION

During the intake booking process all incarcerated persons will receive information about sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.33):

(a) The information shall be communicated orally, visually, or in writing accessible to all incarcerated persons including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to incarcerated persons who have limited reading skills.

(b) The information shall include the Jail Facility's zero-tolerance stance, self-protection methods (situation avoidance), prevention and intervention, reporting sexual abuse, treatment and counseling, protection against retaliation, and consequences of false allegations.

Appropriate provisions shall be made to ensure effective education for those incarcerated persons with low literacy levels and those with disabilities that hinder their ability to understand the information in the manner provided (28 CFR 115.33):

(a) Staff conducting the initial education and initial assessment for incarceratedpersons will have them read aloud the Pin and Trust Account admonishment.

(b) This assessment will assist in detecting visual impairment or other disabilities.

Staff will document verification of the offender's orientation and education on PREA by completing the Offender PREA Acknowledgment Form and placing the original signed acknowledgment form in the incarcerated person's hard card.

Within 30 days of intake, incarcerated persons shall receive comprehensive education either orally, visually, or in writing regarding (28 CFR 115.33):

(a) Their rights to be free from sexual abuse, sexual harassment, and sexual misconduct.

(b) Their right to be free from retaliation for reporting such abuse, harassment, or misconduct.

(c) Sexual abuse response policies and procedures.

Key information will be continuously and readily available or visible to incarcerated persons through posters, handbooks, or other written formats. Posters will be displayed in appropriate locations which are designed to inform incarcerated persons that the Nevada County Corrections

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Division has a zero-tolerance policy towards sexual assault, sexual harassment, and sexual misconduct and that all incarcerated persons are encouraged to report any and all instances of sexual abuse, sexual harassment, and sexual misconduct.

606.9 SCREENING AND ASSESSMENT

All incarcerated persons shall be screened during the booking intake process to assess their risk of being sexually abused by other incarcerated persons or sexually abusive towards other incarcerated persons. If the incarcerated person discloses prior sexual victimization, whether it occurred in an institutional setting or the community, staff shall notify medical staff immediately.

The assessment shall be conducted using the "Risk Assessment Questionnaire". The intake screening shall consider, at a minimum, the following criteria to assess incarcerated persons for risk of sexual victimization or being sexually abusive (28 CFR 115.41):

(a) Age;

(b) Physical build;

(c) Mental, physical, or developmental disability;

(d) Prior incarceration;

(e) Criminal history (non-violent vs. violent);

(f) Any prior convictions for sex offenses against an adult or child;

(g) Perceived to be or is gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;

(h) Previous sexual victimization;

(i) Incarcerated person own perception of vulnerability;

(j) Detained solely for civil immigration purposes;

(k) History of sexually abusive behavior;

(l) Prior acts of sexual abuse;and

(m) History of prior institutional violence or sexual abuse.

Intake screening shall take place within 72 hours after arrival at the facility. incarcerated persons may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked pursuant to criteria (c), (g), (h), or (i) listed above.

Any incarcerated person transferred from the Truckee Facility to Wayne Brown Correctional Facility will have a new risk assessment completed.

Within 30 days from the incarcerated person's arrival, Classification will reassess the incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since the initial intake screening. An incarcerated person's risk level shall also be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the incarcerated person's risk of sexual victimization or abusiveness.

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All information received in response to the incarcerated person's risk assessment questionnaire is to be treated as confidential information and shall only be reported to designated supervisors, classification staff, and medical/mental health staff.

606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT

Any employee or agency representative who becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, retaliation against incarcerated persons or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation shall immediately notify a supervisor (28 CFR 115.61). Staff may also privately report sexual abuse, sexual harassment, and sexual misconduct of incarcerated persons to Human Resources (28 CFR 115.51; 15 CCR 1029).

Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to the above paragraph of this section and to inform incarcerated persons of the practitioner's duty to report, and the limitations of confidentiality at the initiation of service.

Threats or allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation, regardless of the source, shall be documented and referred for investigation. Only the facilities' designated sexual abuse investigators may investigate any allegations of sexual abuse, sexual harassment, or sexual misconduct. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

If the alleged victim is under the age of 18 or considered a vulnerable adult under State or local vulnerable person's statute, the Nevada County Corrections Division shall report the allegation to the designated State or local agency under applicable mandatory reporting laws.

When the facility learns that an incarcerated person is subject to a substantial risk of imminent sexual abuse immediate action shall be taken to protect the incarcerated person.

606.10.1 VOLUNTEER, CIVILIAN STAFF, CONTRACTOR REPORTING

Any Volunteer, Civilian Staff, or Contractor who becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, or retaliation against incarcerated person or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation, shall immediately notify a correctional officer, Sergeant or Officer in Charge, contact person at the agency, an administrative staff member, or the Nevada County Sheriff's Office. Any Volunteer, Civilian Staff, or Contractor may also privately report sexual abuse, sexual harassment, or sexual misconduct of incarcerated persons to the Nevada County Sheriff's Crime Tip Line.

606.10.2 INCARCERATED PERSON/THIRD PARTY REPORTING

Incarcerated persons may report incidents anonymously or any allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation by other incarceratedpersons or staff for reporting sexual abuse, sexual harassment, or sexual misconduct and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member they choose.

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Staff shall accommodate all incarcerated person requests to report allegations. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports.

Incarcerated persons may also anonymously report incidents to Community Beyond Violence, the National Sexual Assault Hotline, the Attorney General's Public Inquiry Unit, or by using the PREA hotline on the incarcerated person phone system. Phone numbers and addresses are located in the *Informational Handbook* (28 CFR 115.51; 15 CCR 1029). All calls are toll-free and are not recorded or monitored.

The facility shall enable reasonable communication between incarcerated persons and these organizations and agencies in as confidential a manner as possible. The facility shall inform incarcerated persons, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.53).

Persons detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Third party complaints of sexual assault, sexual harassment, or sexual misconduct on behalf of an incarcerated person currently or previously housed in confinement at a Nevada County Jail facility may be done in person, by telephone, or by mail.

606.10.3 REPORTING TO OTHER FACILITIES

If there is an allegation that an incarceratedperson was sexually abused while the person was confined at another facility, the Jail Commander shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Commander shall ensure that the notification has been documented (28 CFR 115.63).

If the Jail Commander or this agency receives notification from another facility or agency that there is an allegation that an incarcerated person was sexually abused while he/she was confined in this agency, the allegations shall be investigated in accordance with the PREA standards.

606.11 RETALIATION

All incarcerated persons and staff who report sexual abuse, sexual misconduct, or sexual harassment, or who cooperate with sexual abuse, sexual misconduct, or sexual harassment investigations, shall be protected from retaliation.

The facility employs multiple protection measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for incarcerated persons or staff who fear retaliation for reporting sexual abuse, sexual misconduct, or sexual harassment or for cooperating with investigations (28 CFR 115.67; 15 CCR 1029).

Retaliation monitoring of incarcerated persons:

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(a) Within 48 hours after notification from the PREA Coordinator, the Classification Sergeant shall assign a Classification Officer to monitor and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of incarcerated persons who reported, witnessed, or cooperated with investigations of sexual abuse and of incarcerated persons who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by incarcerated persons or a staff member, volunteer, or contractor.

(b) Incarcerated person monitoring shall also include documented face-to-face contact and periodic status checks no less than 1 time every 30 days.

(c) When monitoring retaliation, the assigned Classification Officer should consider incarcerated person disciplinary reports and housing or program changes.

(d) If it is detected that an incarcerated person or incarcerated persons are retaliating, the Classification Officer shall act promptly to remedy any such retaliation.

If the Classification Officer detects that a staff member, volunteer, or contractor is retaliating against incarcerated persons for reporting sexual abuse, sexual misconduct, or sexual harassment or who were reported to have suffered sexual abuse, the Classification Officer shall notify the PREA Coordinator and/or the Classification Sergeant as soon as possible, but no longer than 48 hours. The PREA Coordinator or Classification Sergeant shall then immediately notify the Jail Commander or their designee and act promptly to remedy any such retaliation.

Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed.

Retaliation monitoring of staff:

(a) If a staff member reports, witnesses, or cooperates with investigations of allegations of sexual abuse, sexual misconduct or sexual harassment, the Jail Commander or the authorized designee shall assign a supervisor to monitor, contact and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of staff to determine if there is any possible retaliation.

(b) The assigned supervisor should consider negative staff performance reviews or reassignment of staff members.

(c) The assigned supervisor shall notify the PREA Coordinator if retaliation is detected as soon as possible, but no longer than 48 hours. The PREA Coordinator shall then immediately notify the Jail Commander or their designee and act promptly to remedy any such retaliation.

Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take appropriate measures to protect that individual against retaliation (28 CFR 115.67).

If there are any concerns or reported issues, monitoring of incarcerated persons or staff can be extended up to a period of 120 days; or until the monitored individual no longer experiences

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retaliation and/or the follow-up investigation is determined unfounded. Monitoring may continue beyond 120 days if the initial monitoring indicates a continuing need.

The number of people with access to the names of individuals being monitored should be limited to those persons that have a "need to know" and to persons and entities as permitted by law. The Jail Commander or their designee shall ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

The retaliation monitoring log shall be part of the PREA investigation file and shall be retained in accordance with confidentiality laws.

The obligation to monitor for retaliation shall terminate if it is determined that the allegation is unfounded.

See attachment: RETALIATION MONITORING 90 DAY.pdf

See attachment: Retaliation Monitoring Continuation.pdf

606.12 FIRST RESPONDERS

If an allegation of incarceratedperson sexual abuse is made, the first correctional officer to respond shall (28 CFR 115.64):

(a) Contact the Sergeant or Officer in Charge.

(b) Separate the alleged victim and abuser, and ensure that there is no physical, verbal, or visual contact between the victim and suspect, whenever possible.

(c) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).

(d) Establish a crime scene to preserve and protect any evidence until steps can be taken to collect any evidence.

(e) If the time period allows for the collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).

(f) If the alleged sexual assault is reported or discovered more than 72 hours after the incident, secure the alleged crime scene (if feasible) and place the alleged suspect (if identified) into administrative segregation. A medical opinion shall be obtained to determine whether the victim is to be taken for a forensic examination. In addition, the victim should be asked if he/she retained any evidence of the assault (e.g., soiled bedding, clothing, etc.).

(g) Attempt to obtain the identity of the suspect and any possible witnesses, but do not interview the victim further. Secure any witnesses.

(h) Do not attempt to interrogate the alleged suspect, unless circumstances make it unavoidable.

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If the first responder is not a correctional officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a correctional officer.

Should an investigation involve incarcerated persons who have disabilities or who have limited English proficiency, the first responder shall not rely on incarcerated person interpreters, incarcerated person readers, or other types of incarcerated person assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise incarcerated person safety, the performance of first responder duties or the investigation of sexual abuse, sexual harassment, or sexual misconduct allegations (28 CFR 115.16).

Employees shall maintain professional behavior when interacting with an alleged victim of sexual abuse, and display sensitivity to the potential emotional impact of the situation. All employees are reminded that this is a very serious situation. Incident–specific information shall be treated as confidential, and disclosure made only to staff that have a "need to know" and to persons and entities as permitted by law.

Staff shall not discriminate in their response to incarcerated persons who are gay, bisexual, or transgender who report that they have experienced sexual abuse.

606.12.1 COORDINATED RESPONSE FOR WBCF
The Sergeant or OIC shall (28 CFR 115.65):

(a) Notify dispatch (911) and request a Nevada County Sheriff's Deputy, who has had "PREA: Investigating Sexual Abuse in a Confinement Setting" training, to respond and preform the appropriate investigatory tasks. (28 CCR §§ 115.34 and §§ 115.71).

(b) Ensure that Medical and Mental Health Staff have been notified.

    1. Incarcerated persons who are victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment (28 CFR 115.82).

    2. If any life-threatening injuries exist, the response may include the need to request emergency transportation (i.e., ambulance). When the call is made to request an ambulance, it is critical to inform the fire/rescue dispatcher that the injured incarcerated person is a victim of sexual assault. The incarcerated person will be transported to Sierra Nevada Memorial Hospital.

    3. Medical staff shall be cognizant to maintain intact any physical evidence which may be found on the victim's person or clothing.

    4. Mental Health staff will attempt to make a victim advocate from a rape crisis center available to the victim or provide access to a qualified staff member from a community-cased organization, or to a qualified staff member. (28 CCR §§ 115.21(d)).

(c) If transported to the hospital for emergency medical treatment or crisis intervention services, the alleged victim shall be assigned a custody escort who shall remain with

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the victim for the entire process, whenever possible. Gender preference should be considered when assigning a custody escort to the victim. The custody escort will ensure effective communication (i.e., complexity of the issues, language barriers, and literacy). The escort shall not be present in the examination room during the sexual assault examination unless requested by the victim or hospital staff or ordered by the Jail Commander.

(d) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.

(e) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

All allegations of sexual abuse, including third-party and anonymous reports, shall be reported to the Jail Commander or his designee.

(a) If the victim alleges he/she was involved with or assaulted by staff, the Jail Commander shall also notify the Internal Affairs Unit.

606.12.2 COORDINATED RESPONSE FOR TRUCKEE

If an allegation of sexual abuse is made, Truckee Correctional staff shall notify the Sergeant or Officer in Charge at Wayne Brown Correctional Facility immediately.

The Sergeant or OIC shall (28 CFR 115.65):

(a) Notify dispatch (911) and request a Nevada County Sheriff's Deputy, who has had "PREA: Investigating Sexual Abuse in a Confinement Setting" training,Officer to respond and preform the appropriate investigatory tasks. (28 CCR §§ 115.34 and §§ 115.71).

(b) Notify Medical and Mental Health staff immediately:

1. If any life-threatening injuries exist, the response may include the need to request emergency transportation (i.e., ambulance). When the call is made to request an ambulance, it is critical to inform the fire/rescue dispatcher that the injured incarcerated person is a victim of sexual assault. The incarcerated person will be transported to Tahoe Forest Hospital.

2. Incarcerated persons who are victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment (28 CFR 115.82).

3. If determined by a medical and/or a mental health practitioner that there is no immediate emergency the incarcerated person shall be transported to Wayne Brown Correctional Facility for further medical assessment.

4. Correctional Staff shall take steps to protect the victim pursuant to 28 CFR 115.62 until transported to the hospital, crisis center, or Wayne Brown Correctional Facility (28 CFR 115.82).

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5. Mental Health staff will attempt to make a victim advocate from a rape crisis center available to the victim or provide access to a qualified staff member from a community-cased organization, or to a qualified staff member. (28 CCR §§ 115.21(d)).

(c) If transported to the hospital for emergency medical treatment or crisis intervention services, the alleged victim shall be assigned a custody escort who shall remain with the victim for the entire process, whenever possible. Gender preference should be considered when assigning a custody escort to the victim. The custody escort will ensure effective communication (i.e., complexity of the issues, language barriers, and literacy). The escort shall not be present in the examination room during the sexual assault examination unless requested by the victim or hospital staff or ordered by the Jail Commander.

All allegations of sexual abuse, including third-party and anonymous reports, shall be reported to the Jail Commander or his designee.

(a) If the victim alleges he/she was involved with or assaulted by staff, the Jail Commander shall also notify the Internal Affairs Unit.

606.13 SEXUAL ABUSE VICTIMS

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Office shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Office, to provide victim advocate services.

Efforts to secure services from a rape crisis center shall be documented.

A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC § 12511 (b)(2)(C), to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

606.14 EXAMINATION, TESTING, AND TREATMENT

Examination, testing, and treatment shall include the following (15 CCR 1206):

(a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).

(b) If requested by the victim, a victim advocate, a qualified office staff member, or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information, and referrals (28 CFR 115.21).

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(c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).

(d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.

(e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.

(f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.

(g) Victims shall be provided with follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody (28 CFR 115.83).

(h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.82; 28 CFR 115.83).

(i) The health authority or mental health staff shall obtain informed consent from incarcerated persons before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the incarcerated person is under the age of 18 (28 CFR 115.81).

(j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

Upon return to the Jail, all victims of a sexual assault shall be referred to mental health staff for an urgent suicide risk assessment.

(a) Mental Health staff shall evaluate the victim within four (4) hours of referral. Until that time, the incarcerated person shall be placed under constant direct supervision to ensure he/she does not attempt to hurt himself/herself or someone else.

(b) Mental Health staff shall be responsible for monitoring the victim for suicidal impulses, post-traumatic stress disorder, depression, and other mental health consequences.

(c) The victim shall be offered crisis intervention counseling, appropriate to the individual needs of the victim.

606.14.1 ACCESS TO OUTSIDE CONFIDENTIAL SUPPORT SERVICES

Incarcerated persons will be provided access to outside victim advocates for emotional support services related to sexual abuse (28 CFR 115.53).

Toll-free, unmonitored victim advocate phone numbers and addresses are located in the informational handbook and through electronic means (i.e. tablets, T.V., etc.) in the housing units

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for all incarcerated persons, including persons held solely for civil immigration purposes (28 CFR 115.53).

Incarcerated persons will be informed, prior to giving them access to outside support services of the mandatory reporting rules governing privacy, confidentially, and/or privilege that applies to disclosures of sexual abuse made to an outside victim advocate the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to confidentiality under federal, state and local laws (28 CFR 115.53).

606.15 SEXUAL ABUSE , SEXUAL HARASSMENT, SEXUAL MISCONDUCT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.22). Allegations of sexual abuse, sexual harassment, and sexual misconduct are referred for investigation to the Nevada County Sheriff's Office unless the allegation does not involve potentially criminal behavior. All referrals shall be documented. All investigation shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/ Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

606.15.1 CRIMINAL INVESTIGATIONS

Criminal Investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible (28 CFR 115.71).

When sexual abuse or sexual misconduct is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to 28 CFR 115.34. The Major Crimes Unit will be responsible for all phases of the investigation if the allegations are against an employee. The Sheriff or their designee shall determine if the employee should be placed on administrative leave consistent with office policy during the course of the investigation.

Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

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When the quality of evidence appears to support criminal prosecution, the Nevada County Sheriff's Office shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The creditability of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as an incarceratedperson or staff.

An incarcerated person who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.71).

606.15.2 ADMINISTRATIVE INVESTIGATIONS

Administrative Investigations shall:

(a) Include an effort to determine whether staff actions or failures to act contributed to the abuse; and

(b) Be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

The departure of the alleged abuser or victim from employment or control of the facility or agency shall not provide a basis for terminating the investigation. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation (28 CFR 115.71).

606.15.3 INVESTIGATIVE FINDINGS

Investigative findings for staff:

(a) All completed written investigations shall be forwarded to the Jail Commander or, if the allegations may reasonably involve the Jail Commander, to the Sheriff or their designee.

(b) The Jail Commander or Sheriff or their designee shall review the investigation and determine whether any allegations of sexual abuse, sexual harassment, or sexual misconduct have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

(c) Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.

Investigative findings for incarcerated persons:

(a) All completed sexual abuse written investigations involving incarcerated persons shall be forwarded to the Jail Commander. The Jail Commander or Sheriff or their designee shall review the investigation and determine whether any allegations of sexual abuse have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

(b) Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.

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(c) All completed sexual harassment written investigations involving incarcerated persons shall be forwarded to the Operations Lieutenant. The Operations Lieutenant shall review the investigation and determine whether any allegations of sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

All written reports pertaining to criminal and administrative investigations of alleged sexual assault. sexual harassment, or sexual misconduct shall be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

606.15.4 REPORTING TO INCARCERATED PERSONS

Following an investigation into an incarcerated person's allegation that he or she suffered sexual abuse or sexual misconduct in a Nevada County Sheriff's Office facility, the Jail Commander or the authorized designee shall inform a victim incarcerated person in writing whether an allegation has been substantiated, unsubstantiated, or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the incarcerated person.

If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the incarcerated person shall also be informed whenever:

(a) The staff member is no longer assigned to the incarcerated person's unit or employed at the facility.

(b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another incarcerated person is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file. If the incarcerated person is released from custody, all facility obligations to report shall terminate (28 CFR 115.73).

606.16 DISCIPLINARY SANCTION/CORRECTIVE ACTION

Staff, Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractors shall be aware of the potential sanctions if allegations of sexual abuse, sexual harassment, or sexual misconduct are confirmed.

606.16.1 DISCIPLINARY SANCTIONS FOR STAFF

Staff shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse or sexual misconduct as defined in 289.6 PC (28 CFR 115.76(a-b)).

Disciplinary sanctions for violations of agency policy relating to sexual abuse, sexual harassment, or sexual misconduct (other than actually engaging in sexual abuse) shall be commensurate

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with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories (28 CFR 115.76(c)).

All terminations for violations of sexual abuse or sexual misconduct, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies unless the activity was clearly not criminal, and to any relevant licensing bodies (28 CFR 115.76 (d)).

606.16.2 CORRECTIVE ACTION FOR MEDICAL AND MENTAL HEALTH STAFF, CIVILIAN STAFF, VOLUNTEERS, OR CONTRACTOR

Any Medical or mental health staff, Civilian Staff, Volunteers, or Contractor who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with incarcerated person. They shall be promptly reported to the Nevada County Sheriff's Office, unless the activity was clearly not criminal, and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

In the case of any other violation of this policy by Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractor, appropriate remedial measures shall be taken in addition to considering whether to prohibit further contact with incarcerated persons (28 CFR 115.77).

606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS

incarcerated persons who are found guilty of committing incarcerated person-on-incarcerated person sexual assault will be punished to the highest degree in accordance with the Discipline Policy, up to and including criminal prosecution. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the incarcerated person's disciplinary history, and the sanctions imposed for comparable offenses by other incarcerated persons with similar histories. An incarcerated person's mental disabilities or mental illness shall be considered when determining what type of discipline, if any, should be imposed. The facility shall consider whether to require the offending incarcerated person to participate in therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse as a condition of access to programming and other benefits. An incarcerated person may be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact (28 CFR 115.78(a-d)).

If counseling and progressive discipline fail to result in a modification of the incarcerated person's behavior, an additional charge of PC 314.1 (indecent exposure) or PC 647 (disorderly conduct) should be added after the incarcerated person's third violation.

Acts of indecent exposure, sexual disorderly conduct, sexually hostile conduct, and exhibitionist masturbation shall not be ignored and will not be tolerated. An incarcerated person who engages in indecent exposure, sexual disorderly conduct, sexually hostile conduct, or exhibitionist masturbation shall be reported and disciplined in an attempt to eliminate and reduce the opportunity to repeat the behavior.

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Every incident shall be documented by the observing employee. If the exposure or inappropriate touching of one's genitals is considered to be unusual and bizarre behavior, medical shall be notified for a referral for a mental health evaluation.

If an incarcerated person's continued behavior requires additional security precautions, such steps should be taken, which may include, but not limited to the following:

(a) Transfer to an administrative housing unit (if the behavior occurs in a group setting or inside the cell/bed area in a general population housing unit);

(b) Posted notification, alerting staff to the incarcerated person's propensity to engage in indecent exposure or sexual disorderly conduct;

(c) Temporary restriction from the recreation yard or other settings which may provide a venue for behavior; and

(d) Substitution of activity setting to reduce the possibility of the behavior impacting staff.

For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation (28 CFR 115.78 (f)).

Sexual activity between all incarcerated person is prohibited. incarcerated persons will be disciplined for such activity. Sexual activity between incarcerated person will not constitute sexual abuse if it is determined that the activity is not coerced (28 CFR 115.78(g)).

606.17 PROTECTIVE CUSTODY

Incarcerated person at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there are no available alternative means of separation. Incarcerated persons may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the following shall be clearly documented in the incarcerated person's Classification screen in the Jail Management System:

(a) The basis for concern for the incarcerated person's safety; and

(b) The reasons why no alternative means of separation can be arranged (28 CFR 115.43)..

The facility shall assign these persons to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Incarcerated person placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities to the extent possible. If restrictions are put in place, the following shall be documented in a Jail Incident Report and in the incarcerated person's Classification screen in the Jail Management System:

(a) The opportunities that have been limited;

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(b) The duration of the limitation; and

(c) The reasons for such limitations.

Every 30 days, Classification shall afford each such incarcerated person a review to determine whether there is a continuing need for protective custody (28 CFR 115.43).

606.18 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse or sexual misconduct investigation unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and/or mental health professionals, as appropriate:

(a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse or sexual misconduct.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.

(d) Assess the adequacy of staffing levels in the area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

(f) Prepare a written report of the team’s findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

The Jail Commander or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

606.19 DATA COLLECTION AND REVIEWS

Accurate, uniform data for every allegation of sexual abuse shall be collected using a standardized instrument. Incident-based sexual abuse data shall include, at a minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. All data collected shall be maintained and reviewed as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. If requested, all data shall be provided from the previous calendar year to the DOJ no later than June 30.

This Office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

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(a) Identifying problem areas.

(b) Identifying corrective actions taken.

(c) Recommending corrective actions.

(d) Comparing current annual data and corrective actions with those from prior years.

(e) Assessing the office’s progress in addressing sexual abuse.

The reports shall be approved by the Jail Commander and made available through the Office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from Nevada County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

606.20 RECORDS

All case records and reports associated with a claim of sexual abuse, sexual harassment, or sexual misconduct, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is incarcerated or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

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Grooming

607.1 PURPOSE AND SCOPE

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

607.2 POLICY

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

607.3 HAIRCUTS

Incarcerated persons will be provided haircuts and/or hair-cutting tools subject to established facility rules. If hair length, style or condition presents a security or sanitation concern, haircuts may be mandatory. Incarcerated persons who significantly alter their appearance may be required to submit to additional booking photos.

607.3.1 HAIR CARE SERVICES

The Jail Commander or the authorized designee shall establish written procedures for incarcerated person hair care services (15 CCR 1267(a)). The procedures will include schedules for hair care services and allow rescheduling for conflicts, such as court appearances.

Incarcerated persons shall generally be permitted to receive hair care services once per month after being in custody for at least 30 days. Staff may suspend access to hair care services if an incarcerated person appears to be a danger to themself or others or to the safety and security of the facility.

607.4 SHAVING

Incarcerated persons may shave daily. Facial hair shall be clean and well groomed. Long beards may allow persons to conceal weapons or contraband. Incarcerated persons may be required to trim facial hair if it poses a security or safety risk. Incarcerated persons may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Incarcerated persons with facial hair who work around food shall wear appropriate facial coverings.

An incarcerated person may be denied access to razors if they appear to be a danger to themself or others, or if such access may jeopardize the safety and security of the facility.

Incarcerated persons may be restricted from significantly altering their appearance for reasons of identification in court (15 CCR 1267(b)).

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607.5 NAILS

Nail clippers will be kept at the control station and will be issued to incarcerated persons upon request. Incarcerated workers are required to keep their nails clean and trimmed. Incarcerated persons with long nails may be required to trim their nails if there is a security concern and the person is admitted to general population.

607.6 GROOMING EQUIPMENT

Grooming equipment is to be inventoried and inspected by the staff at the beginning of each shift and prior to being issued to incarcerated persons. The staff shall ensure that all equipment is returned by the end of the shift and is not damaged or missing parts.

Grooming equipment will be disinfected before and after each use by the methods approved by the State Board of Barbering and Cosmetology to meet the requirements of (16 CCR 979; 16 CCR 980; 15 CCR 1267(c)). Cleaning methods include:

- Removing foreign matter.
- Cleaning tools with soap or detergent and water.
- Immersing non-electrical equipment in disinfectant.
- Spraying electrical equipment with disinfectant.
- Storing cleaned equipment in clear, covered containers that are labeled as such.

Disinfectant solution shall be changed at least once per week or whenever the solution is cloudy or dirty. Solution will be stored in covered containers with labeled instructions for its use and the Environmental Protection Agency registration number.

607.7 SHOWERING

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable (15 CCR 1266).

607.8 PERSONAL CARE ITEMS

Incarcerated persons are expected to maintain their hygiene using approved personal care items. After booking and before housing inmates are provided with a toothbrush, toothpaste, soap, comb, and a cup. Personal care items,including toothbrushes, combs and soap are also available through the inmate commissary and will be charged to the inmate's account.

Toilet paper and soap are provided every day during toiletry exchange. Three times a week inmates may exchange toilet paper and soap, in addition to toothbrushes, toothpaste and combs.

Indigent inmates shall receive hygiene items necessary to maintain an appropriate level of personal hygiene.

No incarcerated person will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (15 CCR 1265 et seq.).

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Nondiscrimination

608.1 PURPOSE AND SCOPE

The constitutional rights of persons regarding discrimination are protected during incarceration. These protections extend to administrative decisions (e.g., classification, access to programs, availability of services). This policy is intended to guide the staff toward nondiscriminatory administrative decisions and to detail an incarcerated person complaint and discrimination investigation process.

608.2 POLICY

All decisions concerning incarcerated persons housed at this facility shall be based on reasonable criteria that support the health, safety, security, and good order of the facility.

608.3 INCARCERATED PERSONS REPORTING DISCRIMINATION

Incarcerated persons who wish to report an allegation of discrimination may communicate with facility management in any way, including:

(a) Confidential correspondence addressed to the Jail Commander or the Sheriff or other government official, including the courts or legal representative.

(b) Verbally to any supervisor or other staff member of this facility.

608.3.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff shall promptly forward all written allegations of discrimination by incarcerated persons to the Sergeant or Officer in Charge. If the allegation is presented verbally, the receiving staff member shall prepare an incident report identifying the circumstances prompting the allegation, the individuals involved, and any other pertinent information that would be useful to investigating the allegation.

Unless the complaint submitted by the incarcerated person is clearly identified as confidential and addressed to the Jail Commander, Sheriff, or other official, the Sergeant or Officer in Charge shall review the complaint and attempt to resolve the issue. In any case, the Sergeant or Officer in Charge shall document the circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the Jail Commander for review and further investigation or administrative action as needed.

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria:

(a) The incarcerated person's classification

(b) The incarcerated person's criminal history

(c) Current and past behavior and disciplinary history

(d) Housing availability

(e) The availability of programs

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(f) The ability to safely provide the requested services

608.4 DISCRIMINATION COMPLAINT AUDITS

The Jail Commander should perform an annual audit of all incarcerated person discrimination complaints to evaluate whether any policy or procedure changes or training are indicated. The Jail Commander should record these findings in a confidential memorandum to the Sheriff. Specific details of complaints and identifying information, such as names of the involved persons, dates, or times, are not part of this process and should not be included in the memorandum. If the audit identifies any recommended changes or content that may warrant a critical revision to this Custody Manual, the Jail Commander should promptly notify the Sheriff.

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

608.5 DISCRIMINATION PROHIBITED

Discriminating against an incarcerated person based upon actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law is prohibited.

Reasonable and comparable opportunities for participation in services and programs including vocational, educational, and religious programs shall be made available to incarcerated persons in a nondiscriminatory manner.

The Jail Commander should periodically conduct interviews with incarcerated persons and staff members to identify and resolve potential problem areas related to discrimination before they occur.

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Grievances

609.1 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 (15 CCR 1073).

609.2 POLICY

It is the policy of the Nevada County Sheriff's Office that any incarcerated person may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, clothing, bedding, hygiene and sanitation needs, out of cell time opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures and allegations of sexual abuse.

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

Retaliation for use of the grievance system is prohibited.

All incarcerated persons, no matter their classification level or disciplinary status, may file a grievance according to this policy.

609.3 ACCESS TO THE GRIEVANCE SYSTEM

All incarcerated persons shall be provided with a grievance process for resolving complaints arising from facility matters with at least one level of appeal.

Incarcerated persons will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the incarcerated persons handbook. Information regarding the grievance process will be provided to incarcerated persons in the language they understand.

The information will include (15 CCR 1073):

(a) A grievance form or instructions for registering and appealing a grievance, including relevant dates.

(b) A process for submission and handling of anonymous grievances.

(c) Instructions for the resolution of the grievance at the lowest appropriate staff level.

(d) The appeal process to the next level of review.

(e) Written reasons for denial of a grievance at each level of review.

(f) A provision for a non-automated initial response within a reasonable time limit which shall not exceed a period of 15 calendar days.

(g) A provision for resolving questions of jurisdiction within the facility.

(h) Provisions for providing a copy of the grievance, appeal, response, and related documents to the incarcerated person.

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(i) Consequences for abusing the grievance system.

609.4 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. Officers shall provide a grievance form to the incarceratedperson within a reasonable timeframe.

The incarcerated person should be advised to complete the form and return it to any staff member. A grievance should be filed by an incarcerated person within 14 days of the complaint or issue. Exceptions will be made for good cause. There will be no time limit for PREA related incidents.

Incarcerated persons cannot file a grievance on behalf of another incarcerated person but an incarcerated person or third-party may assist the 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. Group or "Class Action" grievances will not be accepted.

Upon receiving a completed incarcerated person grievance form, the member shall confirm the grievance is completely filled out and then 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 the on-duty supervisor.

Only 1 topic per grievance form will be accepted. A grievance submitted with more that 1 topic will be returned and marked "grievance returned, multiple issues". Returned grievances will be documented in an incident report and the the grievance will be scanned into the incarcerated person's electronic file in the computer system.

See attachment: Grievance Form Initial.pdf

See attachment: Grievance Response Form.pdf

See attachment: Grievance Response Form fillable.pdf

609.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Incarcerated persons may request to submit the grievance directly to a supervisor or mail it directly to the Facility Captain or their designee 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 or are indigent may place their grievances in a sealed envelope labeled "Grievance" and deposit it in the regular mail boxes in the housing units or give the sealed envelope to a staff member. These envelopes will be delivered directly to the Jail Commander or their designee and not forwarded to the United States Postal Service.

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609.4.2 EMERGENCY GRIEVANCES

Incarcerated persons filing emergency grievances should use a grievance forms. The incarcerated person must include in the grievance why it is an emergency grievance. Emergency grievances will be delivered to the on-duty supervisor immediately. The on-duty supervisor will review the grievance to verify it is an emergency. If the grievance is verified as an emergency, the on-duty supervisor will either answer the grievance, forward it to the Correctional Lieutenant or higher or Medical Staff if the grievance is health related. The respondent will respond to the grievances at the earliest possible time, but no later than 48 hrs, excluding weekends and holidays.

Normal handling procedures will apply if the grievance is not a true emergency.

Emergency grievances include, but are not limited to medical treatment, fire and life safety complaints, PREA related incidents/complaints, and claims concerning missed release dates.

609.4.3 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a completed incarcerated person grievance form, the supervisor will review the initial grievance and assign it a log number. The on-duty supervisor will either investigate and resolve or deny the grievance directly or forward the grievance to the appropriate party to answer.

Grievances related to medical care should be investigated by the medical staff or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the Correctional Lieutenant and the Facility Captain for review.

Grievances about food-related matters should be investigated by the food services manager. The findings of that investigation, along with any recommendations, shall be forwarded to the Correctional Lieutenant and the Facility Captain for review.

Upon return of the reviewed grievance to the on-duty supervisor, the on-duty supervisor will scan the grievance and response into the incarcerated person's electronic file in the computer system, file the original white copy and response on the grievance log and give a photocopy of the response to the incarcerated person.

Written responses will be returned to the incarcerated person within 10 days. The time limit may be extended for good cause. If the time limit is extended, the affected incarcerated person will be given written notice informing them of the extension and the reason for the extension.

609.4.4 APPEALS TO GRIEVANCE FINDINGS

There are 2 levels of review in the jail grievance process.

- Level 1: Respondent will be a supervisor or appropriate party.
- Level 2: Respondent will be a lieutenant or higher or appropriate authority

See attachment: Grievance Appeal Form.pdf

If the incarcerated person is not satisfied with the initial response the incarcerated person may request a level 1 appeal. Upon receiving the grievance appeal form, the staff member shall confirm the grievance appeal form is completely filled out and then shall acknowledge receipt of the grievance by signing the form and giving the pink copy to the incarcerated person. The staff

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member receiving the form shall forward the grievance appeal form to the on-duty supervisor. The on-duty supervisor will either investigate and resolve or deny the grievance directly or forward the grievance to the appropriate party to answer.

If the incarcerated person is not satisfied with the level 1 appeal response, the incarcerated person may request a level 2 appeal. Upon receiving the grievance appeal form, the staff member shall confirm the grievance appeal form is completely filled out and then shall acknowledge receipt of the grievance by signing the form and giving the pink copy to the incarcerated person. The staff member receiving the form shall forward the grievance appeal form to the on-duty supervisor. The on-duty supervisor will forward the grievance to the appropriate party to answer.

Upon return of the reviewed grievance appeal to the on-duty supervisor, the on-duty supervisor will scan the grievance appeal and response into the incarcerated person's electronic file in the computer system, file the original white copy and response on the grievance log and give a photocopy of the response to the incarcerated person.

In all levels of appeal, written responses will be returned to the incarcerated person within 10 days. The time limit may be extended for good cause. If the time limit is extended, the affected incarcerated person will be given written notice informing them of the extension and the reason for the extension.

Appeals related to sexual abuse allegations shall be confirmed or denied by the Correctional Lieutenant or higher within 10 calendar days.

609.4.5 RECORDING GRIEVANCES

The Correctional Lieutenant 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 Commander or the authorized designee to ensure that grievances are being handled properly and in a timely manner. The grievance and the response pages will be scanned into the incarcerated person's electronic file in the computer system.

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

609.4.6 FRIVOLOUS OR EXCESSIVE GRIEVANCES

Incarcerated person 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 Facility Captain or authorized designee may classify an incarcerated person as a grievance abuser if the incarcerated person:

- Repeatedly files frivolous grievances
- Repeatedly files nuisance grievances
- Grievances that reference the same issue and are sent to multiple recipients

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- Refiles a grievance that has already been appropriately addressed during the appeals process
- Does not file a grievance in good faith
- Repeatedly files excessive grievances on issues that have already been addressed

If an incarcerated person is designated as a grievance abuser the Jail Commander or authorized designee may impose limitations on the incarcerated person's ability to file grievances. The limitation does not apply to emergency or PREA grievances filed in good faith.

The person shall be informed that continued behavior may also result in disciplinary action.

609.4.7 REVIEW OF GRIEVANCES
The Jail Commander or the authorized designee shall conduct regular reviews of grievances, responses, and appeals (15 CCR 1073).

609.5 GRIEVANCE AUDITS

The Jail Commander should perform an annual audit of all incarcerated person grievances and complaints filed the previous calendar year. The Jail Commander should forward a memorandum to the Undersheriff 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 Undersheriff 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 Administrative Sergeant who will be responsible for ensuring all necessary and required training is scheduled and completed.

609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):

(a) Incarcerated persons may submit a grievance regarding an allegation of sexual abuse at any time. Incarcerated persons and staff are not required to attempt to informally resolve grievances related to sexual abuse.

(b) Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, shall be permitted to assist an incarcerated person in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of incarcerated persons.

1. Staff members who receive a grievance filed by a third party on behalf of an incarcerated person shall inquire whether the incarceratedperson wishes to have the grievance processed and shall document the incarceratedperson's decision.

2. If the incarcerated person declines to have the request processed on their behalf, the agency shall document the incarcerated person's decision.

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(c) Grievances may be submitted to any staff member and need not be submitted or referred to the staff member who is the subject of the complaint. Lockboxes for anonymous submissions of a grievance are located at A and B pod control and in Medical and N section Dayrooms.

(d) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall conduct an investigation.

(e) The Correctional Lieutenant shall ensure that grievances related to sexual abuse are investigated and resolved within 90 days of the initial filing. Computation of the 90-day time period shall not include time consumed by incarcerated persons in preparing any administrative appeal. The Correctional Lieutenant may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the incarcerated person shall be notified in writing and provided a date by which a decision will be made.

(f) At any level of the process, including the appeal, if the incarcerated person does not receive a response within the allotted time, including any properly noticed extension, the incarcerated person may consider the absence of a response to be a denial at that level.

(g) Incarcerated persons may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the incarcerated person filed the grievance in bad faith.

609.6.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE

Any incarcerated person who believes the person or any other incarcerated person is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the incarcerated person and shall provide an initial response within 48 hours and issue a final decision within five calendar days.

After the investigation is complete, the supervisor will forward the information to the PREA manager.

The initial response and final decision shall be documented and shall include a determination whether the incarcerated person is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.52).

If the emergency grievance is determined not to be an emergency, the grievance may be processed as normal or returned to the incarcerated person. The incarcerated person will be required to follow normal grievance procedures. A written explanation of why the grievance does not qualify as an emergency will be provided to the incarcerated person.

609.7 TRAINING

The Administrative Sergeant shall ensure that all members receive initial and periodic training regarding all aspects of this policy. All training delivered should include testing to document that the members understands the subject matter.

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Voting

610.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible incarcerated persons the opportunity to vote during elections, pursuant to election statutes (15 CCR 1071).

610.2 POLICY

The Office will assist eligible incarcerated persons who wish to vote in an election.

610.3 VOTING REQUIREMENTS

Incarcerated persons maintain their right to vote while incarcerated if they are:

(a) A citizen of the United States.

(b) A resident of California.

(c) 18 years old or older on Election Day

(d) Not currently serving a state or federal prison term for the conviction of a felony, and

(e) Not currently found mentally incompetent to vote by a court.

610.4 PROCEDURES

Prior to each election, the Jail Commander will designate a correctional officer to be a liaison between the Office and the county elections office. The designated correctional officer will be responsible for assisting incarcerated persons who have requested to vote.

Incarcerated persons should be advised of voting methods during the incarcerated person orientation.

610.4.1 REGISTERING TO VOTE

An incarcerated person who is eligible to vote and requests to register should complete a voter registration form. The request for the form should be submitted to the Compliance Officer

610.4.2 REQUESTING AN ABSENTEE BALLOT

An incarcerated person who will be in custody during an election and requests to vote by absentee ballot should complete an application. The request for the application should be submitted to the Compliance Officer. The completed application should be mailed to the local election office by the incarcerated person.

610.4.3 VOTING

All ballots received shall be delivered to incarcerated persons in a timely manner to ensure compliance with their right to vote. Once the ballot has been delivered to the incarcerated person, it shall be the responsibility of the incarcerated person to mail their ballot in accordance with the state's voting requirements. If the incarcerated person is indigent, their fund account will be charged, and the jail will mail the ballot; if not, the incarcerated person is responsible for the postage.

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Chapter 7 - Medical-Mental Health

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Health Care Administrative Meetings and Reports

700.1 PURPOSE AND SCOPE

The Office recognizes that the delivery of effective health care requires open and frequent communication between the Responsible Physician and the Jail Commander. This policy provides guidelines for the continuous monitoring, planning, and problem resolution in providing health care that addresses the medical needs of the incarcerated person population and prevents potential outbreaks of communicable and contagious illness.

700.1.1 DEFINITIONS

Definitions related to this entire chapter include:

Access to care- An incarcerated person should be seen in a timely manner by a qualified health care professional. The incarcerated person should be given a professional clinical diagnosis and receive treatment that is ordered.

Clinical practice guidelines- A systematically developed science-based statement designed to assist practitioners and incarcerated persons with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources, and reduce the risk of legal liability for negligent care.

Clinical setting - An examination or treatment room, either on- or off-site, which is appropriately supplied and equipped to address a patient's health care needs.

Daily - Seven days a week, including holidays.

Direct order - A written order issued by a qualified health care professional specifically for the treatment of an incarcerated person's particular condition.

Health appraisal - A comprehensive health evaluation completed within 14 days of an incarcerated person's arrival at the facility.

Health authority- The Responsible Physician, health services administrator or health agency responsible for providing all health care services or coordinating the delivery of all health care services.

Health care - The sum of all actions, preventive and therapeutic, taken for the physical and mental well-being of the incarcerated person population. The term health care includes medical, both physical and psychological, dental, nutrition, and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

HIPAA - Health Insurance Portability and Accountability Act

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Mental health staff- Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

Physical examination - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation, and percussion of a body to determine the presence or absence of physical signs of disease.

Qualified health care professional - Physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals or other persons who, by virtue of their education, credentials, and experience are permitted by law to evaluate and care for patients within the parameters of their license or certification.

Responsible Physician- An individual licensed to practice medicine and provide health services to the incarcerated person population of the facility, or the physician at an institution with final responsibility for decisions related to medical judgment.

Sick call- The evaluation and treatment of an ambulatory patient, either on- or off-site, by a qualified health care professional.

Special needs - Health conditions that require regular care.

Standing order- Written orders issued by a physician that specify the same course of treatment for each patient suspected of having a given condition and the specific use and amount of prescription drugs (e.g., immunizations, insulin, seizure medications).

Suicidal ideation - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

Treatment plan - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

Triage - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered.

700.2 POLICY

The Sheriff shall select the Responsible Physician in accordance with the Health Authority Policy. It is the policy of this facility that the Responsible Physician should meet with the Jail Commander or their designee at least quarterly. The Responsible Physician should be required to submit a report addressing the effectiveness of the health care system, a description of any environmental or access issues that require improvement, and detail any progress that has been made in previously reported areas. The quarterly meeting should be documented through formal minutes, which should include the names of attendees and a list of the topics discussed. The minutes should be retained in accordance with established records retention schedules.

The data for the quarterly report should be gathered by the Responsible Physician or their designee via regular meetings with facility Command Staff and qualified health care professionals. The meetings should cover the following topics:

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- Health care services
- Quality improvement findings
- Infection control efforts
- Incarcerated person grievances
- Environmental inspections report

700.2.1 STATISTICAL REPORTS

In addition to the quarterly report described above, a statistical report will be provided annually to the Jail Commander. The statistical report will be prepared by the Responsible Physician or their designee and shall include but not be limited to the following (15 CCR 1202):

(a) The number of incarcerated persons receiving health services by category of care

(b) The number of referrals to specialists

(c) Prescriptions written and medications dispensed

(d) Laboratory and X-ray tests completed

(e) Infirmary admissions, if applicable

(f) On-site and off-site hospital admissions

(g) Serious injuries or illnesses

(h) Deaths

(i) Off-site transports

(j) Infectious disease monitoring

(k) Emergency services provided to incarcerated persons

(l) Dental visits provided

(m) Number of health care grievances by category (e.g., medication error, missed appointment, health staff complaint) and whether the grievance was founded or unfounded.

It is the responsibility of the Jail Commander to ensure that copies of the statistical reports and documentation of any remedies implemented are retained in accordance with established records retention schedules.

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Access to Health Care

701.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all incarcerated persons. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked incarcerated persons of the procedure to access health care services and how to use the grievance system, if necessary.

701.2 POLICY

It is the policy of this office that all incarcerated persons, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Nevada County Sheriff's Office facility will provide medical, dental, and mental health services as necessary to maintain the health and well-being of incarcerated persons to a reasonable and socially acceptable standard (15 CCR 1200 et seq.; 15 CCR 1208).

701.3 ACCESS TO CARE

Incarcerated person medical requests will be evaluated by qualified health care professionals. Health care services will be made available to incarcerated persons from the time of admission until they are released. Information regarding how to contact the medical staff will be posted in all incarcerated person housing areas (15 CCR 1200 et seq.; 15 CCR 1208). Medications and community health resources and referrals may be provided upon request when the incarcerated person is released.

Unreasonable barriers shall not be placed on an incarcerated person's ability to access health services. Health care that is necessary during the period of confinement shall be provided regardless of an incarcerated person's ability to pay, the size of the facility, or the duration of the incarcerated person's incarceration. Such unreasonable barriers include:

- Punishing incarcerated persons for seeking care for their health needs.
- Deterring incarcerated persons from seeking care for their health needs by scheduling sick call at unreasonable times.

All routine requests for medical attention shall be promptly routed to a qualified health care professional.

Any female confined in any local detention facility shall upon her request be allowed to continue to use materials necessary for personal hygiene with regard to her menstrual cycle and reproductive system and birth control measures as prescribed by her physician.

Each and every person confined in any local detention facility shall be furnished by the county with information and education regarding the availability of family planning services.

Family planning services shall be offered to each and every incarcerated person at least 60 days prior to a scheduled release date. Upon request any incarcerated person shall be furnished by

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the county with the services of a licensed physician or they shall be furnished by the county or by any other agency which contracts with the county with services necessary to meet their family planning needs at the time of their release.

Any incident of an incarcerated person refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in an incident report. The original incident report shall be forwarded to the Responsible Physician and a copy sent to the Jail Commander.

701.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of incarcerated person complaints and requests on an informal basis whenever possible. To the extent practicable, custody personnel should provide incarcerated persons with opportunities to make suggestions to improve programs and conditions.

Incarcerated persons will be informed of the grievance process during incarcerated person orientation. The grievance process is also explained in the incarcerated person handbook, which all incarcerated persons receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Grievances Policy (15 CCR 1073(a)).

Custody personnel should minimize technical requirements for grievances and allow incarcerated persons to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, incarcerated persons may meet with a qualified health care professional or may submit a written correspondence.

Incarcerated person grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The incarcerated person should be provided with a written response in accordance with the schedule set forth in the Grievances Policy. Responses to incarcerated person grievances should be based on the community standard of health care.

Copies of grievances and the facility's response shall be sent to the Jail Commander, who, in consultation with the Responsible Physician, shall serve as the final authority in response to all incarcerated person grievances.

If an incarcerated person is not satisfied with the response, the incarcerated person may appeal the grievance as outlined in the Grievances Policy.

701.5 POSTING AVAILABLE RESOURCES

A listing of telephone numbers for medical, dental, mental health and ambulance services shall be available at the facility’s medical area and in the primary staff control station, along with a schedule of availability.

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Non-Emergency Health Care

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a daily triage system of incarcerated person requests for health care services. This is to ensure that the health needs of the population are addressed properly and in a timely manner.

702.2 POLICY

It is the policy of this office to provide daily access to qualified health care professionals or health-trained custody staff in order for incarcerated persons to request medical services (15 CCR 1200). All health care requests will be documented, triaged, and referred appropriately by medical staff. Qualified health care professionals will conduct sick call and clinics for health care services on a scheduled basis to ensure a timely response to requests for medical services (15 CCR 1211).

The Responsible Physician, in coordination with the Jail Commander or the authorized designee, is responsible for developing a process that includes:

(a) A process for incarcerated persons to request health services on a daily basis.

(b) A priority system for health care services to acquire and address requests for routine health care, and for urgent or emergent injuries, illnesses, and conditions.

(c) Making health care request forms available in each housing unit and to all incarcerated persons upon request.

(d) A system in which health care requests are documented, triaged, and referred appropriately.

(e) Restrictions that prohibit non-health services personnel from diagnosing or treating an illness.

702.3 HEALTH CARE REQUESTS

During the collection of health care requests from incarcerated persons, care should be taken to protect the confidentiality of the person and the nature of the health issue. The collector shall date and initial the request when the collection takes place. The requests shall be triaged to determine the priority of need and the proper place for health care to be delivered.

Incarcerated persons will be instructed on how to obtain medical services during the incarcerated person orientation process and in the incarcerated persons handbook. Incarcerated persons shall submit a medical request form to the housing unit correctional officer or the health-trained staff delivering medications, or a nurse, if appropriate.

Medical request forms should be available in languages representative of the population. Incarcerated persons who communicate in a language not available in printed form shall have access to interpreter services.

Incarcerated persons with disabilities should be provided with appropriate assistance or accommodation to ensure they are able to request health care services.

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Any correctional officer receiving a medical request shall forward all requests to the jail nurse.

702.4 TRIAGE OF HEALTH CARE REQUESTS

Qualified health care professionals shall perform a daily triage. Sick call shall be available to incarcerated persons at least five days a week and shall be performed by a qualified health care professional.

Other qualified health care professionals should schedule incarcerated persons in need of specialized treatment for the next available providers' clinic. The wait for the next available providers' clinic should not exceed two days. The qualified health care professional shall document the referral in the providers' scheduling book and on the incarcerated person's medical record.

The frequency and duration of sick call should be sufficient to meet the needs of the incarcerated person population but should be conducted at least weekly by a qualified health care professional. If an incarcerated person's custody status precludes attendance at sick call, arrangements shall be made to provide sick call services in the place of the person's detention (15 CCR 1211).

702.5 ELECTIVE PROCEDURES OR SURGERY

Any elective procedures or surgeries submitted to the jail medical provider will be reviewed. Further decisions will be made on a case by case basis by the jail medical provider.

702.6 REQUESTS FOR OUTSIDE MEDICAL CARE

Incarcerated persons who request access to health care services outside the facility may do so with advance authorization from the Jail Commander or the authorized designee. The person shall be required to provide proof of sufficient private funds available to pay for all costs associated with transportation to the off-site facility and all costs associated with the medical services, diagnostics, treatment plans, medications, or any other costs associated with off-site medical care.

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Referrals and Coordination of Specialty Care

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for referring incarcerated persons who need health care or specialty care that is beyond the resources available in the facility. The policy includes guidelines regarding transportation under appropriate security provisions and the formulation of advance written agreements for around the clock or on-call availability of alternate services. Specialty care includes specialist-provided health care, such as nephrology, surgery, dermatology, and orthopedics.

703.2 POLICY

It is the policy of this office that incarcerated persons have access to necessary hospitalization and specialty services for serious medical needs. This facility will provide, either directly or through contracted sources, specialty care and emergency medical services to incarcerated persons when the need is determined by the Responsible Physician or their designee (15 CCR 1206(b); 15 CCR 1206(c)).

703.3 REFERRAL TO OFF-SITE MEDICAL CARE

A qualified health care professional shall evaluate the incarcerated person, and if indicated, shall recommend specialty appointments in writing on the order sheet in the incarcerated person's medical record. A referral form should be completed and any supporting documentation attached. The written referral shall be reviewed and authorized, if appropriate, by the Responsible Physician.

A court order is generally required when an incarcerated person requires medical or surgical treatment necessitating hospitalization. A court order is not required for an incarcerated person in need of immediate medical or hospital care, but an application for a court order should be made as soon as practicable when the person's condition requires them to be gone from the facility more than 48 hours (Penal Code § 4011.5).

703.4 OFF-SITE COORDINATION

The qualified health care professional is responsible for recommending off-site medical and psychiatric care for incarcerated persons, coordinating outside appointments and notifying supervisory custody staff of off-site transportation needs. The Jail Commander should establish a written transportation procedure that ensures incarcerated persons are transported securely and in a timely manner for medical, mental health, dental clinic or other specialty appointments. The procedure shall include the secure transfer of medical information to the receiving health care service.

Any conflicts that arise regarding off-site consultation trips will be communicated by the correctional officer responsible for transportation to the Responsible Physician and the Jail Commander or the authorized designee so that modifications may be made.

The jail supervisor shall determine if transportation issues are impeding the ability of incarcerated persons to access appropriate medical care. Any issues identified shall be discussed and resolved

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between the qualified health care professional and the jail supervisor (15 CCR 1206(c); 15 CCR 1206(n)).

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Emergency Health Care Services

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceeds the licensure or certification of staff who are on-duty, and to define staff training requirements.

704.2 POLICY

It is the policy of this office that emergency medical and mental health services are available 24 hours a day. These services may include off-site health care services.

704.3 PROCEDURES

The Jail Commander or the authorized designee shall work cooperatively with the Responsible Health Care Provider to develop plans and procedures for responding to emergency medical incidents that occur when the level of medical or mental health services needed exceeds the licensure or certification of staff who are on-duty. The plans should include: on-site emergency first aid, basic life support and crisis intervention; emergency evacuation of an incarcerated person from the facility, including security procedures to ensure an immediate transfer when appropriate; on-call physicians, dentist, and mental health professionals; predetermined back-up health care services when the emergency health facility is not located in a nearby community; and the identification of primary, secondary and tertiary acute care facilities.

The plan may additionally include, but is not limited to, these components:

(a) Health-trained staff shall respond to all emergencies immediately upon notification.

(b) Contact information for emergency on-call health care services, both on- and off-site, is available and accessible for facility supervisors.

(c) Qualified health care professionals shall respond by reporting to the area of the emergency with the necessary emergency equipment and supplies.

(d) Emergency equipment and supplies are regularly maintained and accessible to the qualified health care professionals and health-trained custody staff.

(e) Most incarcerated persons will be stabilized on-site and then transferred to an appropriate health care unit, if necessary.

(f) Notification of on-call physicians and mental health staff will be done as soon as the situation reasonably allows.

(g) The qualified health care professionals will determine if the incarcerated person needs to be transported to a local emergency room for treatment.

(h) When necessary, facility staff shall activate 9-1-1 and notify a supervisor as soon as reasonably practicable.

(i) The Jail Commander or their designee will coordinate on the notification of the incarcerated person's next of kin in cases of serious illness and injury. Death notifications will be made in accordance with the Reporting In-Custody Deaths Policy.

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(j) Procedures to implement a program wherein staff may possess and administer epinephrine medication according to Health and Safety Code § 1797.197a and 22 CCR 100027.03, including the retention of related records pursuant to Business and Professions Code § 4119.4.

(k) Procedures to implement a program wherein members may possess and administer opioid overdose medication.

(l) Identifying when court orders to transport prisoners outside the facility for hospitalization may be required and the processes for obtaining those court orders (Penal Code § 4011.5).

(m) Identifying who is responsible to seek a court order when an incarcerated person is expected to be gone from the facility more than 48 hours for medical or surgical treatment necessitating hospitalization (Penal Code § 4011.5).

The goal of any emergency medical response plan is to provide emergency medical care to those in need as expeditiously as possible. While facility size and patient proximity to the health care service will vary, staff training will emphasize responding to medical emergencies as soon as reasonably possible.

704.4 EMERGENCY PROCEDURES

The health services administrator or the authorized designee is responsible for ensuring the following information, equipment and personnel are available in the event an incarcerated person requires emergency treatment (15 CCR 1206(c)):

(a) A current list of names, addresses and telephone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care and custody staff at all times, and should be updated quarterly.

(b) Emergency drugs, equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.

(c) A physician and mental health professional should be available on-call 24 hours a day, seven days a week (this can include off-site health care services) and there should be a back-up health care services plan. Dental emergencies should be referred to the jail medical provider who will coordinate further treatment if necessary.

(d) Ambulances should be accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in place for the transportation of incarcerated persons.

(e) The Sergeant or Officer In Charge will be contacted and informed of any emergency as soon as practicable.

(f) All decisions regarding medical treatment and the need for emergency transportation are to be made by the qualified health care professionals.

(g) Whenever reasonably possible, the on-call health care service should be notified prior to transporting the incarcerated person to the hospital or other emergency care. However, in the event of a life- or limb-threatening emergency, the incarcerated person

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shall be sent to the hospital in the most expedient way possible, which may require notifying the specific health care service after the person has been transported.

704.4.1 CPR REQUIREMENTS

The Jail Commander shall develop CPR procedures for correctional officers consistent with the provisions in 15 CCR 1028, including:

(a) Acceptable CPR methods and application.

(b) Requiring all correctional officers to be CPR-certified and to begin CPR on a nonresponsive person without obtaining approval from a supervisors or medical staff when it is safe and appropriate to do so.

(c) Requiring correctional officers to immediately call for medical aid and administer CPR to nonresponsive individuals unless CPR is contraindicated by known medical conditions.

(d) Instructing correctional officers to use personal protective equipment (PPE) when possible to minimize exposure to bodily fluids and pathogens.

(e) Instructing correctional officers in situations where imminent physical danger prevents the safe administration of CPR, correctional officers shall initiate or resume CPR as soon as the threat is resolved or the nonresponsive individual is safely removed from danger, provided medical assistance has not yet arrived.

(f) Continuing CPR, absent imminent physical danger, until the nonresponsive person shows signs of life, such as breathing or movement, or until health care professionals take over.

(g) Deferring CPR to health care professionals or alternative medical responders if they are present when a person is nonresponsive.

704.5 FIRST-AID KITS

The Responsible Physician or the authorized designee is responsible for determining the contents, number, location and procedures for monthly inspections of all first-aid kits in the facility. The Responsible Physician shall also ensure that (15 CCR 1220):

(a) The contents of each first-aid kit are:

1. Approved by the Responsible Physician.
2. Appropriate for its location.
3. Arranged for quick use.
4. Documented on the outside cover.
5. Inventoried every month.
6. Secured with a plastic tamper-proof seal.
    (a) Once the seal has been broken, the kit should be taken to the medical unit so the contents can be inventoried and restocked.

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(b) Written protocols and training materials are developed for the use of medical supplies and equipment by custody staff.

(c) Inspections and testing of supplies and equipment are documented and maintained in accordance with established records retention schedules.

704.6 TRAINING

The jail medical provider shall ensure that all qualified health care professionals are trained in the delivery of emergency medical services in the custody environment during new employee orientation.

The Jail Commander or the authorized designee shall ensure that all facility staff members who have contact with incarcerated persons receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility and qualified health care professionals. Training should include, but not be limited to:

(a) The location of all emergency medical equipment and medications and the proper use of the equipment, such as AEDs.

(b) How to properly summon internal and external emergency services.

(c) Recognition of basic life support signs and symptoms and the actions required in emergency situations.

(d) Administration of basic first aid.

(e) Certification in CPR in accordance with the recommendations of the certifying health organization, 15 CCR 184, and 15 CCR 1028.

(f) Recognition of the signs and symptoms of mental illness, violent behavior and acute chemical intoxication and withdrawal.

(g) Procedures for incarcerated person transfers to appropriate medical facilities or health care service.

(h) Suicide recognition, prevention and intervention techniques.

All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in each qualified health care professional's training file in accordance with established records retention schedules. The Responsible Physician should be bound by similar requirements in the contractual language between the Office and the vendor.

704.7 AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Responsible Physician or the authorized designee is responsible for ensuring that an Automated External Defibrillator (AED) is available in the facility and that all jail medical provider staff members are trained in its use. All correctional staff will be trained in the use of the AED. The AEDs shall be inspected and tested at a frequency consistent with the manufacturer’s recommendations to ensure functionality.

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704.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

704.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Manager.

Any member who administers an opioid overdose medication should contact the Regional Dispatch Center as soon as possible and request response by EMS.

704.8.2 DESTRUCTION OF OPIOID OVERDOSE MEDICATION

The Training Manager shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

704.8.3 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report and attach a Naloxone Utilization Report. (See attached) The Naloxone Utilization Report shall be provided to the Training Manager. The Training Manger shall provide the Naloxone Utilization Report to the local S-SV EMS Agency as directed by the report.

See attachment: Naloxone Utilization Report.pdf

704.8.4 OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT

Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9). The Training Manager is responsible for issuing opioid overdose medications and opioid overdose medication records.

704.8.5 OPIOID OVERDOSE MEDICATION TRAINING

The Training Manager should ensure initial and refresher training is provided to deputies authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

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Health Care for Pregnant Incarcerated Persons

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for incarcerated persons who are pregnant. Services may include assistance recovering from the effects of potentially unhealthy lifestyles, which could include tobacco use, alcohol and drug abuse or addiction, and a lack of previous adequate medical care. Because of unhealthy lifestyle choices prior to incarceration, many incarcerated person pregnancies are classified as high-risk. This policy is intended to protect the health of the pregnant person and the fetus.

705.2 POLICY

It is the policy of this office that a qualified health care professional should provide comprehensive prenatal and postpartum care for all pregnant persons during their incarceration.

All pregnant and postpartum incarcerated persons shall receive appropriate timely, culturally responsive, and medically accurate and comprehensive care, evaluation, and treatment of existing or newly diagnosed chronic conditions, including mental health disorders and infectious diseases (Penal Code § 4023.8).

705.3 BOOKING - PREGNANCY SCREENING

When booking an incarcerated person who is identified as possibly pregnant or capable of becoming pregnant, the following steps shall be taken:

(a) All incarcerated persons shall be asked if they are pregnant. They shall be offered a voluntary pregnancy test upon intake or by request, within 72 hours of arrival at the jail and administered by medical or nursing personnel (Penal Code § 4023.8(a)).

1. If a test is declined, the incarcerated person shall be asked to sign an Informed Refusal of Pregnancy Test form, and the form shall be filed in the incarcerated person's medical file.

(b) Incarcerated persons confirmed to be pregnant shall, within seven days of arriving at the jail, be scheduled for a pregnancy examination with a physician, nurse practitioner, certified nurse midwife, or physician assistant and examined as provided by Penal Code § 4023.8(d).

1. A plan of care, including referrals for specialty and other services to evaluate for the presence of chronic medical conditions or infectious diseases, and to use health and social status of the incarcerated person to improve quality of care, isolation practices, level of activities, and bed assignments, and to inform appropriate specialists in relationship to gestational age and social and clinical needs, and to guide use of personal protective equipment and additional counseling for prevention and control of infectious diseases, if needed.

2. A determination of the gestational age of the pregnancy and the estimated due date.

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(c) Pregnant incarcerated persons who appear to be under the influence of or withdrawing from alcohol or other substances shall be referred to a qualified health care professional.

(d) The Responsible Physician, in collaboration with facility staff, shall ensure the proper clinic visits are scheduled in accordance with appropriate medical standards as provided in Penal Code § 4023.8(e).

(e) A medical record should be opened with a notation indicating pregnancy.

(f) The incarcerated person should be interviewed by a qualified health care professional for the following information, which should be written in the medical record:

1. Last menstrual period (LMP)
2. Estimated date of conception (EDC)
3. Estimated due date (40 weeks from EDC)
4. Number of pregnancies (gravidity)
5. Number of live births (parity)
6. Therapeutic abortions (TAB)
7. Spontaneous abortions (SAB), aka miscarriages
8. Prenatal care history
9. Current medications
10. Any current adverse symptoms: vaginal bleeding or discharge, abdominal cramping or pain (if yes, notify on-site or on-call physician)
11. High-risk factors, if known: drug or alcohol use/abuse, smoking, previous pregnancy problems, other medical problems (cardiac issues, seizures, diabetes/DM, hypertension/HTN)
12. If use of an opioid or methadone is identified, notify the on-site or on-call physician for orders. The incarcerated person shall be offered medication-assisted treatment and shall be provided information on the risks of withdrawal (Penal Code § 4023.8(i)).

(g) Each pregnant incarcerated person should have:

1. A completed special diet form ordering a pregnant diet.
2. An appointment at the next available obstetric clinic if the person is 10 or more weeks gestation.

(h) Each pregnant incarcerated person shall (Penal Code § 4023.8):

1. Have access to daily prenatal vitamins in accordance with medical standards of care.
2. Be assigned to the lower bunk and lower-tier housing for those housed in a multi-tier housing unit.

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705.4 HOUSING EXCEPTIONS

Incarcerated persons who are known to be pregnant may be housed in any unit appropriate for their classification, with the following exceptions:

(a) All pregnant incarcerated persons identified at intake or the obstetric clinic to be high-risk or who are in their last trimester of pregnancy shall be housed in the medical unit.

(b) Housing in the medical unit shall be by order of the obstetric specialist or the Responsible Physician.

705.5 COUNSELING AND TREATMENT REGARDING PROPER CARE

The Office will provide all necessary counseling and treatment to pregnant incarcerated persons to ensure they are receiving the proper care. To accomplish this, the following shall occur:

(a) The directions of the obstetric specialist shall be followed throughout the pregnancy and postnatal period. No non-medical staff has the unilateral authority to change or overrule an order or care recommendation made by the Responsible Physician. The Jail Commander and Responsible Physician shall develop a process by which perceived conflicts between medical orders/recommendations and safety and security interests of the jail can be discussed and resolved. Ultimately, the jail must provide adequate treatment for an incarcerated person's medical needs.

(b) The Responsible Physician shall be consulted immediately if a patient is under 10 weeks gestation and has medical concerns.

(c) Any pregnant incarcerated person with medical problems that occur between scheduled obstetric appointments shall be seen by a qualified health care professional. If the qualified health care professional assesses the problem as urgent and a physician is not available on-site, the person shall be sent to the hospital for evaluation.

(d) The incarcerated person shall be advised to notify health-trained custody staff immediately of the following:

1. Vaginal bleeding
2. Acute, persistent abdominal or pelvic pain and/or severe cramping
3. Leaking fluid
4. Decreased or no fetal movement
5. Headache or blurred vision
6. Rapid weight gain with swelling (edema)
7. Abnormal vaginal discharge
8. Symptoms of a urinary tract infection (UTI)
9. Fever

(e) Postpartum examinations and additional appointments shall be scheduled by the obstetric clinic as needed.

(f) 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 the

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person's choice in order to determine pregnancy. The Jail Commander 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 extent of medical and surgical services needed from the medical professional of the person's choice. Expenses incurred by the services not provided by the Jail shall be borne by the incarcerated person (Penal Code § 4023.6).

705.6 RESTRAINTS

Incarcerated persons who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy and other policies related to medical treatment and transportation outside the secure facility.

705.6.1 REQUIRED PROCEDURES

The health authority shall, in cooperation with the Jail Commander, develop procedures in conformance with Penal Code § 3407 for the application and removal of restraints on pregnant incarcerated persons. The procedures shall be reviewed and updated at least every two years (15 CCR 1206).

705.7 INCARCERATED PERSONS IN LABOR

An incarcerated pregnant person may elect to have a support person present during labor, childbirth, and during postpartum recovery while hospitalized. The support person may be an approved visitor or the jail’s staff designated to assist with prenatal care, labor, childbirth, lactation, and postpartum care.

All pregnant and postpartum incarcerated persons shall receive appropriate, timely, culturally responsive, and medically accurate and comprehensive care, evaluation, and treatment of existing or newly diagnosed chronic conditions, including mental health disorders and infectious diseases.

An incarcerated pregnant person in labor and delivery shall be given the maximum level of privacy possible during the labor and delivery process. If a guard is present, they shall be stationed outside the room rather than in the room absent extraordinary circumstances. If a guard must be present in the room, the guard shall stand in a place that grants as much privacy as possible during labor and delivery. A guard shall be removed from the room if a professional who is currently responsible for the medical care of a pregnant incarcerated person during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of the guard is medically necessary.

705.8 ABORTIONS

All incarcerated persons shall have access to an abortion. Incarcerated persons can request an abortion by sending a kiosk request to medical or during any medical evaluation with a qualified health care professional. An incarcerated person who chooses to have an abortion shall be requested to sign a statement acknowledging that the incarcerated person 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. Indigent incarcerated persons will not be charged for medical services.The jail shall provide necessary transportation and supervision for such services. Staff members who object to

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facilitating an incarcerated persons elective abortion (including arrangements, transportation, and security) should not be required to perform such duties.

705.8.1 STATE REQUIREMENTS FOR ABORTION

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)).

705.8.2 REQUIRED POSTED NOTICE

The rights provided for pregnant incarcerated persons by Penal Code § 4023.6, Penal Code § 4023.8, and Penal Code § 4028 shall be posted in at least one conspicuous place that all incarcerated persons can access.

705.9 ADVISEMENT AND COUNSELING

Incarcerated persons who are pregnant shall be advised of the provisions of this policy manual, the Penal Code, and the standards established by the Board of State and Community Corrections related to pregnant incarcerated persons (Penal Code § 3407(e); 15 CCR 1058.5).

A qualified health care professional or counselor shall provide comprehensive, nondirective, unbiased, and noncoercive counseling and information to pregnant incarcerated persons regarding their options, including but not limited to prenatal health care, adoption, and abortion. Staff shall not urge, force, or otherwise influence a pregnant incarcerated persons decision (15 CCR 1206(f); Penal Code § 4023.5; Penal Code § 4023.8(b)).

Pregnant incarcerated persons shall also be referred to a social worker regarding options for feeding, placement, and care of the child after birth, including the benefits of lactation (Penal Code § 4023.8(k)).

705.10 INCARCERATED PERSONS IN LABOR AND POSTPARTUM CARE

Pregnant incarcerated persons who are in labor or are presumed to be in labor shall be treated as an emergency and shall be transported in the least restrictive way possible to a hospital outside the jail accompanied by jail staff (Penal Code § 4023.8(l)).

Pregnant incarcerated persons may have an approved support person present during labor, childbirth, and postpartum recovery while hospitalized (Penal Code § 4023.8(m)).

Incarcerated persons shall be given the maximum level of privacy possible during the labor and delivery process as provided in Penal Code § 4023.8(o).

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Upon an incarcerated person's return to the jail, a physician, nurse practitioner, certified nurse midwife, or physician assistant shall provide a postpartum examination within one week from childbirth and as needed for up to 12 weeks postpartum, and shall determine whether the incarcerated person may be cleared for full duty or if medical restrictions are warranted. Postpartum incarcerated persons shall be given at least 12 weeks of recovery after childbirth before they are required to resume normal activity (Penal Code § 4023.8).

705.10.1 INCARCERATED PERSON ACCESS TO NEWBORN CARE

The Responsible Physician should ensure than an incarcerated person is provided access to newborn care that includes access to appropriate assessment, diagnosis, care, and treatment for infectious diseases that may be transmitted from the incarcerated person to the infant (Penal Code § 4023.8(f)).

705.10.2 NOTICE OF SERVICES AFTER INCARCERATION

The Responsible Physician should ensure that eligible incarcerated persons who give birth after incarceration are provided notice of, access to, and written application for community-based programs serving pregnant, birthing, or lactating incarcerated persons (Penal Code § 4023.8(j)).

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Health Authority

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the responsibility of the health authority as arranging for all levels of health services, assuring the quality of all health services, identifying lines of medical authority for the incarcerated person health program, and assuring that incarcerated persons have access to all health services.

The policy also establishes properly monitored processes, policies, procedures, and mechanisms to ensure that the contracted scope of services is adequately and efficiently delivered.

The health authority is defined as the Responsible Physician, health services administrator, or health agency responsible for providing all health care services or coordinating the delivery of all health care services (see the Health Care Administrative Meetings and Reports Policy).

706.2 POLICY

The health authority is responsible and accountable for all levels of health care and has the final authority regarding clinical issues within this jail. The health authority is responsible for establishing, implementing, and annually reviewing/revising policies for all clinical aspects of the health care program and for monitoring the appropriateness, timeliness and responsiveness of care and treatment. The health authority also approves all medical decisions and protocols.

706.3 SELECTION PROCESS

The Sheriff or the authorized designee shall select a health authority using an existing office procurement or selection process. The individual or organization selected shall be designated as the health authority for incarcerated person health care on behalf of the facility.

Aside from any monetary or term considerations, the contract between the Office and the selected individual or organization shall minimally include:

(a) Language establishing the scope of services being contracted and the type of health care service needed.

(b) Job descriptions, minimum qualifications, and performance expectations for contract personnel.

(c) Language requiring the contractor to develop appropriate measures and review processes for assessing the quality, effectiveness, and timeliness of the services provided and periodically reporting those findings to the facility.

(d) Identification of a Responsible Physician, who shall serve as the medical authority on treatment matters requiring medical expertise and judgment.

(e) Language regarding the minimum frequency that the health authority shall be present at the facility.

(f) The roles and responsibilities of staff in ensuring that the contractor may adequately deliver services in a safe and secure environment.

(g) A written plan for coordinating medical care from multiple health care services.

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(h) A written plan for the collection and maintenance of incarcerated person health records that is compliant with the Health Insurance Portability and Accountability Act (HIPAA).

(i) Identification of a dispute resolution process for the contracted parties and for incarcerated persons who may be questioning treatment plans.

(j) Language and a plan addressing liability and indemnification for issues related to incarcerated person health care.

The health authority shall be authorized and responsible for making decisions about the deployment of health resources and the day-to-day operation of the health services program. If the health authority is other than a physician, any final clinical judgments shall rest with a single designated Responsible Physician.

The health authority or the authorized designee will meet at least monthly with custody representatives to discuss the health care program and any issues that require correction or adjustment.

Security regulations are applicable to facility staff and health care personnel (15 CCR 1200(a)).

706.4 PROVISION OF HEALTH CARE

The health authority is responsible for arranging the availability of health care services. The qualified health care professionals should determine what medical services are needed on a case-by-case basis. The Jail Commander shall provide the administrative support for making the health care services available to incarcerated persons. Clinical decisions are the sole province of qualified health care professionals and should not be countermanded by non-health care professionals.

If routine health services are provided by medical personnel outside this facility, all office policies regarding treatment, transfer, transportation, or referral of emergencies shall be followed.

The health authority is responsible for ensuring that the health services manual complies with all applicable state and federal law and that a review and update is conducted annually.

An annual audit of the quality and adequacy of health care services shall be done, with corrective action taken when deficiencies are identified (15 CCR 1202).

706.5 LACTATION PROGRAM

The health authority, in cooperation with the Jail Commander, shall develop a program with written procedures for lactating incarcerated persons to express breast milk for feeding their infants or toddlers, cessation of lactation or weaning, and for maintaining their breast milk supply pending delivery to an approved person or the incarcerated person's release (Penal Code § 4002.5).

The health authority should ensure that the policy is posted in all locations where medical care is provided and is communicated to members who interact with or oversee pregnant or lactating incarcerated persons (Penal Code § 4002.5).

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Health Appraisals

707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process for conducting health appraisals on all incarcerated persons following their arrival at this facility and for the continuity of care for incarcerated persons who remain in custody for extended periods. Further, it is to ensure the incarcerated person's health care needs are met and that health care started at one facility continues as needed.

707.2 POLICY

It is the policy of this office that all incarcerated persons will receive a comprehensive health appraisal within 14 days of incarceration unless there is documented evidence that the incarcerated person has received a health appraisal within the previous 90 days. In addition to the initial health appraisal, the person should have an annual evaluation to reassess their health status and to provide access to preventive medicine through education and lifestyle programs.

707.3 INITIAL HEALTH APPRAISAL

(a) Qualified health care professionals shall have access to the daily incarcerated person roster. From this, they can determine who needs a health appraisal and hands-on physical evaluation. The health appraisal should include:

1. A review of earlier medical screening information.
2. Administration of a skin test for tuberculosis (TB).
3. Recording of height and weight.
4. Recording of vital signs (blood pressure, pulse, respiration rate, and temperature).
5. Ordering other tests or examinations as appropriate.
6. The collection of any additional data needed to complete medical, dental, psychiatric, and immunization histories.

(b) Incarcerated persons shall be scheduled for a hands-on physical evaluation by a qualified health care professional within 14 days of arrival at the jail. The evaluation shall include:

1. Review of the medical screening.
2. Review of the health history questionnaire.
3. Review of all vital signs and TB skin test results.
4. A medical examination, including a review of mental and dental status.
5. Initiation of treatment or therapy, as appropriate.
6. Development and implementation of a treatment plan, including recommendations for housing, job assignment, and program participation.

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The Responsible Physician or their designee shall review and authorize all health appraisals within 72 hours.

707.3.1 PRISON RAPE ELIMINATION ACT (PREA) SCREENING FOLLOW-UP
Incarcerated persons who have an identified history of sexual victimization shall be offered a follow-up meeting with a qualified health care or mental health provider within 14 days of intake screening (28 CFR 115.81).

707.4 ANNUAL HEALTH EXAMINATIONS

The Responsible Physician will determine the criteria for periodic health examinations for incarcerated persons. Incarcerated persons should be scheduled for an annual health examination within a month of the person's annual incarceration anniversary (15 CCR 1208.5). The examination should include:

- A review of current vital signs and weight.
- A TB skin test and review of the results.
- An evaluation of any health-related issues arising since the last health evaluation.
- Initiation of treatment, as appropriate.
- Any updates to the incarcerated person treatment plan.
- Any other specific components determined by the Responsible Physician based on the age, gender, and health of the incarcerated person (15 CCR 1208.5).

All incarcerated persons should also be examined prior to release to protect both the incarcerated person and the public.

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Healthy Lifestyle Promotion

708.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the Office's commitment to promote healthy lifestyle choices by incarcerated persons by providing health education and self-care learning opportunities that include classes, audio and video presentations, and brochures and pamphlets.

708.2 POLICY

This office will encourage incarcerated persons to maintain a healthy lifestyle by providing health education and wellness information.

708.3 HEALTH CARE ENCOUNTERS

During health care encounters, the qualified health care professionals should instruct incarcerated persons at the time service is rendered on how to avoid preventable diseases, such as athlete's foot, flu and the common cold, tooth decay, and sexually transmitted diseases. Such instruction should be documented in the health record. Documentation should include the topics discussed, the written materials provided, if any, and that the incarcerated person acknowledged an understanding of the information.

Informative brochures from various health organizations should also be available to incarcerated persons in the medical unit.

Appropriate topics for incarcerated person education include:

- Access to health care services
- Dangers of self-medication
- Personal hygiene and dental care
- Prevention of communicable diseases
- Education about smoking cessation
- Family planning
- Self-care for chronic conditions
- Self-examination for health concerns
- The benefits of physical fitness
- Chronic diseases and disabilities
- Counseling in preparation for release
- Domestic violence
- Medications
- Nutrition
- Sexually transmitted diseases

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- Substance abuse
- Tuberculosis

708.4 GENERAL HEALTH PROMOTION INFORMATION

Whenever possible, written materials and audio and video presentations should be made available to incarcerated persons for educational purposes. These materials are often available in bulk quantity through the public health department and other community-based organizations.

All items intended for distribution to the incarcerated person population shall be approved by the Jail Commander to avoid any conflict with rules regarding contraband in the facility.

Classes should also be conducted to inform the incarcerated person on various healthy lifestyles. Class schedules should be posted in advance, curriculum and lesson plans developed, and attendance rosters maintained.

All documentation regarding health education and self-care should be retained in incarcerated person medical files in accordance with established records retention schedules. Statistics on program offerings and attendance may be used to determine program effectiveness and interest.

708.5 FAMILY PLANNING SERVICES

All incarcerated persons shall be offered family planning services at least 60 days prior to a scheduled release date (Penal Code § 4023.5).

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Transfer Screening

709.1 PURPOSE AND SCOPE

This policy recognizes that incarcerated persons are frequently transferred within the correctional authority's system and to facilities outside the system. This policy establishes a process for medical screening of transferred incarcerated persons to ensure continuation of care and avoid unnecessary diagnostics.

709.2 POLICY

It is the policy of this office that incarcerated persons who are transferred to another jail, correctional system, or health care facility will be screened prior to transfer to ensure that the receiving facility can assume and continue proper care. Medical needs of the incarcerated person will be clearly communicated to the receiving facility, including the ongoing treatment plan, scheduled surgeries, and outside appointments.

Incarcerated persons who are transferred to other facilities shall be sent with a discharge summary that includes information about the incarcerated person's medical and mental health condition, the current treatment plan, and any medications, if needed (15 CCR 1206(n)).

709.3 TRANSFERS

Any incarcerated person being transferred to another correctional or health care facility will be medically screened prior to transfer as described below.

The medical screening should include:

(a) A determination of whether the incarcerated person is being treated for a medical, mental health, or dental problem.

(b) A determination of whether the incarcerated person has any apparent, current medical, mental health, or dental needs or complaints.

(c) What medication, if any, the incarcerated person is presently prescribed.

(d) Whether the incarcerated person has any evidence of abuse or trauma.

(e) Whether the incarcerated person has any physical deformities or special daily living assistance needs.

(f) The incarcerated person's classification and clearance status (i.e., general population, separation).

(g) Whether the incarcerated person has any pending follow-up appointments or requirements.

Completed discharge summaries, including the medical screening results, shall accompany incarcerated persons being transferred to another office's jurisdiction to ensure that the receiving health care service can assume and continue necessary care. A release of information authorization is not required.

- Current health conditions

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- Current treatments and medications
- Upcoming appointments and diagnostic studies
- Allergies
- Copies of any health information that is critical to continuity of care

If the receiving facility requests a copy of the medical record, it will be supplied within five working days.

The discharge summary and any related medical records being transferred shall be placed in a file or envelope that maintains the confidentiality of the incarcerated person's medical information. The transporting personnel shall be provided separate written instructions regarding medication or health interventions, including necessary precautions that are required en route. The transporting personnel shall also document on the transfer log the date, time, and name of the person receiving the incarcerated person and the medical records.

709.3.1 EXTENDED TRANSPORTATION OF INCARCERATED PERSONS

When an incarcerated person will be in transfer status for several days and housed temporarily at various custody facilities along the way, a medical transfer packet shall be prepared by the qualified health care professional in a form that will advise the temporary housing facilities of any medical needs of the incarcerated person. When medically appropriate, a small supply of medication should be provided with the medical transfer packet so it will be available to the temporary housing facility as needed.

709.4 RECEIVING TRANSFERRED INCARCERATED PERSONS

When an incarcerated person being transferred to this facility arrives without a full and comprehensive medical transfer packet from another facility, the incarcerated person shall be medically screened and receive a comprehensive health appraisal in accordance with the Medical Screening Policy and Health Appraisals Policy. The medical department of the sending facility should be promptly contacted to determine if the transferred incarcerated person has any medical needs that require immediate attention or any scheduled surgeries or appointments with community health care services. Arrangements should then be made with the sending facility for the delivery of a more detailed review of the incarcerated person's medical needs.

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Medical Screening

710.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked inmates so that medical, mental health and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

710.2 POLICY

It is the policy of this office that a medical screening be performed on all incarcerated persons upon arrival at the intake area to ensure that existing, emergent, and urgent health care, dental, or mental health needs are identified, risks are assessed, and incarcerated persons with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (15 CCR 1051; 15 CCR 1206.5(a); 15 CCR 1207).

710.3 ELEMENTS OF MEDICAL SCREENING

Jail staff will conduct an initial screening of an incarcerated person/arrestee. All incarcerated persons will be referred to the Jail Medical Provider for further evaluation prior to acceptance into the jail.

A medical screening shall be performed and retained by the Jail Medical Provider. A review of any positive finding shall be performed by a qualified health care professional.

Regardless of training, no incarcerated person should be allowed to conduct health care evaluations or provide treatment to any other incarceratedperson.

All incarceratedpersons shall complete a medical screening as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the screener will complete as much of the health assessment as reasonably possible and the arrestee will be closely observed until the arrestee cooperates with the remainder of the screening process.

The Jail Medical Provider should work cooperatively with the Jail Commander to develop the medical screening forms, which should be applicable for general health, mental health and suicide screening purposes. The forms should be completed no later than 24 hours after the arrival of an incarceratedperson but prior to an incarceratedperson being housed in the general population. All medical screening forms shall be forwarded to the medical unit and the qualified health care professionals shall be alerted to those that need priority attention.

710.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the incarcerated person's prior jail medical record, if any, and document the following:

- History of infectious or communicable diseases that are considered serious in nature; current treatment, symptoms, medications, chronic illness, or health issues, including communicable diseases, or special health requirements, and/or dietary needs (15 CCR 1051)

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- Acute dental problems
- Past and recent serious communicable disease symptoms (e.g., chronic cough, coughing up bloody sputum, lethargy, weakness, weight loss, loss of appetite, fever, night sweats) (15 CCR 1051)
- Mental illness, including psychiatric hospitalizations within the last three months
- Gender issues
- History of or current suicidal ideation
- Acute allergies
- History of or current prescription or illegal drug use, including the time of last use
- History or current symptoms of substance abuse withdrawal
- Current, recent, or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disabilities, body deformities, or other physical abnormalities
- Incarcerated persons who have given birth in the past year and are charged with murder or attempted murder of their infants shall be referred to mental health services at the time of booking (15 CCR 1207.5)
- Any other health issues as identified by the Responsible Physician

Qualified health care professionals should assist in developing specific mental health medical screening questions and should provide training in analyzing incarcerated person responses. The Responsible Physician should establish the role of the qualified health care professional in the medical screening process.

Should the medical screening identify a need for a more comprehensive medical assessment of the incarcerated person, a qualified health care professional should initiate appropriate follow-up action, which may include transporting the incarcerated person to an off-site medical facility.

710.3.2 MEDICAL SCREENING OBSERVATION

When the initial jail medical screening has been referred to the jail medical provider, the medical staff member completing the medical screening observation shall document the following observations:

- Appearance (e.g., sweating, tremors, anxious, disheveled)
- Behavior (e.g., disorderly, appropriate, insensible)
- State of consciousness (AVPU):
    - Alert - spontaneously responsive
    - Verbal - requires verbal stimulation to respond
    - Pain - requires painful stimulation to respond

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- Unresponsive - does not respond
- Ease of movement (e.g., body deformities, gait)
- Breathing (e.g., persistent cough, hyperventilation)
- Skin (e.g., lesions, jaundice, rashes, infestations, bruises, scars, recent tattoos, needle marks or other indications of drug abuse)
- Any other observable health symptoms

The Jail Medical Provider should develop a procedure through which it can be reliably determined what prescription medications the incarceratedperson is taking and the medical urgency for continuing those medications without interruption.

710.3.3 PREGNANCY SCREENINGS

A person incarcerated in a county jail who is identified as possibly pregnant or capable of becoming pregnant during an intake health examination, or at anytime during incarceration, shall be offered a pregnancy test upon intake or by request within 72 hours of arrival at the jail. A pregnancy test shall be voluntary and not mandatory and may be administered only by medical personnel. An incarcerated person who declines a pregnancy test shall be asked to sign an Informed Refusal of Pregnancy Test that shall become part of their medical file.

710.3.4 DOCUMENTATION

Written documentation of the medical screening should include the name of the screener, the date and time, and the following information:

- Immediate or scheduled referral to a medical, dental, or mental health professional
- Guidance regarding housing placement, including disciplinary detention if necessary (15 CCR 1051)
- Guidance regarding activity limitations and work assignment
- The incarcerated person's responses to questions asked by the interviewer
- Other individualized observations and recommendations

The initial medical screening should become part of the incarcerated person's medical record and should be retained in accordance with established records retention schedules.

710.4 MEDICAL SCREENING DISPOSITIONS

Persons who are brought to the facility and are obviously in need of immediate medical attention shall be referred to an emergency medical facility for clearance. Conditions that require a medical clearance prior to booking include but are not limited to the following:

- Unconsciousness
- Uncontrolled bleeding
- Significant injuries from a motor vehicle accident

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- Significant injuries from an altercation
- Significant injuries from handcuffs or other restraint devices
- Knife wounds, gunshot wounds, or lacerations
- Exposure to pepper spray, conducted energy device (CED) deployment, or blunt force trauma during arrest
- Intoxication to a degree that the individual cannot speak coherently or stand or walk unaided
- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Suspected or known complications of diabetes
- Exhibits behavior indicating a potential danger to themselves or others
- Active tuberculosis or other serious contagious diseases
- Actively suicidal
- Any other medical condition, which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel

Incarcerated persons with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This office requires medical clearance from an outside entity when such incarcerated persons are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements, and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

Based upon the information obtained during the screening process, the medical classification disposition of the incarcerated person shall determine the incarcerated person's housing status.

710.5 HEALTH APPRAISAL

Generally, a comprehensive health appraisal should occur within 14 days of booking (see the Health Appraisals Policy). However, when it is appropriate and based on an incarcerated person's health condition, an early health appraisal should be recommended. An incarcerated person may also be cleared for housing in general population with a prompt referral to the appropriate health care services when it is in accordance with the incarcerated person's overall classification. Upon the identification of an incarcerated person who may be in a behavioral crisis, a qualified mental health professional's or qualified health care professional's opinion will be secured within 24 hours, or next sick call, whichever is earliest (15 CCR 1052).

710.5.1 MEMBERS CONDUCTING HEALTH APPRAISALS

Medical screening should be completed by licensed health personnel (15 CCR 1207).

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710.5.2 TELEHEALTH

Telehealth may be incorporated into procedures used to identify and evaluate incarcerated persons who may be in a behavioral crisis (15 CCR 1052).

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Mental Health Services

711.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all incarcerated persons have access to mental health services and that incarcerated persons identified as needing these services are referred appropriately.

711.1.1 DEFINITION

Definitions related to this policy include:

Mental health services - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological, and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

711.2 POLICY

It is the policy of this office that a range of mental health services shall be available for any incarcerated person who requires them (15 CCR 1206(g); 15 CCR 1207; 15 CCR 1209).

711.3 MENTAL HEALTH SERVICES

The Jail Commander and the jail medical provider should collaborate with the local public and private organizations that offer mental health services, treatment, and care to those incarcerated persons in need of such services.

In coordination with the health authority, the Responsible Physician or their designee, and the Jail Commander, such services shall include but are not limited to (15 CCR 1209):

- Identification and referral of incarcerated persons with mental health needs.
- Mental health treatment programs provided by qualified staff, including the use of telehealth.
- Crisis intervention.
- Basic mental health service provided to incarcerated persons as clinically indicated.
- Medication support services.
- Suicide prevention.
- Referral, transportation, and admission to licensed mental health facilities for incarcerated persons whose psychiatric needs exceed the treatment or housing capability of the facility (Penal Code § 4011.6; Penal Code § 4011.8).
- Provision of health services sufficiently coordinated such that care is appropriately integrated, medical and mental health needs are met, and the impact of any of these conditions on each other is adequately addressed.
- Obtaining and documenting informed consent.
- Release planning services.

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711.4 BASIC MENTAL HEALTH SERVICES

Incarcerated persons may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process, and self-referral or staff referral. Qualified health care professionals should respond to all referrals in a timely manner and initiate the appropriate treatment services.

(a) If the incarcerated person has received previous mental health treatment, the incarcerated person should be asked to complete a release of information form so that treatment records can be obtained.

(b) Incarcerated persons who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources. Arrangements for more comprehensive mental health care may be made, if appropriate.

(c) Incarcerated persons who are identified as having developmental disabilities should be evaluated for special housing needs. The qualified health care professional should work in cooperation with classification personnel to establish the best, reasonably available housing option.

(d) Incarcerated persons who are suspected or known to have a developmental disability should receive a mental health appraisal by the qualified health care professional or health-trained custody staff as soon as reasonably practicable but no later than 24 hours after booking. Contact will be made with the regional center within 24 hours, excluding holidays and weekends, when an incarcerated person is suspected or confirmed to have a developmental disability. Incarcerated persons who have a developmental disability should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing a person with a developmental disability (15 CCR 1057).

(e) Incarcerated persons enrolled in mental health treatment, including psychiatric medication management, should be provided information regarding the risks and benefits to treatment. Informed consent documents should be signed by the incarcerated person to establish the incarcerated person's consent to treatment. The signed forms should be placed in the incarcerated person's health record and retained in accordance with established records retention schedules.

(f) A treatment plan should be established for all incarcerated persons enrolled in mental health services.

1. Psychiatric and special needs treatment plans shall be reviewed every 180 days, at a minimum. Incarcerated persons taking psychotropic medication should be seen by a psychiatrist at least every 90 days. Incarcerated persons classified as requiring mental health special needs should be seen at least monthly by a qualified health care professional.

2. Incarcerated persons enrolled in other ongoing forms of mental health treatment should have treatment plan updates completed every six months, at a minimum.

3. Incarcerated persons who present to the qualified health care professional as having notable difficulty adjusting to the correctional environment, but who are not diagnosed with a serious mental illness, should be evaluated for the

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appropriateness of mental health treatment. Consideration should be given to the qualified health care professional and the facility staff working together to address the issues that may be affecting the incarcerated person's ability to adjust to incarceration.

(g) The qualified health care professional should utilize a site-specific suicide prevention program to ensure the safety of incarcerated persons who present with a risk of self-harm.

1. Qualified health care professionals should be assigned to daily rounds in the separation unit to determine the mental health status of incarcerated persons housed there.
2. Separated incarcerated persons may be referred by the jail staff to qualified health care professionals for follow-up if concerns arise regarding their ability to function in disciplinary detention.

(h) If the qualified health care professional has concerns about the level of mental health services that are required to manage an incarcerated person housed in the facility, the health authority shall be notified and the Responsible Physician or their designee shall be the decision-maker regarding the health care needs of the incarcerated person.

1. The Responsible Physician or their designee may consult with a psychiatrist, specialist, or other health care service in determining whether the incarcerated person should be transferred to a facility that is better equipped to handle the incarcerated person's psychiatric needs.
2. The Responsible Physician or their designee should notify the Jail Commander of the request to transfer the incarcerated person for medical treatment.
3. The case review and disposition of the patient should be documented in the incarcerated person's health record and retained in accordance with established records retention schedules.

Incarcerated persons determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

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Mental Health Screening and Evaluation

712.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which all incarcerated persons receive an initial mental health screening by qualified mental health staff or health-trained custody staff using an instrument developed by qualified health care professionals. The initial mental health screening takes place at the time of booking, and is for the safety of the incarcerated person and the general population. It helps the custody staff to make appropriate classification and housing decisions and to ensure that the treatment and intervention needs of the person are met.

712.2 POLICY

It is the policy of this office that all individuals booked into the facility shall receive a brief jail mental health screening. Any individual flagged during this process will receive an initial mental health screening by a qualified health professional or qualified mental health staff. A more comprehensive medical appraisal shall be conducted within the first 14 days of incarceration to confirm the initial findings and to ensure that, if needed, an appropriate treatment plan that meets the individual needs of the incarcerated person is in place (15 CCR 1052; 15 CCR 1209(a)(1)).

Field officers arresting mothers for PC 187 or PC 664/187 on their infant children, in which the mother is a year or less postpartum, shall clear the incarcerated person for booking at the hospital. If the incarcerated person has not been medically cleared, medical staff will refer the incarcerated person to the Emergency Room for medical clearance. The healthcare provider will coordinate mental health treatment with the contact psychiatrist or Licensed Clinical Social Worker.

712.3 MENTAL HEALTH SCREENING

The initial screening is designed to identify whether mental health conditions exist that require immediate or ongoing intervention. The screening shall be performed prior to the incarcerated person being placed in general housing and should include:

(a) Inquiry into whether the incarcerated person is or has:
    1. Thoughts or history of suicidal behavior.
    2. Been prescribed or is taking psychotropic medication or antidepressants.
    3. Been treated for mental health issues.
    4. A history of psychiatric treatment.
    5. A history of treatment for substance abuse or been treated for substance abuse.

(b) Any observations of:
    1. Appearance and behavior.
    2. Abuse, injury, or trauma.
    3. Symptoms of aggression, depression, psychosis.

(c) A determination of whether the incarcerated person is cleared for or referred to:

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1. General housing.
2. General housing with mental health referral.
3. Mental health emergency treatment.

This information shall be recorded on the receiving screening form. It will become part of the incarcerated person's health record and be retained in accordance with established records retention schedules.

712.4 MENTAL HEALTH APPRAISAL

All new incarcerated persons shall receive a mental health appraisal by a qualified mental health professional within 14 days, unless documentation exists that an appraisal has been completed within the previous 90 days. Mental health appraisals should include but not necessarily be limited to the following assessments:

- Mental health status
- Suicide potential
- Violence potential
- Previous psychiatric treatment
- Any history of treatment with psychotropic medication or antidepressants
- Substance abuse or treatment for substance abuse
- Educational history
- Sexual abuse victimization (28 CFR 115.81)
- Predatory behavior or perpetrated sexual abuse (28 CFR 115.81)

712.5 MENTAL HEALTH REFERRALS

Qualified mental health staff should administer a complete and thorough evaluation of incarcerated persons referred for treatment as soon as practicable but no later than 14 days from the referral. The evaluation should include:

- Review of the incarcerated person's screening and appraisal information.
- Observations of the incarcerated person's behavior.
- Information gathered from interviews and testing to determine the incarcerated person's mental health condition, intellect, personality, problems, and ability to deal with a custody environment.
- Collection of the incarcerated person's mental health history.

Following the evaluation, a plan of treatment and maintenance, which may include a complete psychological evaluation, should be developed to meet the incarcerated person's needs.

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Special Needs Medical Treatment

713.1 PURPOSE AND SCOPE

This purpose of this policy is the proper treatment and management of incarcerated persons with chronic diseases and special needs. This is accomplished by utilizing nationally recognized, generally accepted clinical guidelines and establishing communication between qualified health care professionals and custodial personnel.

713.1.1 DEFINITIONS

Definitions related to this policy include:

Chronic disease - An illness or condition that affects an individual's well-being for an extended interval, usually at least six months, and generally is not curable but can be managed for optimum functioning within any limitations the condition creates in the individual.

Chronic disease program - The incarcerated person has regular clinic visits during which a qualified health care professional monitors the medical condition and adjusts treatment as necessary. The program also includes patient education for symptom management.

713.2 POLICY

It is the policy of this office that all individuals identified as having chronic diseases or special needs are enrolled in a chronic disease program to decrease the frequency and severity of the symptoms, prevent disease progression and complication, and foster improved function.

When a qualified health care professional recognizes that an incarcerated person requires accommodation due to a special need, correctional personnel should be notified in writing. Consultation between the qualified health care professional and custodial personnel should occur regarding the condition and capabilities of persons with known special needs prior to a housing, work or program assignment, transfer to another facility, or the imposition of disciplinary action.

Qualified health care professionals shall furnish special needs information regarding incarcerated persons to custodial personnel in order for them to accurately classify and house persons in the facility. It is the responsibility of the Jail Commander or the authorized designee to ensure that persons with special needs are receiving the proper care and that their needs are effectively communicated to custodial staff for appropriate accommodation (15 CCR 1206(g)).

713.3 CLINICAL PRACTICE GUIDELINES

The Responsible Physician or the authorized designee is responsible for establishing and annually reviewing clinical protocols to ensure consistency with the National Clinical Practice Guidelines.

The clinical protocols for the management of chronic disease and special needs include but are not limited to the following:

- Asthma
- Communicable diseases

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- Incarcerated persons with developmental disabilities
- Diabetes
- Dialysis
- Frail or elderly incarcerated persons
- High blood cholesterol
- HIV
- Hypertension
- Mental illness
- Mobility impairments
- Pregnancy
- Seizure disorder
- Suicidal ideation
- Terminally ill
- Tuberculosis

713.4 DOCUMENTATION

Documentation in an incarcerated person's medical record should include information regarding the chronic disease protocols deployed, the person responsible for the various protocols, the extent to which the chronic disease protocols are being followed, and should include but not be limited to:

- The frequency of follow-up for medical evaluation.
- How the treatment plan was adjusted when clinically indicated.
- The type and frequency of diagnostic testing and prescribed therapeutic regimens.
- The prescribed instructions for diet, exercise, adaptation to the correctional environment, and medication.
- Clinical justification of any deviation from the established protocol.

A master list of all chronic disease and special needs patients should be maintained by the Responsible Physician or the authorized designee.

713.5 CHRONIC CARE PROGRAM

(a) Newly incarcerated persons shall receive a medical screening. This screening includes the documentation of any acute or chronic health problems or injuries, special needs, and any medications or treatments the incarcerated person is currently receiving.

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1. If the person has been incarcerated previously, their health records should be reviewed.
2. A special needs communication form should be completed and sent to the classification unit, the Sergeant or Officer in Charge, and the housing officer to ensure the person is properly housed.
3. Current medications being taken by the incarcerated person should be verified and continued as deemed appropriate by the Responsible Physician.
4. A health assessment shall be completed within 14 days of incarceration and a physical examination conducted within six months of incarceration.
5. The status of a special needs incarcerated person should be evaluated, at minimum, every 90 days to determine the need for the continued designation.

(b) The Jail Commander or the authorized designee and the Responsible Physician or the authorized designee should consult with one another prior to taking action regarding any special needs incarcerated person with regard to housing, program or work assignments, disciplinary measures, or transfers to other facilities.

1. When immediate action is required and prior consultation is not reasonably practicable, that consultation should occur as soon as practicable but no later than 72 hours post-action.

(c) Individual treatment plans are used to guide treatment for episodes of illness. The format for treatment planning may vary, but should include, at a minimum:

1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment, and medication.

(d) Reasonable effort should be made to obtain health information and records from previous health care services, with the consent of the incarcerated person, when the person has a medical problem that was being treated prior to incarceration.

(e) Upon transfer to another correctional facility, a summary of the person's current condition, medications, and treatment plan will be forwarded to the receiving facility in a sealed envelope to maintain incarcerated person privacy.

(f) Requests for health information from community health care services must be submitted with the person's written consent. If the incarcerated person does not consent, the community health care service may be advised that the person is an incarcerated person and the health information may not be provided without the person's written consent.

(g) Critical specialty medical procedures or treatment, such as dialysis, which cannot be provided at the Nevada County Sheriff's Office do not require a court order unless the care is expected to prevent the incarcerated person from returning within 48 hours (Penal Code § 4011.5).

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(h) When incarcerated persons are sent out of this facility for emergency or specialty treatment, written information regarding the person's current medical status and treatment should accompany the incarcerated person. Upon return to the facility, treatment recommendations from outside health care services should be reviewed by the Responsible Physician or the authorized designee for any changes in the custodial environment or in-house treatment plan.

(i) Incarcerated persons identified as developmentally disabled shall be considered for discharge planning services.

1. The local center for the developmentally disabled will be contacted within 24 hours of incarceration of a person with developmental disabilities.
2. Referrals will be made to the jail's discharge planning specialist. If no such position exists, the need for transition planning should be noted on the treatment plan.

(j) With the incarcerated person's written consent, the health services staff should:

1. Share necessary information with outside health care services.
2. Arrange for follow-up appointments.
3. Arrange for transfer of health summaries and relevant parts of the health record to community providers or others assisting in planning or providing for services upon release.

(k) Contacts with community providers should be documented via an administrative note in the patient's health record.

(l) Patients with serious mental health issues, including those receiving psychotropic medication, will be informed about community options for continuing treatment and provided with follow-up appointments when possible.

(m) Medications should be provided as appropriate.

(n) The Responsible Physician is responsible for ensuring that local site-specific procedures facilitate discharge planning.

713.6 INCARCERATED PERSONS WITH DEVELOPMENTAL DISABILITIES

Incarcerated persons suspected of or exhibiting symptoms of a developmental disability at the time of booking will be referred to facility medical staff. If at any time after booking an incarcerated person shows signs of a developmental disability, the person will be referred to medical staff for evaluation.

Housing considerations will be discussed by the Sergeant or Officer In Charge, medical staff, and classification officer. Incarcerated persons with suspected developmental disabilities will be segregated when the incarcerated person's safety would be jeopardized in general population. Incarcerated persons who fall into this category will be classified according to their particular abilities and will be administratively segregated from other incarcerated persons.

Facility medical staff will contact the Alta California Regional Center within 24 hours of intake on any incarcerated person suspected or confirmed to be developmentally disabled for the purposes

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of diagnosis and/or treatment within 24 hours of such determination, excluding holidays and weekends. A directory of regional centers is available on the internet at https://dds.ca.gov/rc/. It is not possible to meet the 24 hour deadline, then a telephone call and a follow up letter will be sent to the regional center as soon as possible advising the center that we have a person with developmental disabilities in custody.

If the incarcerated person is already a client of the regional center, they could be provided services by the center while in custody. If the incarcerated person is not a client, the person must meet the definition as described above. If the regional center does not accept an incarcerated person, an appeal process through the Client's Rights Office of each center may be initiated.

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Communicable Diseases

714.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for facility staff to assist in minimizing the risk of contracting and/or spreading communicable diseases. The policy offers direction in achieving the following goals:

(a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD), and other potentially infectious substances.

(b) Providing appropriate treatment for ill incarcerated persons while minimizing the risk of the spread of disease.

(c) Making decisions concerning the selection, use, maintenance, limitations, storage, and disposal of personal protective equipment (PPE).

(d) Ensuring proper reporting to local, state, and federal agencies.

(e) Establishing procedures for the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, and follow-up care for new incarcerated persons, and for incarcerated persons or employees who have contracted a communicable disease from an ill person.

(f) Providing appropriate treatment, counseling, and confidentiality should an employee become exposed to a communicable disease.

(g) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

714.1.1 DEFINITIONS

Definitions related to this policy include:

Aerosol transmissible disease (ATD) - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

Aerosol transmissible disease (ATD) exposure - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

Airborne precautions - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for

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infectious agents such as measles, chickenpox, or tuberculosis in addition to medical personnel wearing masks or respirators.

Bloodborne pathogens (BBP) - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

Bloodborne pathogen exposure - Includes but is not limited to the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions, or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

Ectoparasitic infections - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

HBV - Hepatitis B

HIV - Human Immunodeficiency Virus

Medical isolation - Housing in a separate room with a separate toilet, hand-washing facility, soap and single-service towels, and with appropriate accommodations for showering.

NIOSH - National Institute for Occupational Safety and Health

Nosocomial - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

OSHA - Occupational Safety and Health Administration

Personal protective equipment (PPE) - Respiratory equipment, garments, gloves, and other barrier materials designed to reduce employee exposure to hazards.

Source control measures - The use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

Standard precautions - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes), and mucous membranes. Applies to all incarcerated persons receiving care, regardless of diagnosis or presumed infection status.

Universal precautions - A set of precautions designed to prevent transmission of HIV, HBV, and other bloodborne pathogens when providing first aid or health care.

714.2 POLICY

It is the policy of this office to maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, follow-up and proper reporting to local, state and federal agencies of communicable

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diseases. The program is designed to ensure that a safe and healthy environment is created and maintained for all occupants of the facility (15 CCR 1051; 15 CCR 1206.5; 15 CCR 1206(i)).

714.2.1 EXPOSURE CONTROL PERSONNEL

The Jail Commander or their designee shall be responsible for:

(a) Establishing written procedures and a training program related to BBPs.

(b) Establishing written procedures and a training program related to ATDs.

(c) Develop and administer any additional related policies and practices necessary to support the effective implementation of an Exposure Control Plan (ECP), including specific symptoms that require separation of an incarcerated person until a medical evaluation is completed (15 CCR 1051).

(d) Acting as a liaison during OSHA inspections and conducting program audits to maintain a current ECP.

(e) Ensuring the Training Sergeant maintains a current list of facility staff requiring training, develops and implements a training program, maintains class rosters and quizzes, and periodically reviews the training program.

(f) Reviewing and updating the ECP annually, on or before January 1 of each year.

Supervisors are responsible for exposure control in their respective areas. They shall work directly with the Training Sergeant and the affected employees to ensure that the proper procedures are followed.

714.2.2 PROCEDURES

The Jail Commander or their designee and the jail medical provider shall be responsible for establishing, implementing and maintaining effective written procedures for the following:

(a) Incorporating the recommendations contained in the CDC's "Respiratory Hygiene/ Cough Etiquette in Healthcare Settings."

(b) Screening and referring cases and suspected cases of ATD to appropriate facilities within five hours of identification.

(c) Creating a multidisciplinary team, including the Responsible Physician or their designee, and security and administrative representatives, who will meet at least quarterly to review and discuss communicable disease issues and activities. The Compliance Officer shall retain minutes of these meetings in accordance with established records retention schedules. Jail administrators shall coordinate with the local public health entity on appropriate policy and procedure.

(d) Conducting an assessment on the incidence and prevalence of tuberculosis (TB) within the facility's population and the surrounding community. If the statistics indicate a risk, the ECO shall develop a written plan that addresses the management of TB, from testing to follow-up care.

(e) Communicating with employees, other employers and the local health officer regarding the suspected or diagnosed infectious disease status of referred incarcerated persons, including notification of exposed employees.

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(f) Reducing the risk of ATDs through the ECP and reviewing the plan at least annually.

(g) Reducing the risk of exposure to BBPs (HIV, hepatitis).

(h) Providing a system of medical services for employees who may become exposed to communicable diseases during the course of their employment.

(i) Ensuring that all employees who have occupational exposure to communicable diseases participate in a training program at the time of their initial assignment, at least annually thereafter, and any time there is a change in working conditions.

(j) Making all exposure and treatment plans available for employees, employee representatives and NIOSH review.

(k) Establishing procedures to ensure that members request exposure notification from health facilities after potential exposure to a person who may have a communicable disease who has been transported to a health facility and that the employee is notified of any exposure as required by Health and Safety Code § 1797.188.

(l) Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

(m) Acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other office members to fulfill the role when not available. The designated officer shall ensure that the name, title and telephone number of the designated officer is posted on the office website (Health and Safety Code § 1797.188).

714.3 COMMUNICABLE DISEASE PROGRAM COMPONENTS

See attachment: POLICY ECP-ATD.pdf

See attachment: POLICY ECP-BBP.pdf

714.3.1 SURVEILLANCE

Surveillance takes place throughout the period of the incarcerated person's confinement and is done in a variety of encounters and inspections. These include but are not limited to the following:

(a) **Medical screening** - Each newly booked incarcerated person shall be evaluated for health care needs and signs and symptoms of infectious disease. The receiving screening includes questions regarding known symptoms of TB, HIV, sexually transmitted diseases (STDs), and HBV. The individual completing the medical screening should observe the incarcerated person for obvious signs of infection (15 CCR 1206.5(a)).

(b) **Health assessment** - Incarcerated persons shall have a health assessment within the first 14 days of incarceration. The health assessment process includes screening for symptoms of communicable disease. Incarcerated persons will have a Purified Protein Derivative (PPD) test or a chest X-ray for TB and a blood test for STDs. Voluntary HIV testing is provided based on identified risk.

(c) **Periodic health assessments** - Annual testing for TB is performed on all incarcerated persons who are in the facility for one year or more.

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(d) **Sick call and referrals** - At any time during incarceration, an incarcerated person may request to be evaluated for an infectious disease through the sick call process. Health and correctional staff can request that an incarcerated person be evaluated if they notice any signs of potentially infectious disease.

(e) **Contact investigation** - When an incarcerated person housed in the general population develops symptoms of an infectious disease, the Responsible Physician or their designee should work cooperatively with the Jail Commander or the authorized designee and the public health department to provide appropriate screening and testing of potentially exposed persons.

(f) **Environmental health and safety inspections** - The health and safety of the facility environment shall be inspected by the local public health entity and reported to the Jail Commander at least quarterly in a written report. Conditions identified as adversely affecting the health and safety of the incarcerated persons and/or employees or visitors shall be promptly addressed and corrected.

714.3.2 IDENTIFICATION

Any incarcerated person suspected of having a communicable disease will be evaluated by a qualified health care professional as soon as reasonably practicable. Incarcerated persons suspected of having communicable diseases will be appropriately isolated until disease confirmation and the period of communicability is determined. Long-term housing consideration will be based upon the classification status as well as the behavior, medical needs, and safety of incarcerated persons and staff. These incarcerated persons shall be examined by a qualified health care professional within 24 hours. The instructions of the qualified health care professional regarding care of the patient and sanitizing of eating utensils, clothing, and bedding shall be carefully followed (15 CCR 1206.5(a); 15 CCR 1206.5(b)(6)).

714.3.3 TREATMENT

Qualified health care professionals shall provide care as directed by the Responsible Physician and consistent with scientific evidence-based medicine (15 CCR 1206.5(a)).

(a) The Responsible Physician and the Jail Commander shall collaborate on treatment planning with the public health department, as appropriate.

(b) Complete documentation of the signs, symptoms, diagnostic results, treatment and outcome of care provided to incarcerated persons who are suspected or confirmed as having a communicable disease will be entered into the incarcerated person's health record.

714.3.4 COMMUNICATION

The Responsible Physician or their designee shall ensure the following notifications are made whenever a communicable disease is identified (15 CCR 1206.5(b)(3); 15 CCR 1206.5(b)(8)):

(a) Notification to the public health department of all reportable diseases and conditions shall be made as soon as practicable. This is done by completing appropriate forms, and if necessary, contacting the public health department directly for situations of multiple spread occurrences.

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(b) The Responsible Physician and the Jail Commander shall be kept informed of any incidence of communicable disease.

(c) The Jail Commander shall be apprised of any medical situation that raises the risk of disease level for incarcerated persons, correctional officers, or any other staff members.

714.3.5 CONTINUOUS QUALITY IMPROVEMENT

A continuous quality improvement (CQI) committee shall be formed consisting of the Responsible Physician or their designee, the Jail Commander or the authorized designee and a representative from the public health entity. The purpose of the committee is to monitor infection control issues and evaluate infection control processes to ensure effectiveness.

Monthly statistics should be collected by health care services and assembled into a report presented by the Responsible Physician or the authorized designee, detailing surveillance activities, disease identification and cases treated. The committee should meet quarterly and should discuss topics specific to infection control and communicable disease. Minutes of the meetings should be retained in accordance with established records retention schedules.

714.3.6 EMPLOYEE TRAINING

The Responsible Physician or the authorized designee shall provide education to all correctional staff who have contact with infected incarcerated persons during the initial employee orientation and annually thereafter. The Personnel and Training Unit shall schedule the initial orientation training and the Training Sergeant shall schedule the annual training. All associated records shall be retained in accordance with established records retention schedules.

714.3.7 DATA COLLECTION AND REPORTING

The health authority shall be responsible for ensuring the systematic collection and analysis of data to assist in the identification of problems, epidemics, or clusters of nosocomial infections. All reportable illnesses as defined by the public health department shall be reported as required (15 CCR 1206.5(b)).

714.3.8 STANDARD PRECAUTIONS

Standard precautions shall be used by health care practitioners to minimize the risk of exposure to blood and bodily fluids of infected patients. The health authority shall be responsible for establishing basic guidelines including but not limited to (15 CCR 1206.5(b)(4)):

- Washing hands or using hand sanitizer before and after all patient or specimen contact.
- Handling all blood and bodily fluids such as saliva, urine, semen, and vaginal secretions as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed infectious.
- Wearing gloves for potential contact with blood and other bodily fluids.
- Placing used syringes immediately in a nearby, impermeable container. Do not recap or manipulate any needle in any way.

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- Wearing protective eyewear and a mask if splatter with blood or other body fluids is possible.
- Handling all linen soiled with blood and/or bodily secretions as infectious.
- Processing all laboratory specimens as infectious.
- As appropriate, wearing a mask for TB and other ATDs.

714.3.9 TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

(a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles and chicken pox.

1. An incarcerated person requiring airborne precautions should be assigned to a designated airborne infectious isolation room (AIIR) which complies with OSHA standards. If an AIIR is unavailable, the patient must be transferred to a facility with an AIIR. The incarcerated person should wear a mask during transport. Any employee transporting the incarcerated person must wear a mask.

(b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air, and usually do not travel beyond a few feet of the incarcerated person. These particles are produced when an incarcerated person coughs, talks or sneezes. Examples of disease requiring droplet precautions are meningococcal meningitis, influenza, mumps and German measles (rubella).

1. All staff should wear masks within 3 feet of the incarcerated person. Incarcerated person movement should be restricted to the minimum necessary for effective facility operations. The incarcerated person should wear a mask during transport.

(c) Contact precautions are designed to prevent the spread of organisms from an infected incarcerated person through direct (touching the incarcerated person) or indirect (touching surfaces or objects the incarcerated person touched) contact. Examples of inmates who might be placed in contact precautions are those infected with the following:

1. Antibiotic-resistant bacteria
2. Hepatitis A
3. Scabies
4. Impetigo
5. Lice

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The following guide shall be used to determine the appropriate precautions that are necessary to reduce the risk of infection transmission while incarcerated persons are being transported. Incarcerated persons shall receive training on the disease transmission process and will be provided with appropriate barrier devices.

Precautions for Incarcerated person Contact and Transportation

	GLOVES	**SURGICAL MASKS**	**N95 MASKS**	**ISOLATION GOWNS**
Contact				
Incacerated person	No	No	No	No
Personnel	Yes	No	No	Yes
Droplet				
Incarcerated person	No	Yes	No	No
Personnel	No	Yes	No	Yes
Airborne				
Incarcerated person	No	Yes	No	No
Personnel	No	No	Yes	No

714.3.10 ENVIRONMENTAL HEALTH AND SAFETY

The Responsible Physician or the authorized designee shall conduct a monthly inspection of areas where health services are provided to verify the following:

- The equipment is inspected and maintained to the manufacturer’s recommendations.
- The area is clean and sanitary.
- The appropriate measures are being taken to ensure the unit is occupationally and environmentally safe.

714.3.11 REGULATED WASTE

The Office in coordination with the health authority, will provide for the management of biohazardous materials and waste and the establishment of a protocol for the decontamination of equipment used in medical and dental treatment. Medical and dental equipment decontamination shall comply with all applicable local, state and federal regulations. Precautions may include, but are not limited to:

(a) Discarding biohazardous waste in red plastic bags marked with the word BIOHAZARD and displaying the international symbol for biohazardous material. Contaminated disposable PPE contaminated with bodily fluids shall be discarded in these receptacles.

(b) Whenever a large amount of fluid blood is present, an absorbent powder should be used to gelatinize the fluid, which should assist in clean up. Standard precautions shall be used when removing the product, that should then be placed in a red biohazard bag.

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(c) Used biohazard bags shall be stored in covered, rigid waste receptacles in designated locations pending removal by a biohazard waste removal contractor.

(d) Records documenting biohazardous waste removal, spore count logs and cleaning logs shall be retained in accordance with established records retention schedules.

714.4 ECTOPARASITE CONTROL

Ectoparasite control will be initiated, where clinically indicated, immediately following the medical screening or when the incarcerated person manifests signs and symptoms of lice or scabies (15 CCR 1212).

(a) Any incarcerated person who indicates parasitical infection upon entering the facility shall be treated by a qualified health care professional.

(b) Any incarcerated person suspected of having lice/scabies may be referred to sick call by a correctional officer.

(c) An incarcerated person may access sick call if the person believes there is a problem with lice/scabies.

(d) A qualified health care professional shall evaluate any incarcerated person with a lice/scabies complaint. If there are positive findings, the incarcerated person shall be treated for the infestation accordingly.

1. The lice and scabies treatment guidelines will be followed by the qualified health care professional, if a physician's order for the medication administration is obtained.

    (a) The prescribing physician shall be notified if the incarcerated person is pregnant, as certain medications are contraindicated for pregnant persons. An alternative topical application must be prescribed in these situations.

    (b) Documentation in the medical record should include the patient's symptoms, observations regarding the condition, patient education, and prescribed treatment.

2. The incarcerated person's clothing and linen shall be removed from the person's cell placed in a plastic bag and sent to the laundry. These items are considered contaminated and must be disinfected by:

    (a) Machine washing (hot cycle), machine drying (hot cycle), dry cleaning or ironing, or

    (b) Storage in a plastic bag for non-washable items for 10-14 days (head lice), seven days (pubic lice). This method is not recommended for body lice.

    (c) Isolation is not necessary as long as clothing and bedding are properly disinfected and incarcerated persons do not share items.

        1. An incarcerated person having poor hygiene should be housed in a single cell until 24 hours after beginning treatment.

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2. Gloves are to be used for direct contact until the incarcerated person has been treated and the clothing/bedding have been removed for disinfecting.

3. Cell mates, sexual partners, and any personnel having direct hands-on contact with an infected incarcerated person should be evaluated for prophylactic treatment because of the long incubation period of the scabies parasite.

714.5 EMPLOYEE EXPOSURE CONTROL

All facility staff who may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any incarcerated person and when handling the personal belongings of an incarcerated person.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books, personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm, and handling contact lenses shall be prohibited in areas where the potential for exposure exists.

714.5.1 IMMUNIZATIONS

All facility staff members who may be exposed to, or have contact with, a communicable disease shall be offered appropriate treatment immunization. The ability of staff to provide health care services is predicated on a safe and secure working environment where employees feel safe to do their work, and that assures public safety.

Staff shall also receive a TB test prior to job assignment and voluntary annual testing thereafter, at no cost to the employee.

The HBV immunization shall be available to all employees who have direct incarcerated person contact and who test negative for HBV antibodies. The immunization is voluntary and provided at no cost to the employee. Employees who decline the offer of immunization and/or test shall be required to sign a waiver. Employees receiving immunization and testing shall be required to sign a consent form. Employees may reverse their decision to decline at any time by signing a consent form.

714.5.2 PERSONAL PROTECTIVE EQUIPMENT (PPE)

The PPE is the last line of defense against communicable disease. Therefore, the following equipment is available to all personnel to assist in the protection against such exposures:

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- Disposable medical gloves
- Safety glasses or goggles
- Rescue mask with a one-way valve
- Alcohol (or similar substance) to flush skin

The PPE should be inspected at the start of each shift and replaced immediately after each use and when it becomes damaged.

714.5.3 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is not reusable (e.g., disposable gloves), it shall be discarded in an appropriate waste container.

Any PPE that becomes punctured, torn or loses its integrity shall be removed as soon as reasonably feasible. The employee shall wash up and replace the PPE if the job has not been terminated. If the situation resulted in a contaminated non-intact skin event, the affected area shall be decontaminated as described below.

A contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container. The gloves shall be included with the waste.

714.5.4 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or body fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of the employee's body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required. All hand, skin, and mucous membrane washing that takes place shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms, or other locations not designated as a cleaning or decontamination area.

714.5.5 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as reasonably feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing

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may be washed in soap and hot water, do so as soon as reasonably possible - dry cleaning may be necessary. The cost of dry cleaning shall be paid according to labor contract agreements.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of replacement shall be paid according to labor contract agreements.

714.5.6 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as reasonably feasible.

714.5.7 DECONTAMINATION OF THE CLEANING AREA

The ECO shall designate a location in the facility that will serve as the area for cleaning/ decontamination. This area is to be used to keep equipment clean and sanitary and for employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking of cigarettes and consumption of food and drink are prohibited in this area at all times.

714.6 SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (needles) unless they are assisting medical personnel or collecting them for evidence. Unless required for reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when possible, shall be into a puncture-proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors and knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one’s self or any other person. In addition, if a sharp object contains known or suspected blood or other body fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be touched, protective gloves shall be worn.

714.7 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected employee exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employees.

714.7.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE

To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee's immediate supervisor. Employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases (15 CCR 1206.5(b)(8)).

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714.7.2 SUPERVISOR REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

(a) Name and employee identification number of the employee exposed

(b) Date and time of incident

(c) Location of incident

(d) What potentially infectious materials were involved

(e) Source of material or person

(f) Current location of material or person

(g) Work being done during exposure

(h) How the incident occurred or was caused

(i) PPE in use at the time of the incident

(j) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the employee of the laws and regulations concerning disclosure of the identity and infectious status of a source, and of information contained in this policy regarding source testing.

It is the responsibility of the exposed employee’s supervisor to ensure testing is sought according to the guidelines in this policy.

714.7.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any employee who was exposed or who suspects the employee was exposed to HIV or to hepatitis B or C should be seen by a physician or qualified health care professional as soon as reasonably possible. The employee's supervisor should contact the Personnel and Training Unit. The Personnel and Training Unit will facilitate further medical treatment for the exposed employee and address workers' compensation matters.

714.7.4 COUNSELING

The Office shall provide the exposed employee (and the employee's family if necessary) the opportunity for counseling and consultation (e.g. Employee Assistance Program).

714.7.5 CONFIDENTIALITY OF REPORTS

Most of the information involved in this process must remain confidential. The Personnel and Training Unit shall ensure that all records and reports are kept in the strictest confidence. The Personnel and Training Unit shall be responsible for maintaining records containing the employee’s treatment status and the results of examinations, medical testing and follow-up procedures.

The Office's risk manager shall be responsible for keeping the name and Social Security number of the employee and copies of any information provided to the consulting health care professional on file.

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This information is confidential and shall not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (15 CCR 1206.5(b)(5)).

714.7.6 SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed employee or when it is otherwise appropriate.

There are five methods to obtain such testing. It is the responsibility of the Jail Commander or their designee to ensure the proper testing and reporting occurs. These methods are:

(a) Obtaining voluntary consent from any person who may be the source of an exposure to test for any communicable disease.

(b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C.

(c) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing.

(d) Seeking a court order when the person who may be the source of an exposure will not consent to testing and the exposure does not fall under a statutory scheme for testing. This covers testing for any communicable disease as deemed appropriate by a qualified health care professional and documented in the request for the court order.

(e) Under certain circumstances, a court may issue a search warrant for testing an adult when an employee of the Nevada County Sheriff's Office qualifies as a crime victim.

714.7.7 EXPOSURE FROM A NON-INCARCERATED PERSON

Upon notification of an employee's exposure to a non-incarcerated person (e.g., visitor, attorney, volunteer, vendor) the exposed employee's supervisor should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is provided, the following steps should be taken:

(a) A qualified health care professional should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the qualified health care professional deems appropriate.

(b) The voluntary informed consent obtained by the qualified health care professional must be in writing and include consent for three specimens of blood. The exposed employee's supervisor should document the consent as a supplement to the Exposure Control Report.

(c) The results of the tests should be made available to the source and the exposed employee.

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If consent is not obtained, the exposed employee's supervisor should notify the Jail Commander or their designee who, in turn, should promptly consult with the County Counsel and consider requesting that a court order be sought for appropriate testing.

714.7.8 EXPOSURE FROM AN INCARCERATED PERSON

If the Sergeant or Officer in Charge receives notification from an employee of a potential exposure from an incarcerated person, they should take the following steps:

(a) Seek consent from the person who was the source of the exposure and seek a court order, if consent is refused.

(b) Take reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer will order testing.

(c) Remain in contact with the county health officer to determine whether testing of the incarcerated person will occur and whether the testing satisfies the medical needs of the employee.

(d) The results of the tests should be made available to the incarcerated person and the exposed employee.

Since there is potential for overlap between the two statutory schemes, the Jail Commander or their designee is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

If the exposed employee is not covered by either statutory scheme, the Jail Commanderor their designee should seek consent or a court order in the same manner as for a non-incarcerated person.

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Detoxification and Withdrawal

715.1 PURPOSE AND SCOPE

Significant percentages of incarcerated persons have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those persons who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

This policy also identifies protocols to be used by qualified health care professionals. These protocols are appropriate for incarcerated persons who are under the influence of alcohol or drugs or who are experiencing withdrawal from any type of substance abuse.

715.1.1 DEFINITIONS

Definitions related to this policy include:

Alcohol withdrawal - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

Detoxification - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

715.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this office to provide proper medical care to incarcerated persons who suffer from drug or alcohol overdose or withdrawal.

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

The Responsible Physician shall develop written medical protocols on detoxification symptoms necessitating immediate transfer of the incarcerated persons to a hospital or other medical facility, and procedures to follow if care within the facility should be undertaken (15 CCR 1213).

Incarcerated persons who are booked into the facility who are participating in a narcotic treatment program shall, with the approval of the director of the program, be entitled to continue in the program until conviction (Health and Safety Code § 11222).

715.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects

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that an incarcerated person may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify a qualified health care professional and Sergeant or Officer In Charge.

715.4 MEDICAL STAFF RESPONSIBILITY

The qualified health care professional will evaluate the incarcerated person using approved protocols in order to determine the most appropriate care plan, which will be based on the patient's history, current physical status, and treatment needs. Any patient who cannot be safely treated in the facility will be referred to an appropriate treatment facility off-site.

715.5 PROCEDURE

Incarcerated persons who are observed experiencing severe, life-threatening intoxication (overdose) or withdrawal symptoms will be promptly seen by a qualified health care professional or referred to an off-site emergency facility for treatment. Detoxification shall be conducted under medical supervision at the facility or in a hospital or community detoxification center under appropriate security conditions.

If the qualified health care professional determines that an incarcerated person is at risk for progression to a more severe level of withdrawal, the person will be appropriately housed in an area where they can be kept under constant observation by qualified health care professionals.

715.6 WITHDRAWAL AND DETOXIFICATION PROTOCOLS

Protocols are available to the qualified health care professionals to guide the care and treatment of individuals who are intoxicated or experiencing drug and/or alcohol withdrawal. These protocols, which have been developed and approved by the Responsible Physician, fall within nationally accepted guidelines and are reviewed annually.

When dealing with persons who are in a custody situation, qualified health care professionals shall utilize detoxification protocols in accordance with local, state, and federal laws.

No direct supervision is required at the time of identifying and initiating care. Overall supervision is provided by the Responsible Physician. Qualified health care professionals shall evaluate and provide care to patients utilizing written procedures and/or physician orders.

715.7 ALCOHOL WITHDRAWAL SYMPTOMS CHART

The following chart describes typical symptoms of mild, moderate, and severe withdrawal. It is to be used as a guide for determining when to refer incarcerated persons to a qualified health care professional. Not all symptoms are always present.

	MILD	**MODERATE**	**SEVERE** (Delirium Tremens)
ANXIETY	Mild restlessness and anxiety	Obvious motor restlessness	Extreme restlessness and agitation with appearance of intense fear is common
APPETITE	Impaired appetite	Marked anorexia	Often rejects all food and fluid except alcohol

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BLOOD PRESSURE	Normal or slightly elevated systolic	Usually elevated systolic	Elevated systolic and diastolic
CONFUSION	Oriented, no confusion	Variable confusion	Marked confusion and disorientation
CONVULSIONS	No	May occur	Severe convulsions are common
HALLUCINATIONS	No hallucinations	Often vague, transient visual and auditory hallucinations and delusions, often with insight, often occurring only at night	Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences
MOTOR CONTROL	Inner "shaky"	Visible tremulousness	Gross uncontrollable shaking
NAUSEA	Nausea	Nausea and vomiting	Dry heaves and vomiting
PULSE	Tachycardia	Pulse 100-120	Pulse 120-140
SLEEP		Marked insomnia and nightmares	Total wakefulness
SWEATING	Restless sleep or insomnia	Obvious	Extreme

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Clinical Performance Enhancement

716.1 PURPOSE AND SCOPE

This office recognizes the importance of ensuring that qualified health care professionals are competent in their clinical skills and that the clinical performance enhancement review addresses areas in need of improvement.

716.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical performance enhancement review - The process of having a qualified health care professional's work reviewed by another professional (peer review) of at least equal training in the same general discipline (e.g., review of the facility's physicians by the Responsible Physician).

Independent review - The assessment of a qualified health care professional's compliance with discipline-specific and community standards. The review is an analysis of a practitioner's clinical practice. This review may be conducted by someone who may or may not be directly employed by the institution. However, if the review was prompted by an incarcerated person complaint, the reviewing practitioner must not have been previously involved in the care of that incarcerated person.

716.2 POLICY

It is the policy of the jail medical provider to conduct an annual peer review of all qualified health care professionals. The clinical performance enhancement review process is neither an annual performance review nor a clinical case conference process. It is a professional review focused on the qualified health care professional’s clinical skills. Its purpose is to enhance competence and address areas in need of improvement.

An immediate peer review may be authorized by the Responsible Physician if serious problems of practice arise with a specific qualified health care professional.

716.3 COMPONENTS OF THE CLINICAL PERFORMANCE ENHANCEMENT

The clinical performance enhancement review process is to be conducted annually on all qualified health care professionals. The result of these reviews shall be kept confidential. Documentation from the review shall include:

- Name of the individual being reviewed.
- Date of the review.
- Name and credentials of the reviewer.
- Confirmation that the review was shared with the qualified health care professional.
- Summary of findings and corrective action, if any.

If a clinical performance enhancement review identifies a serious concern, the Responsible Physician or their designee shall implement an independent review by someone who is not directly

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employed by this office. The result of this review shall be shared with the appropriate health care service by the Responsible Physician, and a plan of correction shall be implemented.

The Responsible Physician will keep a log of clinical performance enhancement reviews of all qualified health care professionals to ensure compliance with this policy.

716.4 HEALTH CARE COMPLAINTS

The Jail Commander, in cooperation with the Responsible Physician or their designee, shall be responsible for developing and implementing a process by which incarcerated persons may submit complaints about the health care services they have received. There shall also be a means of collecting and analyzing the observations of other qualified health care professionals, correctional staff, or other nonmedical staff regarding the delivery of health care services.

The Responsible Physician shall convene a panel of independent physicians to review the practice of the physician about whom complaints or observations have been made. The Responsible Physician shall take appropriate action at the recommendation of the panel.

716.5 RECORDS

All clinical performance enhancement review reports and complaint investigations shall be considered confidential. The contents of such files shall not be revealed to other than the involved employee or authorized personnel, except pursuant to lawful process or as otherwise authorized or required by statute.

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Clinical Decisions

717.1 PURPOSE AND SCOPE

This policy recognizes that a coordinated effort between the Responsible Physician and the Jail Commander is needed to ensure an adequate health care system. It emphasizes the importance of clinical decisions being the sole responsibility of the qualified health care professional.

717.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical decisions - The process of formulating a differential diagnosis with information gathered from an incarcerated person's medical history and physical and mental examinations, developing a list of possible causes, and ordering tests to help refine the list or identify a specific disease.

Differential diagnosis - A systematic method of identifying unknowns or diagnosing a specific disease using a set of symptoms and testing as a process of elimination.

717.2 POLICY

Clinical decisions and actions regarding incarcerated person health care are the sole responsibility of qualified health care professionals and should not be countermanded by others. The Responsible Physician or their designee shall be responsible for arranging for appropriate health resources and for determining what services are needed. The Jail Commander or the authorized designee shall be responsible for providing the custodial support to ensure a safe and secure environment for the delivery of the services and its accessibility to the incarcerated persons (15 CCR 1200(a); 15 CCR 1206(k)).

717.3 MEDICAL AUTONOMY

Clinical decisions shall be made only after a thorough evaluation of the patient’s complaint and physical or mental condition. The implementation of clinical decisions is to be completed in an effective and safe manner that does not violate the security regulations of the facility.

717.4 PROBLEM RESOLUTION

Any issues arising because of the clinical decision process shall be reviewed under the provisions of the Continuous Quality Improvement Policy using medical records, grievances, staff complaints and any other relevant data.

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Health-Trained Custody Staff

718.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for incarcerated persons to access 24–hour health care services in the event that a qualified health care professional is not on-site.

718.2 POLICY

It is the policy of this office that a designated health-trained staff member shall be responsible for coordinating the delivery of health care services in the facility any time that qualified health care professionals are not available on-site (15 CCR 1028). Additionally, in facilities that do not have full-time qualified health care professionals, the Jail Commander shall appoint a staff member to act as a liaison to coordinate health care delivery in the facility under the direction of the Responsible Physician.

718.3 DUTIES OF THE HEALTH-TRAINED STAFF

The Jail Commander or the authorized designee, in coordination with the Responsible Physician, shall be responsible for developing a job description for health-trained staff positions. Designated health-trained staff shall be responsible for:

- Reviewing the screening forms completed during the booking process for any follow-up care needed.
- Managing triage of health care requests.
- Preparing incarcerated persons and their medical records for sick call.
- Assisting with the implementation of orders regarding diets, housing and work assignments.

718.4 TRAINING

The Jail Commander, Training Sergeant and the Responsible Physician shall be jointly responsible for developing a training curriculum for the health-trained staff positions and for the delivery of that training, which shall include:

- Instruction on proper action in the case of a medical emergency.
- Documentation requirements.
- Appropriate triage of health care requests and follow-up.
- Confidentiality of health information.

718.5 UNREASONABLE BARRIERS

No member of the Nevada County Sheriff's Office correctional facility shall create unreasonable barriers to an incarcerated person's access to health care services. The following are examples of conduct that are likely to create unreasonable barriers and are prohibited:

(a) Punishing incarcerated persons for seeking care for their serious health needs.

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(b) Deterring incarcerated persons from seeking care for their serious health needs by scheduling sick call at unreasonable times.

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Licensure, Certification, and Registration Requirements

719.1 PURPOSE AND SCOPE

The purpose of this policy is to recognize that incarcerated persons are entitled to health care services that are provided by qualified health care professionals working within the scope of their respective licensure, certification, registration, and training. This policy also establishes a credentials verification process.

719.2 POLICY

It is the policy of this office that all qualified health care professionals who provide health care services to incarcerated persons meet the same standards as those working in the community, including required licenses, certifications, and restrictions, including those defining the recognized scope of practice specific to the profession (15 CCR 1203). Job descriptions shall include minimum qualifications and specific duties and responsibilities, and shall be approved by the Responsible Physician.

The current credentials and job descriptions for all qualified health care professionals are on file at the facility and retained in accordance with established records retention schedules.

Any health care provided to incarcerated persons at the facility that is not provided by a physician is provided in accordance with a standing order or direct order issued by personnel qualified under governing laws to give such orders (15 CCR 1203; 15 CCR 1204).

719.3 CREDENTIALING AND FILE MAINTENANCE

A completed file of current licenses, certifications, registration, reference checks, and applications shall be maintained by the jail medical provider.

(a) The Responsible Physician or the authorized designee should obtain confirmation of current licensure, certification, and registration prior to making any offer of employment.

(b) Inquiries into any sanctions or disciplinary actions of state boards, employers, and the U.S. Department of Health and Human Services' National Practitioner Data Bank should be conducted prior to making any offer of employment.

(c) Individuals should be required to pass a job-related, pre-employment background investigation. Employment references may be obtained via mail or over the telephone with documentation.

(d) Each employee should be held responsible for providing renewal verification of licenses, certificates, and registration prior to the expiration date.

(e) Any group or individual providing health care services must complete the credentialing process that is appropriate for their profession and must provide the facility a copy of current licensure annually and, when appropriate, a Drug Enforcement Administration certificate to prescribe controlled substances.

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(f) To be eligible for hire, all clinical health care personnel must possess and maintain a current CPR certification and provide documentation to the Responsible Physician or the authorized designee.

719.4 STUDENTS AND/OR INTERNS

If the health care services provided to an incarcerated person are performed by any intern, resident, or student who is authorized to provide specific health care services as part of a formal medical training program, the individuals in training will work under the control and supervision of a qualified health care professional. Assigned tasks shall be commensurate with the intern, student, or resident's level of training.

There shall be a written agreement between the facility and the entity sponsoring the training program that covers the scope of work, duration of the agreement, and any legal or liability issues.

Any student, intern, or resident working in the facility shall participate in a facility orientation that includes but is not limited to topics such as fire safety, facility security, items considered contraband, and incarcerated person culture.

All students, interns, or residents shall be required to agree in writing to abide by all facility policies, including those relating to hostages, facility security, and the confidentiality of information.

All training provided, written agreements, and/or contracts shall be maintained in the intern, resident, or student's file by the Responsible Physician or the authorized designee in accordance with established records retention schedules.

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Incarcerated Person Assistants

720.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines and establish parameters for the appropriate use of incarcerated persons as assistants in the provision of health care services.

720.2 POLICY

It is the policy of this office that all incarcerated person assistants shall be under direct supervision and used in a manner that does not give them control or authority over other incarcerated persons, access to confidential medical information, or authority to make treatment decisions or provide patient care. Incarcerated person assistants shall not be used as a substitute for qualified health care professionals.

720.3 INCARCERATED PERSON ASSISTANTS

Incarcerated persons who have received appropriate training may perform limited duties involving assistance to other incarcerated persons, however, only while under the direct supervision of qualified health care professionals. The duties that incarcerated person assistants may perform include the following:

- Peer support and education
- Emotional support activities for incarcerated persons who are ill
- Assisting disabled incarcerated persons with daily living activities such as providing escort assistance or assistance with bathing and dressing
- When qualified and properly trained and when participating in a formal suicide prevention plan, incarcerated person assistants may serve as a companion to other incarcerated persons who are at risk of suicide

720.4 PROHIBITED DUTIES

Incarcerated person assistants shall not be used for any direct patient care activities, diagnostic or treatment decisions, dispensing of medications, scheduling health care appointments, or any form of patient care normally provided by a qualified health care professional.

720.5 TRAINING

Incarcerated person assistants assigned to health care services shall receive education and training specific to their anticipated duties to ensure that they understand and can perform their duties in a safe and lawful manner.

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Suicide Prevention and Intervention

721.1 PURPOSE AND SCOPE

This policy establishes the suicide prevention and intervention program to identify, monitor and, when necessary, provide for emergency response and treatment of incarcerated persons who present a suicide risk while incarcerated at the office detention facilities.

This policy is intended to reduce the risk of self-inflicted injury or death by providing tools to the staff that will allow a timely and organized emergency response to suicide, suicide attempts, or an incarcerated person's unspoken indications that suicide is being considered. The three key components of this plan are evaluation, training, and screening with intervention.

721.2 POLICY

It is the policy of this office to minimize the incidence of suicide by establishing and maintaining a comprehensive suicide prevention and intervention program designed to identify, monitor and provide treatment to incarcerated persons who are at risk of suicide and to intervene appropriately whenever possible. The program shall be developed by the Jail Commander in conjunction with the Health Authority and Mental Health Director. The program shall be reviewed annually by the Jail Commander. A copy of this policy shall be maintained in each unit of the facility where it can be easily accessed by all staff members (15 CCR 1029(a)(8); 15 CCR 1030).

721.3 SUICIDE PREVENTION TEAM

The Jail Commander in cooperation with the Responsible Physician shall establish a suicide prevention team. The team will evaluate and approve the suicide prevention and intervention program annually. The suicide prevention team will consist of qualified health care professionals and the Jail Commander or the authorized designee. The yearly evaluation will include a review of all current policies to ensure they are relevant, realistic, and consistent with the mission of the program. The program and policies will be updated as needed (15 CCR 1030).

The suicide prevention team shall also ensure that the facility is evaluated annually to identify any physical plant characteristics or operational procedures that might be modified to reduce the risk of suicide. This should be accomplished by conducting a review of suicides and suicide attempts, physical inspection, review of various facility inspection reports, and by participating in incarcerated person/management team meetings. If physical modifications are recommended, the team shall ensure the Jail Commander is promptly notified via a memo.

It shall also be the responsibility of the suicide prevention team to coordinate with the Training Sergeant to ensure that suicide prevention training is provided in compliance with applicable statutes and standards.

721.4 STAFF TRAINING

All facility staff members who are responsible for supervising incarcerated persons shall receive initial and annual training on suicide risk identification, prevention, and intervention, to include, at minimum (15 CCR 1030):

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- The provisions of this policy.
- Identification of the warning signs and indicators of potential suicide, including training on suicide risk factors.
- Identification of the demographic and cultural parameters of suicidal behavior, including incidence and variations in precipitating factors.
- Responding to suicidal and depressed incarcerated persons.
- Communication between corrections staff and health care personnel.
- Using referral procedures.
- Housing observation and suicide watch-level procedures.
- Follow-up monitoring of incarcerated persons who attempt suicide.
- Communication between members and arresting/transporting officer(s).

Recommendations for modification to suicide training should be directed to the Jail Commander, who shall review the recommendations and approve, if appropriate.

721.5 SCREENING AND INTERVENTION

All incarcerated persons shall undergo medical and mental health screening during the intake process (15 CCR 1030). A portion of the intake medical screening is devoted to assessing incarcerated persons at risk for suicide. Upon an incarcerated person entering the facility, the person should be assessed by custody staff for the ability to answer medical and mental health screening questions.

Any incarcerated person who appears to be unable to answer the initial medical screening questions shall be examined by a qualified health care professional at a designated hospital and receive medical clearance before acceptance into the jail. Incarcerated persons who refuse to answer these questions shall be placed under observation until the screening can be completed, or until sufficient information is obtained to allow the staff to make appropriate decisions concerning housing and care.

Staff members shall promptly refer any incarcerated person who is at risk for suicide to classification, health services, and mental health services. The incarcerated person shall remain under direct and constant observation in a safe setting until designated staff makes appropriate health care and housing decisions (15 CCR 1030).

721.6 SUICIDE WATCH

Incarcerated persons should only be housed on suicide watch with the approval of a qualified health care professional and the Sergeant or Officer in Charge. If a qualified health care professional is not present in the jail, the Sergeant or Officer in Charge may make the decision to place an incarcerated person on suicide watch but should notify a qualified health care professional as soon as practicable. Incarcerated persons placed on suicide watch shall be closely monitored and housed in a cell that has been designed to be suicide resistant. Prior to housing the

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incarcerated person, the staff should carefully inspect the cell for objects that may pose a threat to the person's safety.

Qualified health care professionals are primarily responsible for the treatment of incarceratedpersons on suicide watch. Correctional officers and general employees are responsible for the physical safety of incarcerated persons. All staff members should coordinate their efforts to ensure that incarcerated persons do not have the means or the opportunity to injure themselves.

An observation log shall be maintained for each incarcerated person on suicide watch. A staff member shall be designated to make a direct visual observation of the incarcerated person twice every 30 minutes at approximately 15-minute intervals. A Sergeant or Officer in Charge and a qualified health care professional, if available, must observe the incarcerated person at least once every four hours. Each staff member who is required to observe the incarcerated person shall make notations in the observation log documenting the time of observation and a brief description of the person's behavior.

An incarceratedperson classified as actively suicidal must be continuously monitored by direct visual observation of a correctional officer. While monitoring may be supplemented by video monitoring, it may never be a substitute for direct visual monitoring.

The status of suicidal incarcerated persons should be readily identifiable in a manner discernible by staff. When standard-issue clothing presents a security or medical risk to the incarcerated person or others, the incarcerated person shall be supplied with a security garment that is designed to promote an incarcerated person's safety and not cause unnecessary humiliation and degradation. Use of the security garment should be documented in the incident report. Suicidal persons should not be permitted to retain undergarments or any other item that can be fashioned into an implement for hanging (e.g., plastic bags, shoelaces, or sheets). incarcerated persons shall not be permitted to keep personal property while housed on suicide watch and shall not be permitted to possess razors or other sharp objects, such as pencils, items with staples, or any other item that may be used to cause a self-inflicted injury. Physical restraints should only be used as a last resort measure. The decision to use or discontinue use of restraints should be made in consultation with qualified health care professionals.

Incarcerated persons who are not actively suicidal but who have expressed suicidal thoughts or have a recent history of self-injurious behavior should be observed by staff at irregular intervals, not to exceed every 15 minutes.

721.6.1 INTERVENTION

Any suicide attempt is a medical emergency. Staff should take action to facilitate emergency medical care and preserve and collect evidence as necessary. A qualified health care professional should be summoned immediately any time the staff suspects a suicide attempt is imminent. Staff should take reasonable and appropriate precautions to mitigate the ability of the incarcerated persons to injure themselves, and should consider establishing and maintaining a non-threatening conversation with the person while awaiting assistance. If a qualified health care professional is

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not immediately available, the incarcerated person should be placed in an appropriate and safe location until such time as qualified health care professionals or the Responsible Physician is available.

Following a suicide attempt, staff should initiate a medical emergency response and initiate and continue appropriate life-saving measures until relieved by qualified health care professionals. The arriving medical staff should perform the appropriate medical evaluation and intervention. The Responsible Physician or the authorized designee should be notified in situations when referral and transportation to the emergency room of a local hospital is required (15 CCR 1030).

721.6.2 NOTIFICATION

In the event of an attempted or completed suicide, the Jail Commander should be promptly notified. The Jail Commander should notify the Undersheriff.

The location where a suicide or attempted suicide has occurred should be treated as a crime scene after the incarcerated person has been removed from the cell or after emergency medical care is rendered. The area should be secured and access-controlled to preserve evidence until the appropriate investigation can be completed.

All suicides or attempted suicides shall be documented in an incident report. Any injury must be documented in an incident report (15 CCR 1030).

All in-custody deaths, including those resulting from suicide, should be investigated and documented in accordance with the Reporting In-Custody Deaths Policy (15 CCR 1030).

721.7 FOLLOW-UP

Qualified health care professionals should evaluate any incarcerated person placed in suicide watch within 12 hours of placement or at the next available sick call, whichever is earliest. After evaluation, qualified health care professionals should make a recommendation whether to keep the incarcerated person on suicide watch. Only a qualified health care professional may remove an incarcerated person from suicide watch.

All changes in incarcerated person status should be reported to the qualified health care professional to ensure the incarcerated person receives appropriate care. The incarcerated person's health record should be updated to reflect all contacts, treatment and any other relevant information, and the records maintained in accordance with established records retention schedules.

Although the goal of this program is to significantly reduce the risk of in-custody deaths, the ongoing care of suicidal incarcerated persons after release must also be considered. Incarcerated persons who are at risk for suicide should be referred to local or area mental health resources after release.

721.7.1 DEBRIEFING

Any suicide attempt or death of an incarcerated person or on-site staff member requires a staff debriefing. Information will be communicated to the oncoming Sergeant or Officer in Charge and

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staff to apprise them of the incident and the actions taken with regard to the incident. Such debriefing will be appropriately documented and shall be reviewed by administration, security, and the Responsible Physician.

721.7.2 MULTI-DISCIPLINARY ADMINISTRATIVE REVIEW

A multi-disciplinary administrative review will be conducted of all suicides and attempted suicides at the end of each month. At a minimum the review team will include a jail administrator, a medical administrator, and a jail mental health professional. The review shall be documented via a memo to the jail administrator noting the incidents reviewed along with any recommendations or other pertinent information.

721.8 TRANSPORTATION

Incarcerated persons at risk for suicide pose additional challenges during transport and while being held in court holding facilities. The transportation staff should take reasonable steps to closely monitor at-risk incarcerated persons whenever they are transported or held in any cell that is not designated as a suicide-watch cell. All additional security and monitoring measures implemented by the staff should be documented in the incarcerated person's record. The transporting correctional officer should ensure that the suicide threat or other danger is communicated to personnel at the receiving facility.

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Inmate Death - Clinical Care Review

722.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the actions and notifications required in the event of an in-custody death and the medical care received by the inmate. The policy requires that a review of all in-custody deaths be conducted to assess the appropriateness of the clinical care provided and the effectiveness of the facility's policies and procedures.

722.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative review - An assessment of the facility's emergency response actions surrounding the death of an inmate. The purpose of the administrative review is to identify areas where operations, policies and procedures may be improved.

Clinical mortality review (CMR) - An assessment of the medical condition of the inmate prior to treatment, the clinical care provided by contractors and the circumstances of the death. The purpose of the CMR is to identify areas of patient care or system policies and procedures that may be improved.

Psychological autopsy - A written reconstruction of an inmate's life with an emphasis on factors that may have contributed to his/her death. This is sometimes referred to as a psychological reconstruction and is usually conducted by a psychologist or other qualified mental health care professional.

722.2 POLICY

It is the policy of this office that all in-custody deaths are reviewed to determine the appropriateness of the clinical care provided, to determine whether existing policies are appropriate or if revision is necessary, and to identify any other issues associated with the circumstances of the death. A postmortem examination should be performed according to the laws of the jurisdiction if the cause of death is unknown, if the death occurred under suspicious circumstances, or if the inmate was not under current medical care (15 CCR 1046(a)).

722.3 NOTIFICATIONS

In the event of an in-custody death, all authorities with jurisdiction, including the Coroner or the authorized designee shall immediately be notified by the Jail Commander or the authorized designee at the time of death.

The Responsible Physician should also be notified and should coordinate with the Jail Commander, who will be responsible for notifying his/her chain of command regarding all medical issues surrounding the in-custody death.

Information regarding the individual designated by the deceased inmate for notification should be provided to the Coroner or the authorized designee, who is charged with the responsibility of making such notifications.

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722.4 DOCUMENTATION

The qualified health care professional on-duty at the time of the in-custody death shall ensure that all witnessed facts concerning the death are documented on the inmate's health record. Written documentation should include, but is not limited to, the time of death, the preceding circumstances surrounding the death, nature of the death, treatment rendered and who was notified of the death and by whom.

The Responsible Physician or their designee should document all witnessed facts concerning the death in accordance with the Continuous Quality Improvement Policy.

722.5 CLOSING THE MEDICAL RECORD

The Responsible Physician or their designee should review the inmate's health record to ensure appropriate entries have been made, and within 24 hours of the death have the original and a complete copy of the medical record made and delivered as follows (see the Reporting In-Custody Deaths Policy):

(a) Seal the original in an envelope and retain in the custody of the Responsible Physician or responsible healthcare authority.

(b) Upon official request, send the copy to the facility for inclusion into the inmate file and retain in accordance with established records retention schedules.

722.6 DEATH BY SUICIDE

In the event of a suspected inmate suicide, the qualified health care professional shall make a report within 24 hours to the Responsible Physician containing:

(a) The inmate's known mental health history.

(b) The most recent known mental health treatment.

(c) All known circumstances surrounding the suicide.

A psychological autopsy should be conducted by a qualified mental health care professional if the cause of death is determined to be a suicide.

The initial CMR should be conducted by the Responsible Physician or their designee and, if available, a mental health care professional. The CMR should be finalized within 30 days by the Responsible Physician. The findings should be shared with the treating staff.

722.7 DEATH REVIEW

All deaths should be reviewed within 30 days. The review should consist of an administrative review, a CMR and a psychological autopsy if the death was by suicide.

Treating staff shall be informed of the CMR and the administrative review findings at the quarterly continuous quality improvement meeting.

Corrective actions identified through the CMR should be implemented and monitored in accordance with the Continuous Quality Improvement Policy for systemic issues and the Inmate Safety Policy for staff-related issues.

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Nursing Assessment Protocols

723.1 PURPOSE AND SCOPE

The purpose of this policy is to establish standards for evaluating and treating incarcerated persons with medical issues that are easily and effectively treated or triaged by nursing personnel who have been properly trained in the use of nursing assessment protocols.

723.1.1 DEFINITIONS

Definitions related to this policy include:

Nursing assessment protocols - Written instructions or guidelines that specify the steps to be taken in evaluating an incarcerated person's health status and providing medical treatment. Protocols may include first-aid procedures for the identification and care of ailments that ordinarily would be treated with over-the-counter (OTC) medication or through self-care. These protocols also may address more serious symptoms, such as chest pain, shortness of breath, or intoxication. The protocols provide a sequence of steps to evaluate and stabilize an incarcerated person until a qualified health care professional is contacted and orders for further care are received.

723.2 POLICY

It is the policy of this office that medical care performed by personnel other than a physician shall be performed pursuant to a written protocol or order of the Responsible Physician.

723.3 PROTOCOL DEVELOPMENT AND AUTHORIZATION

The facility's Responsible Physician or the authorized designee shall develop, review, and authorize all nursing protocols used for the treatment of incarcerated persons, and shall develop, deliver, or procure appropriate training for the nurses on their use. Each nursing assessment protocol will have a signed declaration indicating it has been reviewed and approved by the nursing administrator and the Responsible Physician.

The protocols developed shall be appropriate for the training and experience of the health care services staff members who will deliver the services. Each protocol shall comply with the standards of practice for the level of care the health care services staff members are authorized to provide. The protocols shall include the use of OTC medications.

The Responsible Physician shall review the nursing assessment annually, revising as necessary, and dating and signing approved protocols (15 CCR 1204).

723.4 TRAINING

Nurses will be trained and approved in the nursing assessment protocols prior to their use. The training shall be documented and should include:

(a) Evidence that new nurses have been trained.

(b) Demonstration of knowledge and skills.

(c) Evidence of annual review of skills.

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(d) Evidence of retraining when protocols are introduced or revised.

723.5 AUTHORIZED USE OF PROTOCOLS

Nursing staff may use a nursing assessment protocol only after they have been trained and authorized by the Responsible Physician. Nursing assessment protocols shall only be used after a nurse fully evaluates the incarcerated person's complaint and the incarcerated person's condition meets the appropriate criteria.

Incarcerated persons may only be treated using a nursing protocol for the same condition on two consecutive visits. If the incarcerated person requests service for the same condition a third time, the incarcerated person should be referred to a physician's assistant, nurse practitioner, registered nurse, or physician.

The assessment protocols include the use of OTC medication. When OTCs are administered per the protocol, they do not require the signature of a physician. However, the order and the administration of the medication shall be documented on the medication administration record.

A registered nurse (RN) is considered the minimum certification level required to independently initiate medical treatment. The RN must be present to physically assess the incarcerated person; an assessment cannot be done via telephone or electronically.

Licensed vocational nurses (LVNs) are generally prohibited from independently initiating any standardized protocol. Under very specific circumstances (e.g., early detoxification, a history of a seizure disorder), it may be acceptable for an LVN to initiate a standing order following a telephone consultation with a physician, physician's assistant, psychiatrist, dentist, or other person who meets the minimum certification level to initiate such orders.

Nursing assessment protocols shall not include the administration of any prescription medication, with the exception of protocols addressing an emergency or a life-threatening situation. Treatment with prescription medication may only be initiated upon a written or verbal order from a physician, physician's assistant, psychiatrist, dentist, or other person who is licensed to dispense medication in the state, either independently or under the supervision of a physician.

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Infirmary Care

724.1 PURPOSE AND SCOPE

This policy recognizes that some incarcerated persons will need care for an illness or diagnosis that requires daily monitoring, daily medication and/or therapy, or assistance with daily activities at a level that requires skilled nursing intervention. Such persons are best served in an area expressly designed and operated for providing medical care in close proximity to qualified health care professionals.

724.1.1 DEFINITIONS

Definitions related to this policy include:

Infirmary - An area specifically designed and operated for providing medical care to incarcerated persons who need skilled nursing care for a period of 24 hours or more. It is expressly intended for persons who do not need hospitalization or placement in a licensed nursing facility, but whose care cannot be managed safely in an outpatient setting. It is not the area itself but the scope of care provided that makes the bed an infirmary bed.

Infirmary care - Care provided to patients with an illness or diagnosis that requires daily monitoring, medication and/or therapy, or assistance with daily activities at a level requiring skilled nursing intervention.

Within sight or sound of a qualified health care professional - The patient can gain the professional's attention through visual or auditory signals.

724.2 POLICY

It is the policy of this office that infirmary care is provided when appropriate to meet the serious medical needs of incarcerated persons. The Responsible Physician or their desiginee shall be responsible for developing and maintaining an infirmary manual, that shall be available in the infirmary. The infirmary manual shall include but is not limited to:

- Nursing care procedures.
- A definition of the scope of infirmary care services available.
- Provisions for a physician to be on-call or available 24 hours a day.
- Guidelines regarding the availability of health care personnel, who shall be on-duty 24 hours a day when incarcerated persons are present and shall have access to a physician or registered nurse.
- Provisions ensuring that all incarcerated persons are within sight or sound of a staff member.
- Requirements for compliance with applicable state statues and local licensing.

Admission to and discharge from the infirmary shall be controlled by medical orders or protocols issued by a qualified health care professional after a clinical evaluation and the establishment of a treatment plan.

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724.3 DOCUMENTATION REQUIREMENTS FOR INFIRMARY PATIENTS

A complete inpatient health record shall be kept for each incarcerated person housed in the infirmary and should include:

- The admitting order that includes the admitting diagnosis, medications, diet, activity restrictions, diagnostic tests required, and frequency of vital sign monitoring and other follow-up.
- Complete documentation of the care and treatment given.
- The medication administration record.
- A discharge plan and discharge notes.

724.4 INFIRMARY REQUIREMENTS

Incarcerated persons in the infirmary shall have access to operable washbasins with hot and cold running water at a minimum ratio of one basin for every 12 incarcerated persons, unless state or local building or health codes specify differently. Sufficient bathing facilities shall be provided in the infirmary to allow incarcerated persons to bathe daily. At least one bathing facility shall be configured and equipped to accommodate incarcerated persons who have physical impairments or who need assistance to bathe. Water for bathing is thermostatically controlled to temperatures ranging from 100 to 120 degrees.

Incarcerated persons in the infirmary shall have access to toilets and hand-washing facilities 24 hours a day and can use the toilet without staff assistance. All housing units with three or more incarcerated persons shall have a minimum of two toilets.

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Medical Equipment and Supply Control

725.1 PURPOSE AND SCOPE

This policy outlines the control and inventory process to be utilized in accounting for all medical equipment and supplies. Medical equipment and supplies can pose a hazard for both the incarcerated person population and the staff. Unauthorized possession of medical equipment and supplies constitutes possession of contraband. Unauthorized use of medical equipment and supplies violates incarcerated person rules detailed in the incarcerated person handbook. Since it is necessary to have a well-stocked medical space within the secure perimeter of the facility, there must be a plan to ensure that equipment and medical supplies are accounted for and tightly controlled.

725.2 POLICY

It is the policy of this office that all medical equipment, including sharps, dental instruments, needles and other items must be tightly controlled so they cannot be used as weapons or to facilitate the injection of drugs or other substances. Additionally, these tools and supplies must be controlled to prevent exposure to biohazards.

725.3 STAFF RESPONSIBILITIES

It is the responsibility of the Jail Commander to ensure that the incarcerated person handbook clearly defines the unauthorized possession and/or use of medical equipment and supplies as a rule violation that may result in discipline.

The Responsible Physician or the authorized designee shall create and maintain an inventory log for all medical equipment and supplies. This log will be utilized by medical personnel who work within the facility to track and control medical equipment and supplies. When not in use, all medical equipment and supplies shall be stored in a secure manner to prevent unauthorized access.

At the beginning of each shift, the qualified health care professional shall inventory the medical supplies and equipment within their control. Any time a disposable item is used, the log shall reflect its use and disposal. At the end of each shift, the qualified health care professional will conduct another inventory using the supply and equipment log, and reconcile any disposable supplies used during their shift.

If there is a discrepancy that indicates that medical supplies or equipment are missing, the Sergeant or Officer in Charge shall be immediately notified. The Sergeant or Officer in Charge shall initiate a search for the missing supplies and/or equipment. The Sergeant or Officer in Charge shall document the incident and any actions taken and provide the Jail Commander with a complete report.

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Continuation of Care

726.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a proactive health system in the facility that fosters the continuation of health care needs that, if discontinued, would have a negative effect on the health of the incarcerated person. The sole objective is to maintain or improve the health of the incarcerated persons. This policy is intended to ensure that incarcerated persons receive health services in keeping with current community standards as ordered by qualified health care professionals.

726.2 POLICY

It is the policy of this office that all incarcerated persons shall have access to the continuation of care for a health issue, provided the treatment plan meets community standards. The incarcerated person's health care needs will be assessed by qualified health care professionals and continued as determined or referred after release (15 CCR 1206.5(a); 15 CCR 1210).

726.3 CONTINUATION OF CARE

The Jail Commander is responsible for coordinating with the Responsible Physician to ensure that all incarcerated persons receive appropriate health care, including but not limited to:

(a) Newly booked incarcerated persons shall have a medical screening as part of the booking and classification process. This screening includes documentation of acute or chronic health issues or conditions, existing injuries, and medications or treatments the incarcerated person is currently receiving.

1. Any prior jail health records, including those from other facilities, should be reviewed.
2. Current medications will be verified and continued as deemed appropriate by the Responsible Physician or the authorized designee.

(b) A health assessment is completed on or before the 14th day of continuous incarceration.

(c) Continuation of birth control measures, upon request by the incarcerated person, as prescribed by a physician, nurse practitioner, certified nurse midwife, or physician assistant (Penal Code § 4023.5).

(d) Individual treatment plans that are used to guide treatment. The format for planning may vary but should include, at a minimum:

1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, medication, and adaptation to the correctional environment.
4. Custody staff is informed of the treatment plan when necessary to ensure coordination and cooperation in the ongoing care of the incarcerated person.

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(e) Reasonable effort should be made to obtain information and records relating to previous health care professionals, with the consent of the incarcerated person, if the incarcerated person is currently under medical care.

(f) Upon transfer to another facility, a medical discharge summary of the incarcerated person's current condition, medications, and treatment plan will be forwarded in a sealed envelope (to maintain confidentiality) to the receiving facility.

(g) Response to requests for health information from medical facilities and health care professionals, with the incarcerated person's written consent.

(h) When incarcerated persons are sent out of the facility for emergency or specialty medical treatment, written information regarding the incarcerated person's reason for transfer, pertinent medical problems, and list of current medications should be sent with the incarcerated person and may be given to those providing care upon request. The name and telephone number of a contact person the medical facility can call should be included with the patient's health information. Upon the incarcerated person's return to the facility, treatment recommendations should be reviewed by the Responsible Physician or the authorized designee and appropriate plans should be made for continuing care in the facility based on the treating facility's diagnosis, recommended medications, and other treatment.

(i) Upon release from the facility, incarcerated persons should be given written instructions for the continuation of care, including but not limited to:

1. The name and contact information of health care facilities for follow-up appointments.
2. Prescriptions and/or an adequate supply of medication for those with chronic medical or psychiatric conditions.

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Continuous Quality Improvement

727.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a Continuous Quality Improvement (CQI) process of health care review in an effort to identify improvement needs in policies, processes or staff actions, and to develop and implement better health care strategies to improve the processes and outcomes of the health care services delivered at this facility.

727.2 POLICY

It is the policy of this office that an internal review and CQI process for incarcerated person health care delivery and outcomes is developed and maintained, measurable goals and objectives are established and reviewed annually, and that the process itself is periodically reviewed and updated as needed. The process should be supervised by the Responsible Physician. The data evaluated should result in more effective access to services, an improved quality of care, and a better utilization of resources.

727.3 CQI TECHNIQUES AND MONITORING

The CQI process may be applied to any aspect of health care delivery and health service outcomes, including, but not limited to, monitoring and reviewing the following:

- Quality of the medical charts, by the Responsible Physician or the authorized designee
- Investigations of complaints and grievances
- Corrective action plans and plan outcomes
- Deaths in custody, suicide attempts, sentinel events, and incident and management of serious communicable disease outbreaks
- Plans for employee education and training, using investigation findings
- Records of internal review activities
- Quarterly reports to the Responsible Physician and Jail Commander
- Legal requirements for confidentiality of medical records
- Credentialing (assessing and confirming qualifications), privileging (authorization to provide services), and training of employees and the associated peer review processes
- Condition and effectiveness of the care environment
- Adequacy and quality of supplies and equipment
- Quality of care provided to individual patients
- Accuracy and efficiency of pharmacy services and medication administration
- Ease of access to care

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- Risk minimization tactics
- Data describing the types, quality and quantity of care provided
- Accreditation compliance

727.4 CQI COMMITTEE MEETINGS

The jail CQI committee should meet quarterly under the direction of both the committee chair and the Responsible Physician. The CQI meetings may be conducted at the same time as quarterly administrative meetings, but CQI minutes must be produced and maintained separately from any other minutes.

The CQI minutes are not subject to disclosure outside of the CQI program, including requests from local, regional and national entities. Other interested parties with a need to know are only entitled to the disclosure of information that includes:

(a) Problems that may have been identified.

(b) Solutions that have been agreed upon.

(c) Persons responsible for implementing the corrective action.

(d) The time frame for implementing the corrective actions.

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Informed Consent and Right to Refuse Medical Care

728.1 PURPOSE AND SCOPE

This policy recognizes that incarcerated persons have a right to make informed decisions regarding their health care. It establishes the conditions under which informed consent should be obtained prior to treatment, when medical care may proceed without consent, the documentation process for the refusal of medical care, and the retention of refusal forms.

728.1.1 DEFINITIONS

Definitions related to this policy include:

Informed consent - The written agreement by an incarcerated person to a treatment, examination, or procedure. Consent is sought after the incarcerated person has received the material facts about the nature, consequences, and risks of the proposed treatment, the examination or procedure, the alternatives to the treatment, and the prognosis if the proposed treatment is not undertaken, in a language understood by the person.

728.2 POLICY

It is the policy of this office that generally, all health care examinations, treatments, and procedures shall be conducted with the informed consent of the incarcerated person. Exceptions include emergencies, life-threatening conditions, and a court order (15 CCR 1214).

728.3 INFORMED CONSENT

The qualified health care professional initiating treatment shall inform the incarcerated person of the nature of the treatment and its possible side effects and risks, as well as the risks associated with not having the treatment.

For invasive procedures or any treatment where there is some risk to the incarcerated person, informed consent is documented on a written form containing the signatures of the person and a health services staff witness.

A signed informed consent shall be obtained and witnessed by the prescribing psychiatrist for the initiation of psychotropic medication.

Appropriate arrangements shall be made to provide language translation services as needed before an incarcerated person signs any informed consent form.

For minors and conservatees, the informed consent of a parent, guardian, or legal custodian applies where required by law. Absent informed consent in non-emergency situations, a court order is required before involuntary treatment can be administered to an incarcerated person.

728.4 REFUSAL OF TREATMENT

When an incarcerated person refuses medical, mental health, or dental treatment or medication, they shall be counseled regarding the necessity of the treatment/medication and

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the consequences of refusal. The incarcerated person shall then be requested to sign a form acknowledging that the person refused an examination and/or treatment.

The form shall be filled out completely by the qualified health care professional and include the incarcerated person's name, booking number, treatment/medication refused, the risks or consequences of refusal, and the person's mental status. The form must be signed by the incarcerated person and a witness.

In the event that the incarcerated person refuses to sign, a notation to this effect shall be documented on the incarcerated person signature line. This shall require a signed acknowledgement by two witnesses.

Documentation regarding the incarcerated person's mental status shall be noted in the medical record, along with a brief note describing the intervention of the qualified health care professional.

The completed form is to be placed in the incarcerated person's medical record.

It is the responsibility of the qualified health care professional to refer all refusal forms to the Responsible Physician.

Any time there is a concern about the decision-making capacity of the incarcerated person, an evaluation shall be conducted, particularly if the refusal is for critical or acute care.

Any time an incarcerated person refuses to take their medication, attend sick call, or attend a scheduled medical appointment, a signed refusal must be obtained by the qualified health care professional.

The refusal form shall be a permanent part of the incarcerated person's medical record.

The incarcerated person may revoke their refusal at any time.

728.4.1 STERILIZATION

This office shall not perform any sterilization procedure on an incarcerated person, without the person's consent, unless the procedure is necessary to save the person's life. A sterilization procedure may be performed with the incarcerated person's consent under the following conditions (Penal Code § 3440(b)):

(a) Less invasive measures are not available, have been refused by the incarcerated person, or have been deemed unsuccessful.

(b) A second physician, approved to provide medical services for the facility but not employed by the county, confirms the need for the procedure.

(c) The incarcerated person has been advised of the impact and side effects of the procedure, and that refusal will not affect the person's ability to receive future medical treatment.

If a sterilization procedure is performed, this office shall provide psychological consultation before and after the procedure, as well as the appropriate medical follow-up (Penal Code § 3440(c)).

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The Records Supervisor shall also submit data annually to the Board of State and Community Corrections regarding the race, age, medical justification, and method of sterilization for any sterilization procedure performed (Penal Code § 3440(d)).

728.4.2 INVOLUNTARY ADMINISTRATION OF PSYCHOTROPIC MEDICATION

Psychotropic medication may only be administered involuntarily to an incarcerated person in emergency circumstances or as otherwise allowed by law and only with a physician's order. The medication administered shall only be what is required to treat the emergency condition and administered for only as long as the emergency continues to exist. Any such treatment shall be consistent with the standard of care. A court order shall be sought or legal consent shall be obtained if the Responsible Physician anticipates further dosage will be necessary or beneficial (Penal Code § 2603; 15 CCR 1217).

In cases of non-emergencies, certain conditions must be met as described in Penal Code § 2603(c) prior to the involuntary administration of the psychotropic medication, including a documented attempt to locate an available bed in a community-based treatment facility in lieu of seeking to administer involuntary medication (Penal Code § 2603).

The reason medication was involuntarily administered should be documented in the incarcerated person's health care record.

728.5 RECORDS

The Jail Commander or the authorized designee shall work with the Responsible Physician or their designee to develop medical care consent and refusal forms and a system for retaining records in the incarcerated person's health file in accordance with established records retention schedules.

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Management of Health Records

729.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform manner of maintaining the active health records of incarcerated persons for easy accessibility during clinical treatment, and the storage methods for inactive health records. This policy also addresses practices that will ensure the confidentiality of health record information by separating it from custody records.

729.1.1 DEFINITIONS

Definitions related to this policy include:

Protected health information - Information that relates to the incarcerated person's past, present, or future physical or mental health or condition, the provision of medical care to the incarcerated person, or the past, present, or future payment for the provision of health care to the incarcerated person (45 CFR 160.103).

729.2 POLICY

It is the policy of this office to maintain the confidentiality of incarcerated persons' protected health information. Incarcerated person health records will be maintained separately from custody records and under secure conditions, in compliance with all local, state, and federal requirements.

The Responsible Physician or the authorized designee will establish standardized facility procedures for recording information in the file and for the control and access to incarcerated person health records. Incarcerated workers shall not have any access to incarcerated person health records.

729.3 INITIATING A HEALTH RECORD

Following the initial medical screening process, the qualified health care professional shall initiate a health record for each incarcerated person. The Responsible Physician shall be responsible for developing and implementing procedures for standardized record formatting (15 CCR 1205 et seq.).

729.4 CONFIDENTIALITY OF AN INCARCERATED PERSON'S HEALTH RECORDS

Information regarding an incarcerated person's health status is confidential. Active health records shall be maintained separately from custody records. Access to an incarcerated person's health record shall be in accordance with state and federal law (Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law 104-191 and the implementing regulations) (15 CCR 1205(d)).

The incarcerated persons protected health information may be disclosed, with the incarcerated person's written authorization, to any person so designated. A fully completed authorization for release and/or a disclosure of protected health information form shall be required prior to disclosure based upon informed consent (15 CCR 1205(b) et seq.).

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The incarcerated person's protected health information may be disclosed by the qualified health care professional without the incarcerated person's authorization under certain circumstances and when approved by the Responsible Physician or the authorized designee. Those circumstances include:

(a) To known qualified health care professionals who are members of the health care team responsible for the incarcerated person's care.

(b) To custody staff regarding incarcerated persons as reasonably necessary to protect the safety, security and good order of the facility. Examples may include information that the incarcerated person may be:

1. Suicidal.
2. Homicidal.
3. A clear custodial risk.
4. A clear danger of injury to self or others.
5. Gravely disabled.
6. Receiving psychotropic medications.
7. A communicable disease risk.
8. In need of special housing.

(c) To the local public health officer when an incarcerated person is part of a communicable disease investigation.

(d) Pursuant to a court order or valid subpoena duces tecum, accompanied by satisfactory assurance that the incarcerated person has been given notice and an opportunity to file an objection or efforts have been made to secure a protective order as required under HIPAA (45 CFR 164.512).

(e) To a law enforcement officer for purposes of a criminal investigation, to avert a serious threat to the health or safety of any person or to fulfill mandatory reporting requirements.

(f) To a law enforcement officer when the incarcerated person has died as a result of criminal conduct.

The incarcerated person's limited protected health information may also be disclosed to a law enforcement officer for purposes of identifying or locating a suspect or when the incarcerated person is a victim of a crime. When reasonably possible, the approval of the Jail Commander should be obtained prior to disclosure.

Attorneys requesting health record information regarding an incarcerated person shall be advised that an authorization for release and/or a disclosure of medical information form or an attorney release form signed by the incarcerated person is required.

Family members may be informed of the incarcerated person's custody status and whether the incarcerated person is receiving medical care. Family members requesting additional information must provide a proper authorization for release and/or a disclosure of medical information form.

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The Jail Commander, in consultation with the Jail Medical Provider, shall designate personnel who will be responsible for reviewing all requests for access to medical records. The Jail Commander and the Jail Medical provider will also propose related policies, procedures and other activities designed to facilitate proper documentation of health care and access to records.

729.4.1 ADDITIONAL STATE PRIVACY PROTECTIONS

The health services administrator and Responsible Physician or the authorized designee shall ensure that privacy protections comply with state law requirements regarding privacy and confidentiality applicable to the specific type of medical records requested, including:

(a) Records associated with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS) (Health and Safety Code § 121025).

(b) Records of patients in alcohol or substance use disorder treatment programs (Health and Safety Code § 11845.5).

729.5 HEALTH RECORD CONTENTS

(a) To standardize record keeping and to identify responsibilities, the following should apply to incarcerated person health records (15 CCR 1205):

1. The qualified health care professional or the authorized designee should be responsible for ensuring that all required information and forms are included in the medical records. There should also be a periodic informal review as described in the Continuous Quality Improvement Policy.
2. The qualified health care professional or the authorized designee should be responsible for ensuring incoming written findings and recommendations are returned with the incarcerated person from any offsite visit and filed in the incarcerated person's medical record.

(b) Incarcerated persons' health records shall minimally contain but are not limited to:

1. Identifying information (e.g., incarcerated person name, identification number, date of birth, gender) on each sheet in the file.
2. Completed incarcerated person medical/mental health screening forms and evaluation reports.
3. Health appraisal information and data forms.
4. Complaints of illness or injury.
5. A problem summary, containing medical and mental health diagnoses and treatments as well as known allergies.
6. Immunization records.
7. Progress notes of all significant findings, diagnoses, treatments, and dispositions.
8. Orders from a qualified health care professional for prescribed and administered medications and medication records in conformance with 15 CCR 1216.
9. X-ray and laboratory reports and diagnostic studies.

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10. A record of the date, time, and place of each clinical encounter with incarcerated persons.
11. Health service reports.
12. Individualized treatment plans when available or required.
13. Consent and refusal forms.
14. Release of information authorization forms (including HIPAA forms).
15. Results of specialty consultations and off-site referrals.
16. Special needs treatment plans, if applicable.
17. Names of personnel who treat, prescribe, and/or administer/deliver prescription medication.

729.6 ACTIVE INCARCERATED PERSONS HEALTH RECORDS

Active incarcerated person health records will be accessible to qualified health care professionals as necessary for the provision of medical treatment and other uses allowed by law, or the Jail Commander or the authorized designee under exigent circumstances, to protect the safety, security, and good order of the facility.

All entries in the incarcerated person's health record will have the place, date, time, signature and title of each individual providing care and should be legible.

Documentation in the incarcerated person's health record is done in the subjective, objective, assessment, and plan (SOAP) format. An incarcerated person's health record is initiated at the first health encounter following the initial medical screening.

If an incarcerated person has been previously incarcerated, the previous health record should be reactivated. If a new record has been initiated and a previous record exists, medical records personnel should merge the two records in order to compile a complete history, unless mandated statutory retention schedules have provided for the destruction of one file and there is a need to create a new file.

New information shall be entered on the health record at the completion of each encounter.

All the incarcerated person's health records shall be returned to the file prior to the end of each watch.

729.7 INACTIVE MEDICAL RECORDS

When an incarcerated person is released from custody, medical records personnel should remove the incarcerated person's health record from the active file.

The health record should be reviewed for completeness. Any loose documents should be filed according to the established health record format.

The health record should be securely stored in the area designated for inactive incarcerated person health records, in accordance with established records retention schedules but no less

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than 10 years from the date of the last clinical encounter. Adult records and juvenile records may have different jurisdictional retention requirements.

Inactive incarcerated person medical records may be stored off-site. Health record information from inactive files may be transmitted to specific and designated physicians or medical facilities upon the written request or authorization of the incarcerated person.

729.8 ELECTRONIC MEDICAL RECORDS

If medical records are maintained in an electronic format, the system should be structured with redundancies to ensure the records will survive any system failure.

729.9 HIPAA COMPLIANCE

The Jail Medical Provider shall ensure that a health record protection and disclosure compliance plan conforming to the requirements of HIPAA is prepared and maintained. The plan should detail all necessary procedures for security and review of the access and disclosure of protected health information.

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Incarcerated Person Health Care Communication

730.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain effective communication between the treating qualified health care professionals and custody personnel. This communication is essential at all levels of the organization to ensure the health and safety of all occupants of the facility.

730.2 POLICY

It is the policy of this office that effective communication shall occur between the Jail Commander or their designee and the treating qualified health care professionals regarding any significant health issues of an incarcerated person. All health issues should be considered during classification and housing decisions in order to preserve the health and safety of the occupants of this facility.

When a qualified health care professional recognizes that an incarcerated person will require accommodation due to a medical or mental health condition, custody personnel shall be promptly notified.

The Jail Commander shall be responsible for establishing measurable goals relating to processes that enhance good communication between the qualified health care professionals and the custody staff. The Jail Commander should also establish, in writing, the desired performance objectives relating to practices that support good communication between the qualified health care professionals and the custody staff. The Jail Commander should review the processes annually for any necessary revisions or updates in support of continuous improvement in the delivery of health care services.

730.3 MANAGING SPECIAL NEEDS INCARCERATED PERSONS

Upon an incarcerated person's arrival at the facility, the qualified health care professional, in conjunction with the custody staff, should determine if the incarcerated person has any special needs.

(a) If staff determines that an incarcerated person has special needs, a communication form or other appropriate documentation relating to special needs should be completed and sent to the housing officer.

(b) The qualified health care professional should arrange for the appropriate follow-up evaluation.

(c) The health care of special needs incarcerated persons should be continuous and ongoing. At minimum, the person should be seen by the Responsible Physician or a qualified health care professional at least once every 90 days to evaluate the person's continued designation as a special needs incarcerated person.

(d) Incarcerated persons who have been determined by qualified health care professionals to require a special needs classification should be seen as needed by a qualified health care professional.

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(e) Prior to transfer to another facility, a medical transfer summary should be completed detailing any special requirements that should be considered while the incarcerated person is in transit and upon their arrival at the destination. Discharge planning should be included, as appropriate.

(f) A treatment plan should be developed for each incarcerated person and should include, at a minimum:

1. The frequency of follow-up for medical evaluation and anticipated adjustments of the treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment, and using prescribed medications.

(g) When clinically indicated, the qualified health care professionals and the custody personnel should consult regarding the condition and capabilities of incarcerated persons with known medical and/or psychiatric illnesses or developmental disabilities prior to any of the following:

1. Housing assignment
2. Program or job assignment
3. Admissions to and transfers from or between institutions
4. Disciplinary measures for mentally ill patients

(h) Qualified health care professionals and custody personnel should communicate about incarcerated persons who require special accommodation. These include but are not limited to incarcerated persons who are:

1. Chronically ill.
2. Undergoing dialysis.
3. In an adult facility as an adolescent.
4. Infected with a communicable disease.
5. Physically disabled.
6. Pregnant.
7. Frail or elderly.
8. Terminally ill.
9. Mentally ill or suicidal.
10. Developmentally disabled.

730.4 NOTIFICATION TO SUPERVISORS

In the event that there is no mutual agreement regarding an individual or group of incarcerated persons who require special accommodation for medical or mental health conditions, supervisors in the respective chain of command within the health care and custody staff should address these issues.

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730.5 NOTIFICATION TO THE SHERIFF FOR MEDICAL RELEASE

Supervisors, through the chain of command, should advise the Sheriff when a terminally ill incarcerated person may be appropriate for early release or medical probation under Government Code § 26605.6 because the incarcerated person would not reasonably pose a threat to public safety and the person has a life expectancy of six months or less, or the person requires 24-hour care or acute long-term inpatient rehabilitation services.

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Forensic Evidence

731.1 PURPOSE AND SCOPE

The purpose of this policy is to maintain credibility between the incarcerated persons and the facility's qualified health care professionals by establishing clear guidelines restricting facility health care professionals from participating in the collection of forensic evidence for disciplinary or legal proceedings.

731.1.1 DEFINITION

Definitions related to this policy include:

Forensic evidence - Physical or psychological data collected from an incarcerated person that may be used against the incarcerated person in disciplinary or legal proceedings.

731.2 POLICY

Qualified health care professionals of this facility are generally prohibited from participating in the collection of forensic evidence or performing psychological evaluations for disciplinary or legal proceedings.

Qualified health care professionals of this facility should not be involved in the collection of forensic evidence except when complying with state laws requiring the collection of blood samples from incarcerated persons, provided the incarcerated person has consented to the procedure and staff are not involved in any punitive action against the incarcerated person.

Qualified health care professionals of this facility may collect blood or urine for testing for alcohol or drugs when it is done for medical purposes and under a physician's order. Qualified health care professionals of this facility may conduct incarcerated person-specific, court-ordered laboratory tests and examinations or radiology procedures with the consent of the incarcerated person.

Qualified health care professionals of this facility are prohibited from being involved in the following procedures:

(a) Body cavity searches

(b) Psychological evaluations for use in adversarial proceedings

(c) Blood draws for lab studies ordered by the court, without incarcerated person consent

(d) Any medical procedure, except emergency lifesaving measures, that does not have the incarcerated person's written consent

It shall be the responsibility of the Sheriff or the authorized designee to arrange for appropriately trained professionals to collect forensic evidence for disciplinary or legal proceedings.

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Oral Care

732.1 PURPOSE AND SCOPE

The intent of this policy is to ensure that incarcerated persons have access to dental care and treatment for serious dental needs. While the focus of this policy is primarily on urgent and emergent dental care, as with medical or mental health care, dental care is available based upon patient need.

732.1.1 DEFINITIONS

Definitions related to this policy include:

Infection control practices - Are defined by the American Dental Association (ADA) and the Centers for Disease Control and Prevention (CDC) as including sterilizing instruments, disinfecting equipment, and properly disposing of hazardous waste.

Oral care - Includes instruction in oral hygiene, examinations, and treatment of dental problems. Instruction in oral hygiene minimally includes information on plaque control and the proper brushing of teeth.

Oral examination - Includes taking or reviewing the patient's oral history, an extra-oral head and neck examination, charting of teeth, and examination of the hard and soft tissue of the oral cavity with a mouth mirror, explorer, and adequate illumination.

Oral screening - Includes visual observation of the teeth and gums, and notation of any obvious or gross abnormalities requiring immediate referral to a dentist.

Oral treatment - Includes the full range of services that in the supervising dentist's judgment are necessary for proper mastication and for maintaining the incarcerated person's health status.

732.2 POLICY

It is the policy of this office that oral care is provided under the direction of a dentist licensed in this state and that care is timely and includes immediate access for urgent or painful conditions. There are established priorities for care when, in the dentist's judgment, the incarcerated person's health would otherwise be adversely affected (15 CCR 1215).

732.3 ACCESS TO DENTAL SERVICES

Emergency and medically required dental care is provided to each incarcerated person upon request. Dental services are not limited to extractions. It is the goal of dental services to alleviate pain and suffering, ensure that incarcerated persons do not lose teeth merely as a consequence of incarceration and to provide appropriate dental service whenever medically required to maintain nutrition (15 CCR 1215).

Access to dental services should be as follows:

(a) All incarcerated persons wishing to see the dentist for a non-emergency issue shall complete a sick call form. Requests should be triaged according to the nature and severity of the problem and should be seen by a dentist according to assigned priority.

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Incarcerated persons requesting dental services on weekends or after hours will initially be evaluated by a qualified health care professional and referred appropriately.

(b) If an incarcerated person suffers obvious trauma or other dental emergency, the qualified health care professional may arrange for immediate access to a dentist or may transfer the incarcerated person to an emergency room for treatment.

(c) Incarcerated persons who are furloughed or sentenced to work release or another form of community release may see their own dentist pursuant to approval of scheduling arrangements with facility medical and custody staff. The incarcerated person will be financially responsible for any payment. The Office is under no obligation to the incarcerated person to this appointment.

(d) Records documenting all dental treatment should be maintained in the incarcerated person's medical record file and retained in accordance with established records retention schedules. Examination results should be recorded on a uniform dental record using a numbered system.

(e) Medications prescribed by a dentist should be administered in accordance with pharmacy procedures and documented in the incarcerated person's medical record.

(f) Necessary dental services identified by a dentist that are not available on-site should be provided by referral to community resources as deemed necessary by the facility dentist.

732.4 DENTAL CARE OPTIONS

Incarcerated persons should be offered a dental screening by a qualified health care professional or a dentist within 14 days of incarceration, unless such a screening was completed within the past six months. This dental screening should include an evaluation of the current dental status and instruction on oral hygiene and preventive oral education.

Incarcerated persons should be offered a dental examination, supported by diagnostic X-rays if necessary, by a dentist within 12 months of incarceration.

Incarcerated persons who are scheduled to be incarcerated for less than 12 months should have access to the treatment of dental pain, fillings, extractions of non-restorable teeth, cleaning and treatment of symptomatic areas, and repair of partials and dentures.

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Pharmaceutical Operations

733.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

733.1.1 DEFINITIONS

Definitions related to this policy include:

Administration - The act of giving a single dose of a prescribed drug or biological substance to an incarcerated person. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

Controlled substances - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

Delivery - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose, and instructions for taking the medication, the name of the prescribing physician, and expiration dates). Under these circumstances, a single dose at a time can be delivered to the incarcerated person, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

Dispensing - Those acts of processing a drug for delivery or administration to an incarcerated person pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding, or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery, or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

Distributing - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

Dose - The amount of a drug to be administered at one time.

Drug - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States, or any supplement that is intended for

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use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

Pharmaceutical operations - The functions and activities encompassing the procurement, dispensing, distribution, storage, and control of all pharmaceuticals used within the jail, the monitoring of incarcerated person drug therapy, and the provision of incarcerated person/patient drug information.

733.2 POLICY

It is the policy of this office that pharmaceutical operations meet all federal, state, and local legal requirements and be sufficient to meet the needs of the facility population (15 CCR 1216).

733.3 PHARMACEUTICAL OPERATIONS

(a) The Responsible Physician, in conjunction with the pharmacist, shall establish a list of all prescription and non-prescription medications available for incarcerated person use.

1. Drugs approved for use in the facility should promote safe, optimum and cost-efficient drug therapy.
2. The list should be periodically updated.

(b) The Responsible Physician, in conjunction with the pharmacist, shall ensure appropriate medication storage, handling and inventory control.

(c) The Responsible Physician shall inspect the pharmaceutical operation quarterly and regularly review charts on medication utilization.

(d) The Responsible Physician or their designee shall be responsible for establishing and maintaining a system for storing and accounting for controlled substances. A count of syringes, needles and controlled substances shall be taken and verified as correct and documented at the change of each shift by two qualified health care professionals. An incorrect count shall be reported immediately to the jail medical provider Health Services Administrator and the Sergeant or Officer In Charge shall be notified if there is a risk to the facility, staff or incarcerated persons. Medications shall be stored under proper conditions of security, separation and environmental control at all storage locations.

1. Medication shall be accessible only to legally authorized persons.
2. Medication and device cabinets (stationary or mobile) shall be closed and locked when not in use.
3. Controlled substances shall be stored and handled in accordance with DEA regulations.
4. Medication requiring refrigeration shall be stored separately either in a refrigerator that is locked or in a refrigerator that is in a locked room and is used exclusively for medication and medication adjuncts. The inside temperature of this refrigerator shall be maintained between 36 and 46 degrees. The inside

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temperature shall be monitored and recorded daily on a refrigerator temperature log.

5. Antiseptics and other medications for external use shall be stored separately from internal and injectable medications.

(e) Medication shall be kept in pharmacist-packaged or the original manufacturer's labeled containers. Medication shall only be removed from these containers to prepare a dose for administration. Drugs dispensed to incarcerated persons who are off grounds or are being discharged from the facility shall be packaged in accordance with the provisions of federal packaging laws (15 USC § 1471 et seq.) and any other applicable state and federal law.

(f) Medication shall be properly labeled with the label firmly affixed to the prescription package. Each label shall indicate the name, address and telephone number of the dispensing pharmacy, in addition to:

1. The medication name, strength, quantity, manufacturer, manufacturer's lot number or internal control number and expiration date.

2. Directions for use, dispensing date and drug order expiration date. Accessory or cautionary labels shall be applied as appropriate.

3. In cases where a multiple dose package is too small to accommodate the prescription label, the label may be placed on an outer container into which the multiple dose packages are placed.

(g) Medication that is outdated, visibly deteriorated, unlabeled, inadequately labeled, discontinued or obsolete shall be stored in a separate secure storage area and disposed of in accordance with the following requirements:

1. Controlled substances shall be disposed of in accordance with the state and federal regulations (15 CCR 1216(b)(8)).

2. Unused, outdated or discontinued doses or excess inventories of non-controlled drugs that have not been in the possession of the incarcerated person shall be returned to the pharmacy for disposition.

3. Returned, non-controlled substances that have been in the possession of the incarcerated person, unclaimed personal medication collected at intake, or individual doses of medication removed from the original pharmacy packaging shall be destroyed at the facility by health services staff and placed in the medical waste disposal system.

4. Pharmaceutical waste shall be separated from other types of medical waste for handling and disposal purposes, and will be discarded in designated containers distinctly identified for medical waste.

(h) All medication preparation, storage and administration areas shall be clean, organized, illuminated, ventilated and maintained at an appropriate temperature range. Any mobile medication cart that is not being used in the administration of medication to incarcerated persons shall be stored in a locked room that meets similar requirements.

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(i) Current drug reference information, such as a Physician's Desk Reference (PDR) or an approved website, shall be available to staff.

(j) An annual report on the status of the pharmaceutical operation will be prepared by the pharmacist and provided to the Responsible Physician and the Jail Commander.

733.4 PRESCRIBING MEDICATIONS

All medications shall be prescribed in a safe and effective manner for clinically appropriate reasons and documented in the individual patient medical record. Records shall be retained in accordance with established records retention schedules (15 CCR 1216; 15 CCR 1217).

(a) Any medication prescribed by a qualified health care professional shall specify the drug name, strength, dose, route, frequency, discontinuation date, and indication for use if the medication is intended to be used as needed. Medication shall not be prescribed for an indefinite period. The qualified health care professional shall review medication regimens at specified time intervals. An order to continue or discontinue any medication shall be documented in the medical record, which will supersede any earlier orders for that medication. A physician's signature should be required on all verbal orders within 72 hours of the order.

(b) Any medication prescription that is not complete or is questionable shall not be prepared until clarification is received from the qualified health care professional. Staff shall make an effort to obtain prescription clarification in a timely manner.

(c) Medication shall only be ordered upon approval of the Responsible Physician or their designee. Medication shall be prescribed and ordered from the facility list of approved medications unless the Responsible Physician approves otherwise.

(d) Some incarcerated persons may be permitted to possess and self-administer some medications when monitored and controlled, in accordance with this policy.

(e) Apparent adverse drug reactions shall be recorded in the incarcerated person's health record by the qualified health care professional.

(f) The qualified health care professional shall notify the Sergeant or Officer in Charge of all known medication errors in a timely manner. Medication error reports shall be completed on all known medication errors.

733.5 PER DOSE MEDICATION ADMINISTRATION

Psychotropic medication, controlled substances, tuberculosis (TB) medication, seizure medication and those listed as directly observed therapy (DOT) shall be administered to incarcerated persons on a per dose basis.

(a) Each medication ordered on a per dose basis for individual incarcerated persons shall be kept in the medication room of the facility.

(b) Medication dispensing containers bearing the incarcerated person's name, the incarcerated person's booking number, housing location, the medication, and its dosing schedule shall be generated for each incarcerated person receiving per dose medication. These shall be administered from the individually packaged supply and delivered to the patient at each scheduled medication time.

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(c) The qualified health care professional will confirm the incarcerated person's identity prior to administering the medication by comparing the name/booking number on the dispensing container with the incarcerated person's identification badge/armband.

1. Incarcerated persons should have a fluid container and adequate fluid to take the medication being administered.
2. The qualified health care professional should observe the incarcerated person taking the medication to prevent "cheeking" or "palming."
3. The qualified health care professional should inspect the incarcerated person's mouth after the incarcerated person swallows the medication to ensure it was completely ingested. If the incarcerated person appears to be "cheeking" the medication, a chart entry will be made and a notation entered on the medication envelope, as well as the back of the Medication Administration Record (MAR). Custody staff shall be immediately notified of the suspected "cheeking" and shall follow-up with the appropriate security, corrective and/or disciplinary action.

(d) The qualified health care professional shall record each medication administered by initialing the appropriate date and time. The qualified health care professional shall authenticate the initials by placing the staff member's initials, signature or name stamp in the designated area of the MAR. Pre-charting is not allowed.

1. In the event that medication cannot be administered (for example, the incarcerated person is in court or the medication is not in stock), a note explaining the situation and planned action shall be made on the MAR or on a progress note.

(e) The qualified health care professional or custody staff member shall have incarcerated persons who refuse their medication sign a refusal form at the medication round. The refusal shall be witnessed by a qualified health care professional. If the incarcerated person willfully refuses to sign the refusal form, the qualified health care professional or custody staff should attempt to resolve the situation through voluntary compliance. The qualified health care professional shall also:

1. Note the refusal on the medication log including the date and time.
2. Review the medication logs for prior refusals.
3. Document patterns of refused medications on the incarcerated person's medical record.
4. Make a reasonable effort to convince the incarcerated person to voluntarily continue with the medication as prescribed.
5. Report continued refusals to the Responsible Physician and have the incarcerated person complete and sign a medication refusal form.

(f) No incarcerated person should be deprived of prescribed medication as a means of punishment.

733.6 SELF-ADMINISTRATION OF MEDICATION

Upon approval of the Responsible Physician or qualified health care professional, incarcerated persons may be allowed to self-administer prescribed medication other than psychotropic

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medication, seizure medication, controlled drugs, TB medication, any medication that is required to be DOT, or has the recognized potential for abuse (15 CCR 1216).

The qualified health care professional ordering medication should educate the incarcerated person regarding potential side effects and the proper use of the medication (15 CCR 1216(d) et seq.).

(a) Medication may be ordered through a pre-booking examination or medical clearance obtained at a hospital or other clinic, an emergency room visit or evaluation by an on-site qualified health care professional.

(b) Any questions the incarcerated person may have concerning the person's medication should be addressed at this time.

(c) The incarcerated person shall be instructed to carry medication at all times or to secure it in designated areas within the housing unit.

(d) All self-administered medications are to be documented on the MAR.

(e) Upon receipt of the medication, the qualified health care professional should issue the incarcerated person medication as follows:

1. The qualified health care professional issuing the medication should confirm correct identity by comparing the name/booking number of the self-administer package to the incarcerated person's identification badge/armband.

2. When issuing self-administered medication, documentation on the MAR should include the number of pills issued and the qualified health care professional's initials.

(f) The continuous quality improvement coordinator should monitor incarcerated person compliance by randomly interviewing incarcerated person about the name, purpose, dose, schedule and possible side effects of their prescription medication and will inspect the incarcerated persons' self-administered medication and review their medical records. Any violation of the rules will be reported to the custody liaison.

(g) Any self-administered medication may be changed to per-dose at the discretion of the medical staff if the incarcerated person is not responsible enough to self-administer the medication or has a history of frequent rule violations. Documentation in the medical record should accompany any decision to change the medication to per-dose. Custody and health care staff should continuously monitor and communicate with each other regarding incarcerated persons complying with the conditions and rules for self-administered medication.

(h) Incarcerated persons who arrive at the facility with prescribed medication should be administered per dose for any new medications or refills until the new medication or refill is received from the pharmacy.

733.7 NON-PRESCRIPTION MEDICATION

Any over-the-counter non-prescription medication available to incarcerated persons for purchase in the facility commissary shall be approved by the Jail Commander and the Responsible Physician(15 CCR 1216(c)).

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Pharmaceutical Operations

The Jail Commander and the Responsible Physician should establish a limit on the amount of non-prescription medication an incarcerated person may purchase and have in the person's possession at any time. Incarcerated persons with medication in an amount above the prescribed limit may be subject to disciplinary actions.

Outside the delivery of sealed, documented commissary orders,any medications, non-prescription or otherwise, should be delivered or provided by medical staff.

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Release Planning

734.1 PURPOSE AND SCOPE

This office recognizes that incarcerated persons may require information and assistance with health care follow-up upon release from custody. The purpose of this policy is to establish guidelines to assist staff with providing resources for the continuity of an incarcerated person's health care after their release from custody.

734.1.1 DEFINITION

Definitions related to this policy include:

Release planning - The process of providing sufficient resources for the continuity of health care to an incarcerated person before their release to the community.

734.2 POLICY

The qualified health care professional should work with correctional staff to ensure that incarcerated persons who have been in custody for 30 or more days and have pending release dates, as well as serious health, dental, or mental health needs, are provided with medication and health care resources sufficient for the incarcerated person to seek health care services once released.

The Jail Commander or the authorized designee shall be responsible for ensuring that release preparation curriculum and materials are developed and maintained for this purpose, and that community resource information is kept current. Release planning should include:

(a) Resources for community-based organizations that provide health care services, housing, funding streams, employment, and vocational rehabilitation.

(b) Lists of community health professionals.

(c) Discussions with the incarcerated person that emphasize the importance of appropriate follow-up care.

(d) Specific appointments and medications that are arranged for the incarcerated person at the time of release.

734.3 PREPARATION FOR RELEASE

Upon notification of the imminent release of an incarcerated person who has been identified as having serious medical or mental health needs, release planning shall include the following:

(a) A medical screening shall be conducted to assess the incarcerated person's immediate medical needs, and arrangements should be made for community follow-up where needed, including sufficient medication.

(b) With the incarcerated person's written consent, the qualified health care professional should:

1. Share necessary information with health care services.
2. Arrange for follow-up appointments.

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3. Arrange for the transfer of health summaries and relevant parts of the health record to community health care services or others who are assisting in planning for or providing services upon the incarcerated person's release.

(c) Contact with community health care services shall be documented via an administrative note in the incarcerated person's health record.

(d) Incarcerated persons with serious mental health issues, including those receiving psychotropic medication, shall be informed about community options for continuing treatment and provided with follow-up appointments, when reasonably possible.

(e) In the event an incarcerated person is in need of medication after their release, the jail medical provider will call in a prescription for the appropriate supply to the pharmacy of the person's choice. The information will be provided to the incarcerated person.

734.4 RELEASE PLANNING RECORDS

All records of community referrals, transfer forms, logs, documentation of release planning, lists of medication provided, records release authorization forms, and any other relevant documents shall be maintained in the incarcerated person's health file and retained in accordance with established records retention schedules.

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Privacy of Care

735.1 PURPOSE AND SCOPE

This policy recognizes that incarcerated persons have a right to privacy and confidentiality regarding their health-related issues. It also recognizes incarcerated persons' right to health care services that are provided in such a manner as to ensure that privacy and confidentiality, and encourage incarcerated persons' use and trust of the facility's health care system.

735.1.1 DEFINITION

Definitions related to this policy include:

Clinical encounters - Interactions between incarcerated persons and health care professionals involving a treatment and/or an exchange of confidential health information.

735.2 POLICY

It is the policy of this office that, to instill confidence in the health care system by the incarcerated person population, all discussions of health-related issues and clinical encounters, absent an emergency situation, will be conducted in a setting that respects the incarcerated person's privacy and encourages the incarcerated person's continued use of health care services.

735.3 CLINICAL EVALUATIONS

Emergency evaluations and rendering of first aid should be conducted at the site of the emergency, if reasonably practicable, with transfer to the medical clinic or emergency room as soon as the incarcerated person is stabilized.

Incarcerated persons shall have a same-gender escort for encounters with an opposite-gender qualified health care professional or health-trained staff member, as appropriate.

Custody personnel should only be present to provide security if the incarcerated person poses a risk to the safety of the qualified health care professional or others.

735.4 REPORTING INAPPROPRIATE ACCESS OF MEDICAL INFORMATION

The Jail Commander and Responsible Physician shall establish a process for staff, incarcerated persons, or any other persons to report the improper access or use of medical records.

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Chapter 8 - Environmental Health

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Sanitation Inspections

800.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

800.2 POLICY

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

800.3 RESPONSIBILITIES

The Jail Commander will ensure that the safety and sanitation plan addresses, at a minimum, the following (15 CCR 1280):

(a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control, safety surveys)

(b) Self-inspection checklists to identify problems and to ensure cleanliness of the facility.

(c) Procedures, schedules and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.

(d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the facility, and instructions on how to operate, dilute or apply the material in a safe manner.

(e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.

(f) Training requirements for custody staff and incarcerated person workers on accident prevention and avoidance of hazards with regard to facility maintenance.

Consideration should be given to general job descriptions and/or limitations relating to personnel or incarcerated persons assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Office or by contract with private firms.

Incarcerated persons engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When incarcerated work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. All maintenance issues should be documented on the maintenance log located in central control. The Sergeant or Officer in Charge should conduct cleaning inspections on a regular basis.

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800.4 WORK ORDERS

All reports of unsafe or unsanitary conditions, as well as repairs needed to the physical plant and equipment, shall be documented in a work order. The Jail Commander will designate a staff person 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. Requests for budget resources above and beyond already budgeted maintenance items shall be reported to the Jail Commander.

800.5 SAFETY DATA SHEETS

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

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

(a) A list of all areas where hazardous materials are stored.

(b) A physical plant diagram and legend identifying the storage areas of the hazardous materials.

(c) A log for identification of new or revised SDS materials.

(d) A log for documentation of training by users of the hazardous materials.

800.5.1 SDS USE, SAFETY, AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and incarcerated persons shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)):

(a) Supervisors shall conduct training for all staff and incarcerated persons on using the SDS for the safe use, handling, and disposal of hazardous material in areas they supervise.

(b) Upon completion of the training, staff and incarcerated persons shall sign the acknowledgement form kept with each SDS in their work area.

(c) Staff and incarcerated persons using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling, and disposal of any hazardous material.

800.5.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition or replacement of any hazardous material shall review the accompanying SDS.

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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.

The Compliance Officer shall review SDS information in the facilities semiannually to determine if the information is current and that appropriate training has been completed.

800.5.3 SDS RECORDS MASTER INDEX

The Compliance Officer will compile a master index of all hazardous materials in the facility, including locations, along with a master file of SDS information. They will maintain this information in Central Control, with a copy to the local fire department. Documentation of the semiannual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, current list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

800.5.4 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)).

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Hazardous Waste and Sewage Disposal

801.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Office recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures, and precautions, but on adequate supervision and the responsible behavior of the staff and incarcerated persons. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

801.1.1 DEFINITION

Definitions related to this policy include:

Hazardous waste - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

Contractor - Contractor in this policy refers to Nevada County Facilities for hazardous waste and Jail Medical Provider for medical bio-waste.

801.2 POLICY

It is the policy of this office that any sewage and hazardous waste generated at the facility shall be handled, stored, and disposed of safely and in accordance with all applicable federal and state regulations and in consultation with the local public health entity.

801.3 RESPONSIBILITIES

The Jail Commander or the authorized designee shall be responsible for:

Contracting with a hazardous waste disposal service.

Developing and implementing a storage and disposal plan that has been reviewed and approved by a regulatory agency.

Developing and implementing procedures for the safe handling and storage of hazardous materials until such time as the contractor removes the items from the facility.

Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage and disposal of such items.

801.4 SAFETY EQUIPMENT

The Jail Commander or their designee, in cooperation with the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

801.5 TRAINING

The Training Sergeant shall be responsible for ensuring that all facility personnel receive appropriate training in the use of appropriate safety equipment and the identification, handling and

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disposal of hazardous waste. Training records shall be maintained, including the course roster, curriculum, instructor name and credentials, and testing instruments.

801.6 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Commander in the event of an exposure to staff, incarcerated persons, or visitors.

801.7 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

The institution's use of the private system must be discontinued, and the private system must be properly abandoned when public sewerage becomes available.

801.8 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. At a minimum, staff shall use universal standard precautions when in contact with hazardous materials.

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Housekeeping and Maintenance

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

802.2 POLICY

It is the policy of this office to maintain a sanitation and preventive maintenance schedule to keep the facility clean and in good repair.

802.3 RESPONSIBILITIES

The Jail Commander shall establish housekeeping and maintenance plans that address all areas of the facilities. The plans should include, but are not limited to (15 CCR 1280):

- Schedules that determine the frequency of cleaning activities on a daily, weekly or monthly timetable, by area of the facilities.
- Supervision of the staff and incarceratedperson to ensure proper implementation of the procedures and to ensure that no incarcerated person supervises or assigns work to another incarcerated person.
- Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, incarcerated person supervision).
- Development of inspection forms.
- All incarcerated person responsibilities, which should be included in the inmate handbook.
- A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- A process for the preventive maintenance of equipment and systems throughout the facilities.
- Staff supervision of the provision and use of cleaning tools and supplies.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

802.4 SANITATION SCHEDULE

A cleaning schedule will be established by the housing unit supervisor. Facility staff should implement a site specific plan for cleaning and maintenance of each area of the facility (e.g., housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following recommendations for cleaning include, but are not limited to, specific areas and items:

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(a) Sweep and then wet-mop the entire jail floor

(b) Clean all cell block areas

(c) Empty all trash receptacles

(d) Clean all toilets and sinks

(e) Clean all showers

(f) Dust bars and window ledges

(g) Clean air conditioning/heating grates

(h) Clean mattresses (mattresses are also to be cleaned prior to being issued to a new incarcerated person)

(i) Pour water down floor drains to test for flow

(j) Clean walls

(k) Clean ceilings

(l) Clean bunk pans

802.5 TRAINING

All custodial staff 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.

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Water Supply

804.1 PURPOSE AND SCOPE

The Nevada County Sheriff's Office recognizes the importance of providing the facility with safe, potable water. The purpose of this policy is to establish guidelines for testing the facility's water to ensure that the water is safe to consume.

804.2 POLICY

In compliance with standards set by law, this facility will ensure the continued supply of safe potable water(42 USC § 300f et seq.).

804.3 PROCEDURE

The Jail Commander shall ensure that the facility's potable water is from a routinely tested source. Water quality will be certified to be in compliance with all state and local regulations. A request for corrective measures shall be promptly made if the test results fall below acceptable regulatory standards.

In the event that correctional staff is made aware of any significant hazards to the incarcerated persons or staff at the facility, the Sheriff, Jail Commander and the Office health authority 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 facility'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.

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

804.4 EMERGENCY PLAN

The Jail Commander and the Office health authority 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 should also include contingencies to flush toilets and remove effluent from the facility.

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Vermin and Pest Control

805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

805.2 POLICY

It is the policy of this office that vermin and pests be controlled within the facility. The Jail Commander or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Responsible Physician and the local public health entity, for the sanitation and control of vermin and pests, and to establish medical protocols for treating incarcerated person clothing, personal effects, and living areas, with specific guidelines for treating an infested incarcerated person (15 CCR 1212; 15 CCR 1264).

805.3 PEST CONTROL SERVICES

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

805.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted incarcerated person who is vermin-infested or whose property is vermin-infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Incarcerated persons with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for incarcerated persons undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

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

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

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

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Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore, some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the incarcerated person and proper application of the appropriate product. The area used to delouse incarcerated persons needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated, and the treatment used.

805.5 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.

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Incarcerated Person Safety

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a safety program to reduce incarcerated person injuries by analyzing causes of injuries and identifying and implementing corrective measures.

806.2 POLICY

It is the policy of the Nevada County Sheriff's Office to provide a safe environment for individuals confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating incarcerated person injuries, and taking corrective actions as necessary to reduce accidents and injury.

806.3 RESPONSIBILITIES

The Jail Commander shall appoint staff members who will be responsible for the development, implementation and oversight of the safety program. Staff members will include the Compliance Officer, Administrative Sergeant and the Fire and Life Safety Officer. This program will include, but not be limited to (15 CCR 1280):

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

806.4 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 by custody staff, the Sheriff 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. Injuries resulting from use of force incidents will be investigated and reported in accordance with the Use of Force Policy.

806.5 INVESTIGATION REPORTS

The Sergeant or Officer in Charge shall ensure that reports relating to an incarcerated person's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Any other relevant documents

Health record entries will be completed by the Jail Medical Provider.

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806.6 ANNUAL REVIEWS

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

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Incarcerated Person Hygiene

807.1 PURPOSE AND SCOPE

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

807.2 POLICY

It is the policy of the Nevada County Sheriff's Office facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations (15 CCR 1069). Compliance with laws and regulations relating to good incarcerated person hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all incarcerated persons, but for the safety of the correctional staff, volunteers, contractors, and visitors.

807.3 RESPONSIBILITIES

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

807.4 STORAGE SPACE

There should be adequate and appropriate storage space for incarcerated person bedding, linen, or clean clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum incarcerated person population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Commander should be notified if additional storage space is needed.

807.4.1 BEDDING ISSUE

Upon entering a living area of the Nevada County Sheriff's Office jail, every incarcerated person who is expected to remain overnight shall be issued bedding and linens including but not limited to (15 CCR 1270):

(a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.

(b) One clean, firm, nontoxic, fire-retardant mattress (16 CFR 1633.1 et seq.).

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1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an incarcerated person is released or upon reissue.
2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).
3. Mattresses shall be free of holes and tears. Mattresses with holes, tears, or that lack sufficient padding shall be replaced upon request with mattresses that meet the requirements of 15 CCR 1270 (15 CCR 1271).

(c) Two sheets or one sheet and a clean mattress cover.

1. Two blankets or a sleep bag may be issued in place of one mattress cover or one sheet at the request of the incarcerated person.

(d) Two clean bath towels.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Sergeant or Officer In Charge should review the daily activity log periodically.

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

807.4.2 CLOTHING ISSUE

An incarcerated person admitted to the facility for 72 hours or more and assigned to a living unit shall be issued a set of facility clothing. The issue of clothing appropriate to the climate for incarcerated persons shall include but is not limited to (15 CCR 1260):

(a) Clean socks

(b) Clean outergarments

(c) Clean undergarments

1. Males - shorts and undershirts
2. Females - two bras, two nightgowns, one pair of sleep shorts, and four pairs of panties

(d) Footwear

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

All issued and exchanged clothing shall be clean and free of holes, tears, reasonably fitted, durable, and easily laundered and repaired. Undergarments shall be clean, free of holes or

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tears, and substantially free of stains. Individuals shall be able to select the garment type more compatible with their gender identity and gender expression (15 CCR 1260).

Clothing shall be exchanged once per week, at a minimum (15 CCR 1262) as two sets of undergarments are issued to each incarcerated person. All exchanges shall be documented on the daily activity log. The Sergeant or Officer In Charge or unit supervisor shall review the daily activity log periodically.

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 and the Sergeant or Officer In Charge.

Each incarcerated person assigned to a special work area, such as food services, medical, farm, sanitation, mechanical, 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).

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

The Jail Commander or the authorized designee shall ensure that the facility 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, or picked up by a designated family member or stored in containers designed for such purpose. All incarcerated person's personal property shall be properly identified, inventoried, and secured. Incarcerated persons shall sign and receive a copy of the inventory record.

807.5 LAUNDRY SERVICES

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

807.6 INCARCERATED PERSON ACCOUNTABILITY

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

Prior to being placed in a housing unit, incarcerated persons shall be provided with an incarcerated person handbook listing this requirement.

807.7 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.

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Each incarcerated person held more than 24 hours, who does not have the following personal care items because of either indigency or the absence of an incarcerated person canteen, shall be issued the following items (15 CCR 1265):

- Toothbrush
- Dentifrice
- Soap
- Comb
- Shaving implements

Any incarcerated person, upon request, shall be provided personal hygiene items with regard to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads, tampons and panty liners, at no cost and no maximum allowance (Penal Code § 4023.5).

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the incarcerated person's gender. Additional hygiene items shall be provided to incarcerated persons upon request, as needed.

Personal care items shall be issued within the first 12 hours of a housing assignment. Incarcerated persons shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the California Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Incarcerated persons, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Commander or the authorized designee may suspend this requirement for any incarcerated person who is considered a danger to themselves or others.

807.8 BARBER AND COSMETOLOGY SERVICES

The Jail Commander or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the incarcerated person population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Jail Commander shall ensure that the rules are included in the incarcerated person handbook.

807.8.1 SCHEDULE FOR HAIR CARE SERVICES

Incarcerated persons shall have the ability to receive hair care services once per month (15 CCR 1267(b)).

Prior to being placed in a housing unit, incarcerated persons will be given an informational handbook, which details how to request hair care services.

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807.8.2 HAIR CARE SPACE

After each haircut, all tools that came into contact with an incarcerated person shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all incarcerated persons.

Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

807.9 AVAILABILITY OF PLUMBING FIXTURES

Incarcerated persons confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for incarcerated persons in housing units is:

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

807.10 INCARCERATED PERSON SHOWERS

Incarcerated persons will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible. Absent exigent circumstances, no person shall be prohibited from showering at least every other day following assignment to a housing unit. If showering is prohibited, it shall be approved by the Jail Commander or the authorized designee, and the reasons for prohibition shall be documented (15 CCR 1266).

There should be one shower for every 20 incarcerated persons unless federal, state, or local building or health codes differ. Showering facilities for incarcerated persons housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of incarcerated persons and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons (28 CFR 115.42).

807.11 DELOUSING MATERIALS

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

807.12 ADDITIONAL PRIVACY REQUIREMENTS

Incarcerated persons shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the

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opposite sex shall announce their presence when entering an incarcerated person housing unit (28 CFR 115.15).

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Chapter 9 - Food Services

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Food Services

900.1 PURPOSE AND SCOPE

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

900.2 POLICY

It is the policy of this office that food services shall provide incarcerated persons with a nutritionally balanced diet in accordance with federal, state, and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq. (15 CCR 1245(a)).

900.3 SUPERVISING COOK

The Supervising Cook shall be responsible for oversight of the day-to-day management and operation of the food services area, including:

- Developing, implementing and managing a budget for food services.
- Ensuring sufficient staff is assigned and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for staff and incarcerated person workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- 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 Commander.

900.4 MENU PLANNING

All menus shall be planned, dated and available for review at least one month in advance of their use (15 CCR 1242). Records of menus and of foods purchased shall be kept on file for one month. Menus shall provide a variety of foods and should consider food flavor, texture, temperature, appearance and palatability. Menus shall be approved by a registered dietitian or nutritionist before being served to ensure the recommended dietary allowance for basic nutrition meets the needs of the appropriate age group. The dietitian shall ensure that the meals meet the nutritional and hot food requirements of 15 CCR 1240 and 15 CCR 1241(15 CCR 1242).

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Any changes to the meal schedule, menu or practices should be carefully evaluated by the Supervising Cook in consultation with the Jail Commander, dietitian, medical staff and other professionals, and shall be recorded. All substitutions will be of equal or better nutritional value and meet the caloric requirements set forth in 15 CCR 1241. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (15 CCR 1242). Facility menus shall be evaluated at least quarterly by the Supervising Cook to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews and quarterly evaluations should be maintained by the Supervising Cook in accordance with established records retention schedules.

900.5 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, not to exceed four hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected (15 CCR 1245(a)).

900.6 THERAPEUTIC DIETS

The Supervising Cook shall be responsible for ensuring that all incarcerated persons who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A therapeutic diet manual, which includes samples of medical diets, shall be maintained in the health services and food services areas for reference and information.

More complete information may be found in the Prescribed Therapeutic Diets Policy.

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

900.7 RELIGIOUS DIETS

The Supervising Cook, 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).

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When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

900.8 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect incarcerated persons from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (15 CCR 1230).

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

900.9 MEAL SERVICE PROCEDURE

Incarcerated person meals that are served in a dining room or day room should be provided in space that allows groups of incarcerated person s to dine together, with a minimum of 15 square feet of space per incarcerated person . A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

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

Incarcerated person s must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time including a high quality protein, such as meat, fish, eggs or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals, approved snacks will be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

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

As the meal time approaches, facility staff should direct the incarcerated person s to get dressed and be ready for meals. Incarcerated person s should be assembled and a head count taken, to verify all incarcerated person s in the housing location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during incarcerated person movement and meals. Meals shall be served under the direct supervision of staff.

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Staff should direct an orderly filing of inmates to the day room to pick up their meal trays. Staff should identify incarcerated person s who have prescribed therapeutic or authorized religious diets so those inmates receive their meals accordingly.

It shall be the responsibility of the correctional officers to maintain order and enforce rules prohibiting excessive noise and intimidation of other incarcerated person s to relinquish food during mealtime.

To the extent reasonably practical, an adequate number of correctional personnel should supervise meal service in central dining areas.

The Sergeant or Officer in Charge should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food and any health or security issues.

In the interest of security, sanitation and vermin control, incarcerated person s shall not be allowed to take food from the dining area to their housing areas.

900.10 EMERGENCY MEAL SERVICE PLAN

The Supervising Cook 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 person s. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Commander 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 Supervising Cook shall consult with a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Commander shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

In the event that the incarcerated person food supply drops below that which is needed to provide meals for two days, the Jail Commander or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

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

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Food Services Training

901.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury to staff, contractors, and incarcerated workers in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

901.2 POLICY

The Nevada County Sheriff's Office ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of kitchen staff and incarcerated workers (15 CCR 1230; 15 CCR 1243(g); 15 CCR 1245(a)).

901.3 TRAINING

The Supervising Cook, under the direction of the Jail Commander, is responsible for ensuring that a training curriculum is developed and implemented in the use of equipment and safety procedures for all food services personnel, including staff, contractors and incarcerated workers.

The training shall include, at minimum:

(a) Work safety practices and use of safety equipment.

(b) Sanitation in the facility's food services areas.

(c) Reducing risks associated with operating machinery.

(d) Proper use of chemicals in food services areas.

(e) Employing safe practices.

(f) Facility emergency procedures.

A statement describing the duties and proper time schedule should be developed for each job function in the facility's kitchen and food services operation. The Supervising Cook, at the direction of the Jail Commander, shall establish an employee/kitchen worker training course, and all staff or incarcerated workers shall be trained on how to assemble, operate, clean and sanitize kitchen equipment.

Information about the operation, cleaning and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service and repairs. The equipment must also meet any applicable government codes.

901.4 TESTING

A test should be developed to determine and document that the Cook or incarcerated food services worker understands the proper procedures demonstrated during training. Cooks and

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incarcerated food services workers are required to pass the test in order to work in the food services area. Upon achievement of a passing score, the Cook or incarcerated food services worker shall acknowledge receipt of the training in writing. The signed document for Cooks shall be forwarded to Professional Standard Unit and retained in the worker's training file. The signed document for incarcerated workers shall be retained in the incarcerated persons hardcard and uploaded into their electronic booking file. Contracted service providers should be required to provide documentation and certification of their employees. Only trained personnel are authorized to use food services equipment.

901.5 BRIEFING TRAINING

The Supervising Cook should consider daily briefing training as a method of staff development. Regular and repetitive trainings of short duration (8 to 10 minutes) at the beginning of each shift are an effective and cost efficient way to maintain the competency of staff. A lesson plan and record of attendance should be incorporated into the briefing training. Records of all training, including training for contract workers, should be forwarded to the Professional Standards Unit and maintained in the worker’s training files in accordance with established records retention schedules.

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Dietary Guidelines

902.1 PURPOSE AND SCOPE

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

902.2 POLICY

It is the policy of this office that diets provided by this facility will meet or exceed the guidelines established in the current publications of the Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies, the California Food Guide (CFG) and the U.S. Department of Agriculture’s Dietary Guidelines for Americans (DGA).

902.3 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 nutritional and caloric requirements found in the 2019 DRI, and the 2020-2025 DGA guidelines (15 CCR 1241). Any deviation from these guidelines shall be reviewed by the Sheriff and/or the Jail Commander and the Responsible Physician.

The food services manager or the authorized designee shall ensure that the facility's menus and dietary allowances are evaluated annually by a registered dietitian, and that any changes meet the DRI and DGA guidelines. A registered dietitian must approve menus before they are used (15 CCR 1242).

Menus should be evaluated at least quarterly by the food services manager or the authorized designee.

902.4 MENU CYCLE PLANNING

The food services 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 (15 CCR 1242). 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 pasteurized fat-free or low-fat milk fortified with Vitamins A and D or food providing at least 250 mg. of calcium and equivalent to 8 ounces of fluid milk. One serving can be from a fortified food containing at least 150 mg. of calcium. Persons who are known to be pregnant or lactating should receive four servings of milk or milk products.

(b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one daily serving, or seven servings per week, shall be from each of the following three categories:

1. One serving of a fresh fruit or vegetable.

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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 mg. or more.

(c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains.

(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. The daily requirements shall be equal to three servings for a total of 42 grams per day or 294 per week. In addition, a fourth serving from the legumes category shall be served three days a week.

(e) A daily or weekly average of the food group's requirement is acceptable.

(f) Saturated dietary fat should not exceed 10 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable. Facility diets shall consider the recommendations and intentions of the 2015-2020 DGA of reducing overall sugar and sodium levels.

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.

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Food Services Workers' Health, Safety, and Supervision

903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of cooks and incarcerated workers.

903.2 POLICY

The Nevada County Sheriff's Office will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All incarcerated food services workers will be properly supervised by cooks and correctional staff to ensure safety and security at all times (15 CCR 1243(h)).

903.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The Supervising Cook is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered and served only under direct supervision by cooks or correctional staff.

Work assignments shall be developed to ensure that a sufficient amount of cooks are available to supervise incarcerated food services workers.

The food preparation area must remain clean and sanitary at all times. The Supervising Cook or the authorized designee shall post daily, weekly and monthly cleaning schedules for the equipment and food preparation area.

903.4 MEDICAL SCREENING

The Supervising Cook shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed (15 CCR 1230):

(a) All Cooks and incarcerated food services workers shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections and other illnesses transmissible by food or utensils.

(b) Periodic reexaminations of incarcerated food services workers shall be given to ensure freedom from any disease transmissible by food or utensils.

(c) Cooks and incarcerated food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.

(d) The Supervising Cook or their designee or correctional staff shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.

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(e) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.

(f) All food handlers shall wash their hands when reporting for duty and after using toilet facilities. Aprons shall be removed and secured in a clean storage area before entering the toilet facility.

(g) All Cooks or incarcerated food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.

(h) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.

(i) Smoking at any time is prohibited in any food services area.

(j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.

(k) All incarcerated food services workers shall report to the Supervising Cook or their designee or correctional staff any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

(l) All Cooks shall report to the Supervising Cook or Sergeant or Officer in Charge any information about their health and activities in accordance with health and safety codes as they relate to to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any cook or incarcerated food services worker is prohibited from handling food or working in any food services area if they report symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining. Cooks or incarcerated food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

903.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS

The Supervising Cook is responsible for developing and implementing a training program for incarcerated food services that includes food safety, proper food-handling techniques and personal hygiene. Each incarcerated food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver, or serve food. Cooks and incarcerated food services workers should receive periodic supplemental training as determined by the Supervising Cook (15 CCR 1243(g)).

The training curriculum for incarcerated food services workers should include, at minimum, the following topics:

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- Proper hand-washing techniques and personal hygiene as it applies to food services work
- Proper application and rotation of gloves when handling food
- Proper use of protective hair coverings, such as hats or hairnets
- Wearing clean aprons and removing aprons prior to entering toilet facilities
- Maintaining proper cooking and holding temperatures for food
- Proper portioning and serving of food
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission
- Reporting illness, cuts or sores to the custody staff in charge

903.6 SUPERVISION OF INCARCERATED WORKERS

Only personnel authorized to work in the food preparation area will be allowed inside. Incarcerated food handlers working in the kitchen must be under the supervision of a staff member (15 CCR 1243(h)). The Jail Commander will appoint at least one qualified staff member, who will be responsible for the oversight of daily activities and ensuring food safety. The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Sufficient cooks or correctional staff shall be assigned to supervise and closely monitor incarcerated food services workers. Staff shall ensure that incarcerated food services workers do not misuse or misappropriate tools or utensils, and that all workers adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays and food carts used in the preparation, serving or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

903.7 SUPERVISION OF THE FOOD SUPPLY

The risk of conflict and protest is reduced when the incarcerated population has confidence in the safety and quality of their food. Custody staff should supervise the transport and delivery of food to the respective serving areas. Custody staff should ensure the food is protected during transportation and delivered to the right location efficiently and under the right temperatures.

Cooks should report any suspected breech in the safety or security of the food supply. Correctional staff should be alert to incarcerated person's behavior when serving food, and cognizant of any comments concerning perceived contamination or portioning issues. Correctional staff should

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report any suspicion of unrest by the incarcerated population to the Sergeant or Officer in Charge. Incarcerated person complaints about contaminated food or portion sizes should be reported directly to the cook as soon as possible for replacement.

Any change to the published menu or the standard portioning should be documented and reported to the Supervising Cook as soon as practicable.

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Food Preparation Areas

904.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

904.2 POLICY

It is the policy of this office to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

904.3 COMPLIANCE WITH CODES

The Supervising Cook is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (15 CCR 1245(a)).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross contamination and remain free from vermin infestation (Health and Safety Code § 114259).

904.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state, and local building codes, comply with food and agricultural laws and standards, and include any required approvals from any local regulatory authority (Health and Safety Code § 113700 et seq.).

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation, and methods of meal services.

Floors, floor coverings, walls, wall coverings, and ceilings should be designed, constructed, and installed so they are smooth, non-absorbent, and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed, and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and incarcerated persons to perform necessary tasks (Health and Safety Code § 114252).

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Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes shall be provided if necessary (Health and Safety Code § 114149(a)).

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state, and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices, or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies and be stored in compliance with the provisions of Health and Safety Code § 114047.

904.5 TOILETS AND WASHBASINS

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and incarcerated workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the incarcerated population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and incarcerated workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The Supervising Cook shall be responsible for procedures to ensure:

(a) All fixtures in the toilet facilities are clean and in good operating condition.

(b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used shall have at least one covered waste receptacle.

(c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times (Health and Safety Code § 113953.3).

If the toilet facility is outside of the kitchen area, Cooks and incarcerated food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

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Food Budgeting and Accounting

905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment, and supplies for the delivery of food services (15 CCR 1243(i)).

905.2 POLICY

The Nevada County Sheriff's Office food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards.

905.3 SUPERVISING COOK RESPONSIBILITIES

The Supervising Cook is responsible for establishing a per meal, per incarcerated person budget for food, equipment and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The Supervising Cook is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

905.4 PROCEDURE

The Supervising Cook is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

(a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.

(b) Establishing a per meal, per incarcerated person cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory (15 CCR 1243(i)).

(c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:

1. Meals prepared and served for each meal period.
2. Meals served per location.
3. Prescribed therapeutic diet meals served.
4. Authorized religious diet meals served.
5. Authorized disciplinary isolation diet meals served.

(d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

(e) Bulk-purchasing nonperishable items to maximize the budget dollars (15 CCR 1243(b)).

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(f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:

1. Following planned menus.
2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
3. Purchasing food that is in season.
4. Purchasing the grade of product best suited to the recipe.
5. Following standard recipes.
6. Producing and portioning only what is needed.
7. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
8. When reasonably practicable, responding to the incarcerated person's food preferences.
9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety, and incarcerated person abuse.

(g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain (15 CCR 1243(b)):

1. The common name of the product.
2. The amount to be purchased.
3. The trade, federal or other grade or brand required.
4. The container size and either an exact, or a range of the number of pieces in a shipping container.
5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).

(h) Establishing accounting procedures for financial statements and inventory control.

(i) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, inventory of food, supplies and equipment for the required period of time, as mandated by the governing body of the facility.

905.5 MONTHLY REPORTING

The Supervising Cook is responsible for ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the number of (15 CCR 1243(j)):

(a) Meals prepared and served for each meal period.

(b) Meals served per location.

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(c) Prescribed therapeutic diet meals served.

(d) Authorized religious diet meals served.

(e) Authorized disciplinary isolation diet meals served.

A report summarizing all data should be provided to the Jail Commander, upon request.

All meal records shall be retained in accordance with office retention schedules and state statutory regulations.

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Food Services Facilities Inspection

907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and incarcerated persons.

907.2 POLICY

It is the policy of the Nevada County Sheriff's Office that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law.

907.3 CLEANING AND INSPECTIONS BY STAFF

The Supervising Cook shall ensure that all equipment, appliances, and utensils in the food preparation areas and food services area are inspected weekly. Adequate hot and cold water should be available in the kitchen. The water temperature of all fixtures should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods. Equipment, such as chairs, tables, fryers and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semiannually
- Annually

The Supervising Cook is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules. At the direction of the Jail Commander or the authorized designee, the Supervising Cook shall take prompt action to correct any identified problems.

907.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.

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- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even, and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves, and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens, and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, washing sinks, and dishwashing machines meet minimum acceptable temperatures.
- Appropriate hand-washing stations are provided.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate, and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

907.4 CONTRACTING FOR INSPECTION

The Supervising Cook is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

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Food Services Facilities Inspection

The Jail Commander shall contract with an independent, outside source for periodic inspection of the food services facilities and equipment, to ensure that established state and local health and safety codes have been met.

Documentation of the inspections, findings, deficiencies, recommended corrective actions and verification that the corrective standards were implemented will be maintained by the facility in accordance with established records retention schedules.

A contract for services from an independent and qualified inspector should include, but is not limited to, the following components:

(a) The inspector should conduct a pre-inspection briefing with the Jail Commanderor their designee and other appropriate personnel, including the Supervising Cook, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.

(b) The inspector should audit the policies and procedures of the food services operation.

(c) During the course of the inspection, the inspector should study and report on whether the following meet acceptable standards:

1. Walls, ceilings, and floors are in good condition, smooth and easily cleanable.
2. The kitchen layout is properly designed to avoid cross-contamination.
3. The kitchen is properly lighted and ventilated.
4. The temperature-controlled storage areas are in good operating condition and proper temperatures are being maintained.
5. Dry foods are properly stored off the floor, away from the walls and ceilings.
6. There is no sign of pest infestation.
7. All equipment properly maintained, in a sanitary condition and is certified by one of the American National Standards Institute certification agencies e.g., Underwriters Laboratories, and or the National Science Foundation product certification mark.
8. The dishwashing equipment is clean, in good operating condition and maintains proper washing and rinsing temperatures.
9. There is no evidence of cross-contamination between the potable and contaminated water systems.
10. The dishware washing area is clean and supplied with proper chemicals and Safety Data Sheets.
11. The food is properly stored, labeled and rotated according to first-in first-out procedures.
12. The food services staff and incarcerated workers are wearing clean uniforms and practice proper personal hygiene.
13. All food services workers are trained for proper food handling and there is a person in charge who is responsible for the food safety of the facility.

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14. Appropriate hand-washing stations are provided.

Any deficiencies should be noted by the inspector in their inspection report, and recommendations made for corrective action.

At the exit interview, the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The Supervising Cook should provide the Jail Commander with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

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Food Storage

908.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, Health and Safety Codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

908.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards (15 CCR 1243(c); 15 CCR 1245(a)).

908.3 PROCEDURES

The Supervising Cook shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness, and shall ensure that the order is correct by checking the order received against the order form.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and credit the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The Supervising Cook will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range, and should include contingency plans for menu changes, food storage relocation or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established records retention schedules.

908.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be monitored and recorded once each day on a checklist.

All dry items shall be stored at least 6 inches off the floor and at least 6 inches away from any wall. Only full unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in the working or holding areas.

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All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

908.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS

Incarcerated workers or staff should clean the storage areas at least once each day by sweeping and mopping all floors. Shelves and walls should be wiped down as needed. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly. Staff will document the inspection and record the daily temperature on the storage area checklist (15 CCR 1243(m)).

908.5 REFRIGERATED AND FROZEN STORAGE

Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy, and meat items, to extend shelf life. Other than the defrosting cycle, all freezers must maintain a temperature of 0 degrees or lower.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method.

908.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning to include dismantling and cleaning shelves, should occur as needed. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (15 CCR 1243(m)).

908.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS

Soaps, detergents, waxes, cleaning compounds, insect spray, and any other toxic or poisonous materials should be kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

908.6 WASTE MANAGEMENT

The Supervising Cook shall develop and maintain a waste management plan that ensures the garbage is removed daily (15 CCR 1243(l)). This plan also should include methods to minimize the waste of edible food and to dispose of non-edible or waste food material without utilizing a landfill.

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Prescribed Therapeutic Diets

909.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that incarcerated persons who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards.

909.2 POLICY

The Responsible Physician, in consultation with the Supervising Cook, shall (15 CCR 1248).

(a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.

(b) The therapeutic diets utilized by this facility shall be planned, prepared and served with consultation from a registered dietitian.

(c) The Jail Commander shall comply with any therapeutic diet prescribed for an incarcerated person.

(d) The Jail Commander and the Responsible Physician shall ensure that the therapeutic diet manual, which includes sample menus of therapeutic diets, shall be available to both the health services and food services workers. A registered dietitian shall review, and the Responsible Physician shall approve, the therapeutic diet manual on an annual basis.

As a best practice, all therapeutic diet prescriptions should be reviewed and rewritten, if appropriate, on a quarterly basis. This is to reduce the risk of an incarcerated person developing an adverse medical condition or nutritional effect as the result of a diet that is inconsistent with the person 's current medical needs. A diet request form should be made available to incarcerated persons.

Pregnant or lactating incarcerated persons shall be provided a balanced, nutritious diet approved for pregnant women by a physician (15 CCR 1248).

The written procedures that identify individuals who are authorized to prescribe a therapeutic diet will be retained by the jail medical provider.

909.3 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the health authority to compile a daily list and forward a medical chrono to the kitchen when an inmate is prescribed a therapeutic diet. The list should contain the following information:

(a) Incarcerated person's name

(b) Incarcerated person's identification number

(c) Housing location or dining location where the meals will be delivered

(d) Incarcerated person's therapeutic diet type

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(e) Special remarks or instructions

Any time incarcerated persons are assigned to a different housing area, custody staff must notify the food services personnel immediately.

909.4 PREPARATION AND DELIVERY OF MEALS

The Supervising Cook or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Responsible Physician, counting the number and type of therapeutic meals to be served and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements should be distributed with regularly scheduled meal service or may be distributed with medications. Individual labels or written documents containing the following information should be prepared by the kitchen, clearly identifying each meal and any included snacks:

(a) Incarcerated person's last name

(b) Housing location or dining location where the meals will be delivered

The custody staff responsible for meal distribution shall ensure that any incarcerated person who has been prescribed a therapeutic meal by the Responsible Physician or the authorized designee receives the prescribed therapeutic meal

Unless a therapeutic diet was prescribed with a specific end date, only the Responsible Physician or the authorized designee may order that a therapeutic diet be discontinued.

Incarcerated persons who are receiving therapeutic diets must receive clearance from the Responsible Physician before they may receive a religious or disciplinary diet.

If prescribed by the Responsible Physician, supplemental food shall be served to incarcerated persons more frequently than the regularly scheduled meals. An incarcerated person who misses a regularly scheduled meal shall receive the prescribed meal.

909.5 THERAPEUTIC AND RELIGIOUS MEAL RECORDS

Inmates requesting to receive prescribed therapeutic diet meals and/or authorized religious diet meals must submit a request indicating the following:

- Incarcerated person's name
- Incarcerated person's identification number
- Housing location or dining location where the meals will be delivered
- Incarcerated person's therapeutic diet type

All information regarding a therapeutic diet is part of an incarcerated person's medical record and is therefore subject to state and federal privacy laws concerning medical records.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

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909.6 POLICY

It is the policy of this office to provide therapeutic diet meals as prescribed by qualified health care professionals.

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Chapter 10 - Programs for Incarcerated Persons

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Programs and Services

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to incarcerated persons. The programs and services exist to motivate offenders toward positive behavior while they are in custody. The policy identifies the role and responsibilities of the Compliance Officer, who manages a range of programs and services.

1000.2 POLICY

The Nevada County Sheriff's Office will make available to incarcerated persons a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of incarcerated persons may include social services, faith-based services, out of cell activities, library access, educational/vocational training, alcohol and drug abuse recovery programs, and leisure time activities (15 CCR 1070).

1000.3 COMPLIANCE OFFICER'S RESPONSIBILITIES FOR INCARCERATED PERSON PROGRAMMING

The Compliance Officer is selected by the Jail Commander and is responsible for managing the incarcerated person programs and services, including the following:

(a) Research, plan, schedule, and coordinate security requirements for all incarcerated person programs and services.

(b) Develop or procure programs and services as authorized by the Jail Commander (15 CCR 1070).

(c) Act as a liaison with other service providers in the community that may offer social or educational programs (e.g., school districts, Department of Social Services, health educators, substance abuse counselors).

(d) Develop, maintain, and make available to incarcerated persons the schedule of programs and services.

(e) Establish rules for the participation of incarcerated persons in the programs and services.

(f) Develop and maintain records on the number and type of programs and services offered.

(g) Establish controls to verify that the content and delivery of programs and services are appropriate for the circumstances.

(h) Ensure incarcerated persons are not denied access to educational and vocational programs based solely on their indigent status.

(i) Post a master schedule of all programs available to incarcerated persons while they are incarcerated in each housing unit. The *Informational Handbook* shall direct incarcerated persons to the master schedule posted in each housing unit.

(j) Ensure booking officers provide every incarcerated person released from custody with a list of services available to them while outside the facility. This shall be in addition to

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any of the services arranged by Behavioral Health, Probation, the jail medical services provider, or other entities having contact with incarcerated persons while they are incarcerated. This information shall be available to incarecerated persons prior to their release upon their request (15 CCR 1070).

1000.4 SECURITY

All programs and services offered to benefit incarcerated persons shall adhere to the security and classification requirements of this facility. To the extent practicable, the Compliance Officer will develop individualized programs and services for incarcerated persons who are housed in high-security or administrative separation.

All programs/volunteers having access to incarcerated persons shall comply with all Prison Rape Elimination Act (PREA) requirements and be subject to a security check prior to coming into the jail.

1000.5 DISCLAIMER

Incarcerated person programs are provided at the sole discretion of the Nevada County Sheriff's Office in keeping with security interests, available resources, and best practices.

Nothing in this policy is intended to confer a legal right for persons to participate in any program offered other than what is required by law or that which is medically required.

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Incarcerated Person Welfare Fund

1001.1 PURPOSE AND SCOPE

The Office is authorized to maintain a fund derived from proceeds from the commissary, vending machines, telephones, and other incarcerated person-related commerce activities to be used primarily to provide welfare and education programs for the benefit of the incarcerated person population.

1001.2 POLICY

It is the policy of this office to maintain and administer an Incarcerated Person Welfare Fund that supports incarcerated person programs.

1001.3 INCARCERATED PERSON WELFARE FUND

The Compliance Officer, in cooperation with the Executive Lieutenant and Sheriff Finance, will establish and maintain an Incarcerated Person Welfare Fund where proceeds derived from incarcerated person telephones, commissary profits, vending machines, and other income intended for the support of incarcerated person programs are deposited.

The Incarcerated Person Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general incarcerated person population and enhancing incarcerated person activities and programs. This includes capital construction and improvement projects in support of such programs, services, and activities (Penal Code § 4025).

1001.4 INCARCERATED PERSON WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Incarcerated Person Welfare Fund account:

(a) All proceeds from commissary and canteen operations

(b) Proceeds from vending machines made available for incarcerated person use

(c) Proceeds from the operation of incarcerated person communications and media devices

(d) Proceeds from the sale of incarcerated persons arts-and-crafts projects

(e) Donations

(f) Interest income earned by the Incarcerated Person Welfare Fund

1001.5 EXPENDITURE OF INCARCERATED PERSON WELFARE FUNDS

The Incarcerated Person Welfare Fund shall be used solely for the welfare and benefit of the incarcerated person population or as otherwise permitted by law.

Expenditures permitted from the Incarcerated Person Welfare Fund include but are not limited to the following:

(a) Education programs

(b) Recreational goods and services, such as:

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1. Recreational equipment, games, and sporting goods
2. Televisions and cable/satellite subscriptions, video players, and content media
3. Library books
4. Vending machines

(c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of incarcerated persons or to facilitate incarcerated person programs

(d) Welfare packages for indigent incarcerated persons

(e) Alcohol and drug treatment programs

(f) Office facility canteens, including vending machines available for incarcerated person use

(g) Incarcerated person trust accounting system

(h) Envelopes, postage, and personal hygiene items for indigent incarcerated persons

(i) Approved non-prescription, over-the-counter health aids for incarcerated person use

(j) Libraries designated for incarcerated person use

(k) Visiting room equipment, supplies, and services

(l) Incarcerated person activity programs, including:

1. Equipment for television viewing
2. Visiting music/entertainment groups
3. Music equipment and supplies
4. Activities equipment, supplies, and services
5. Repair of equipment purchased from the Incarcerated Person Welfare Fund
6. Food or supplies for special occasions
7. Incarcerated person awards for the purpose of providing umpires or referees, and maintaining activity equipment and apparel
8. Incarcerated person tournaments and holiday events
9. Incarcerated person club activities
10. Entertainment equipment, cable or satellite subscription services, and other related supplies
11. Materials for faith-based programs

1001.5.1 EXPENDITURE FOR REENTRY PROGRAMS

Expenditures from the Incarcerated Person Welfare Fund are also permitted for programs that assist indigent incarcerated persons with the reentry process within 30 days of release. These

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programs include work placement, counseling, obtaining proper identification, education, and housing (Penal Code § 4025.5).

1001.5.2 PROHIBITED EXPENDITURES OF INCARCERATED PERSON WELFARE FUND
Except as permitted by law, the Incarcerated Person Welfare Fund shall not be used to fund activities associated with any of the following:

(a) Security-related functions, including staff, safety equipment, radios, weapons, or control devices that are specifically designated for use by the custody staff in maintaining the security, safety, and order in the facility

(b) Food service, staff costs, equipment, and supplies

(c) Medical/dental services, staff costs, equipment, and supplies

(d) Maintenance and upkeep of office facilities not otherwise permitted by law

(e) Janitorial services and supplies

(f) Transportation to court, medical appointments, or other reasons not related to incarcerated person programs

(g) Any other normal operating expenses incurred by the day-to-day operation of the Office

1001.6 FINANCIAL ACCOUNTING OF INCARCERATED PERSON WELFARE FUNDS

The Compliance Officer in cooperation with the Executive Lieutenant and Sheriff Finance shall maintain an accounting system to be used for purchasing goods, supplies and services that support incarcerated person programs.

1001.6.1 ANNUAL REPORTING
The Chief Fiscal Officer is responsible for ensuring an annual report of expenditures from the Incarcerated Person Welfare Fund is submitted annually to the County Board of Supervisors (Penal Code § 4025).

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Accounts

1002.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures for managing, handling, and accounting of all money belonging to incarcerated persons that is held for their personal use while they are incarcerated in this facility.

1002.2 POLICY

It is the policy of this office to manage incarcerated person accounts for the purpose of receiving funds from authorized sources for incarcerated persons use.

1002.3 INCARCERATED PERSONS FUND ACCOUNT

The Office will establish a funds account for the purpose of receiving funds from authorized sources for an incarcerated persons use. A separate account will be established for each incarcerated person when they are booked into this facility.

When an person is admitted to the jail, an itemized inventory of the money in the incarcerated person's possession shall be completed. Any subsequent deposits to the incarcerated person's fund account shall be inventoried and documented. Upon request, an incarcerated person shall have access to the total sum of all money held until their release.

An incarcerated person may use money in their fund account for bail or to purchase items from commissary. Incarcerated persons may receive and release money while in custody. Funds will be made available to incarcerated persons for their use in accordance with the rules and regulations established by the Jail Commander.

1002.4 FUNDING SOURCES

The incarcerated persons fund account will only accept funds for deposit from approved sources. Funds deposited into an incarcerated person's account will first be used to settle the incarcerated person's negative balance, should one exist.

1002.4.1 DEPOSITS DURING BOOKING

With the exception of legally prescribed fees (e.g., booking fees, pay to stay), all money received during the booking process shall be deposited to the incarcerated persons account. The incarcerated person shall sign an acknowledgement agreeing to the amount.

1002.4.2 DEPOSITS THROUGH THE MAIL

Only cash, money orders and checks issued by federal, state, county or city government agencies that are received through the mail are acceptable for deposit into incarcerated persons account. Although cash may be accepted for deposit, it is not recommended that cash be sent through the mail. All personal checks, payroll checks and other unapproved monies will be returned to sender or forwarded to the personal property storage area and placed in the incarcerated person's property.

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1002.4.3 VISITOR DEPOSITS
A kiosk in the lobby of the Wayne Brown Correctional Facility is available for depositing funds to an incarcerated persons account.

1002.4.4 TRUCKEE DEPOSITS
Orderlies assigned to the Truckee Jail, whether Nevada or Placer County incarcerated persons, may receive cash or pre-loaded gift cards through the mail or during a normal visit.

1002.5 AUTHORIZATION FOR SELF-BAIL

Incarcerated persons wishing to use their personal funds as bail must sign an Authorization for self-bail transaction document ("Cash Bail Receipt"). A property release form must be completed to remove the funds from the incarcerated person's account.

1002.6 RELEASE OF FUNDS TO OTHER PERSONS

Incarcerated persons wishing to release all or part of their personal funds to a person who is not in custody must sign a property release form. The person to whom the funds are to be released must contact the lobby personnel, who will prepare a check and receipt for the amount to be withdrawn, and will indicate to whom the money is to be released. That person must furnish a valid driver's license or state-issued identification card to the lobby personnel. Under no circumstances will funds be transferred from one incarcerated person's trust account to another incarcerated person's trust account.

1002.7 RELEASE FROM CUSTODY

All monies will be released in the form of a credit/debit card unless the incarcerated person is being transferred to another correctional institution.

Incarcerated Person Fund Account checks will be signed by authorized personnel. All Incarcerated Person Funds Accounts will be closed whenever an incarcerated person is released from custody or transferred to another agency. Under no circumstances will funds be transferred from one incarcerated person's trust account to another incarcerated person's trust account.

Corrections Division Captains, Lieutenants, Sergeants, and Facility Training Officers are authorized to sign checks when an incarcerated person is being transferred to another correctional institution.

1002.8 CORRECTIONAL STAFF RESPONSIBILITY

All monies shall be counted by the booking kiosk. If the kiosk is not operable, monies will be verified against the transactions, counted by two separate officers, and placed in a designated secure safe.

If a receipt is printed from the kiosk, one receipt will go to the incarcerated person, another will be signed by the incarcerated person and affixed to the incarcerated person's hardcard. In the event the kiosk is inoperable, and money is counted by correctional staff, one copy of the receipt will need to be included in the envelope containing the money, one copy will be delivered to the

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incarcerated person and another copy will be signed by the incarcerated person and affixed to the incarcerated person's hardcard.

Any unresolved discrepancies found during the manual balancing procedures shall be promptly reported to the Sergeant or Officer in Charge.

The supervisor shall notify the Auditor-Controller.

If the amount is under $10.00, the incarcerated person can have the cash placed in their property rather than in the kiosk.

All money, including that left in an incarcerated person's property, shall be counted by officers and will receive an independent second-party check, be placed in an envelope, and be sealed and signed by both counting officers.

1002.9 SECURE BANKING OF INCARCERATED PERSON FUNDS

All monies collected by custody personnel shall be secured daily in an officially designated and secure place.

1002.10 AUTOMATED KIOSKS

The use of automated kiosks for the deposit of monies into the incarcerated person account or to transfer incarcerated person monies for the purchase of commissary or other authorized items will meet the financial accounting requirements of this policy and other standard financial practices.

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Counseling Services

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to incarcerated persons.

1003.2 POLICY

It is the policy of this office to provide counseling and crisis intervention services to any incarcerated person who either requests services or is determined by a health care provider to be in need of counseling or crisis intervention services.

1003.3 PROCEDURES

The Jail Commander shall develop procedures to ensure counseling and crisis intervention services are available to incarcerated persons. These services may be provided by:

(a) Medical/mental health staff assigned to the facility.

(b) Faith-based counseling by the chaplain or religious volunteers (see the Religious Programs Policy).

(c) Correctional officers assigned to the facility who have specific training and expertise in this area.

The Jail Commander shall coordinate with the Responsible Physician or their designee to develop and confidentially maintain records of counseling and crisis intervention services provided to incarcerated persons and to ensure that those records are retained in accordance with established records retention schedules.

The Jail Commander shall ensure that request forms are available and provided to incarcerated persons who request counseling services. All incarcerated person requests for counseling shall be forwarded to the jail medical provider. If an incarcerated person displays behavior indicating a need for counseling or crisis intervention services, the facility employee shall notify a qualified health care professional and the Sergeant or Officer in Charge. The qualified health care professional and the Sergeant or Officer in Charge shall assess the need and area of counseling and make a reasonable effort to provide the incarcerated person with the requested counseling as soon as reasonably practicable with consideration given to facility security, scheduling and available resources. Incarcerated persons who are victims of a sexual abuse or harassment incident will be informed of the availability and continuity of counseling (28 CFR 115.82; 28 CFR 115.83).

1003.4 NON-CRISIS COUNSELING

The Office shall, when reasonably practicable, make counseling services available to assist incarcerated persons who are being released into the community.

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Exercise and Out of Cell Time

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Nevada County Sheriff's Office facility will have sufficiently scheduled exercise and out of cell time periods and sufficient space for these activities, as required by law.

1004.1.1 DEFINITIONS

Definitions related to this policy include (15 CCR 1006):

Exercise - The opportunity for physical exertion.

Out of Cell Time - Time spent outside of the sleeping area, where an individual has the opportunity to exercise or participate in recreation.

Recreation - An individual's ability to choose from activities that occupy the attention and offer the opportunity for relaxation and may include reading, games, socialization, entertainment, education, and programs.

1004.2 POLICY

It is the policy of this office to provide incarcerated persons with access to exercise opportunities, exercise equipment, and out of cell time activities in accordance with state laws or requirements.

1004.3 RESPONSIBILITIES

The Jail Commander or the authorized designee shall be responsible for ensuring there is sufficient secure space allocated for physical exercise and out of cell time, and that a schedule is developed to ensure accessibility to both activities for all incarcerated persons. At least three hours per week of exercise opportunities shall be provided and at least seven hours of out of cell time distributed over a period of seven days for recreation (15 CCR 1065).

1004.4 ACCESS TO EXERCISE

Incarcerated persons shall have access to exercise opportunities and equipment, including access to physical exercise outside the cell and adjacent dayroom areas, and the opportunity to exercise outdoors when weather permits.

The pod officer shall use the approved daily log sheet to document when incarcerated persons are scheduled to exercise each day and shall record (in the jail management system) the exercise of an incarcerated person, or that the incarcerated person has declined outside exercise.

1004.5 ACCESS TO OUT OF CELL TIME

Each incarcerated person shall have access to the minimum state-required out of cell time (leisure-time) activities outside the cell and adjacent dayroom areas (15 CCR 1065). The length of time will be determined by the incarcerated person's classification status, security concerns, and operational schedules that preclude out of cell time during a period of time (e.g., meal times,

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searches, lockdown, court). The staff should ensure that the maximum time possible is provided to the incarcerated persons for this purpose.

Televisions, newspapers, table games, and other items may also be made available to enhance out of cell time. Consideration will be given to the passive or active out of cell time needs of older incarcerated persons and incarcerated persons with disabilities.

1004.5.1 USE OF THE INCARCERATED PERSON WELFARE FUND
Monies derived from the Incarcerated Person Welfare Fund may be used to purchase and maintain equipment and supplies.

1004.6 SECURITY AND SUPERVISION

The staff supervising incarcerated persons during exercise and out of cell time shall document when each incarcerated person has the opportunity to exercise or recreate.

Staff shall be responsible for inspecting exercise equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Incarcerated persons will not be permitted to use equipment without supervision. All equipment shall be accounted for before incarcerated persons are returned to their housing unit.

The supervising staff may terminate the exercise or out of cell time period and escort back to the housing unit any incarcerated person who continues to act in an aggressive or disorderly manner after being ordered to stop by the staff. Whenever an exercise or out of cell time period is involuntarily terminated, the staff will document the incident and rationale for terminating the exercise period.

1004.7 EXERCISE SPACE

Exercise areas, as specified by federal, state, and/or local laws or requirements, should be sufficient to allow each incarcerated person the required minimum amount of exercise. Use of outdoor exercise is preferred but weather conditions may require the use of covered/enclosed space. Dayroom space is not considered exercise space.

Incarcerated persons on separation status shall have access to the same facilities as other incarcerated persons unless security or safety considerations dictate otherwise. When incarcerated persons on separation status are excluded from use of regular facilities, the alternative area for exercise use shall be documented.

1004.8 INABILITY TO MEET REQUIREMENTS

In the event that the incarcerated person population exceeds the ability of the facility to meet the exercise and out of cell time requirements, the facility should notify the governing body about the deficiency in space for exercise, that it may violate the law and/or the requirements, and request funds to remedy the situation. The facility should document all action taken to try to remedy the situation, including funding requests, population reduction requests, and all responses to those requests.

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Education, Vocation, and Rehabilitation

1005.1 PURPOSE AND SCOPE

This office provides educational and vocational programs that are designed to help incarcerated persons improve personal skills, assist in their social development, and improve employability after release. The ability of the office to offer educational programs is dictated by available funding, incarcerated person classification, and other required incarcerated person programs and routines.

1005.2 POLICY

It is the policy of this office to provide educational and vocational programs to all eligible incarcerated persons subject to schedule, space, personnel, and other resource constraints.

1005.3 PROGRAM REQUIREMENTS

Designated space for incarcerated person education and vocational programs will, whenever practicable, be designed with input from educational/vocational service providers.

Adequate funding is required. If the funding source reduces or eliminates funding in these areas, educational and/or vocational programs may be reduced or eliminated.

While the housing classification of an incarcerated person has the potential to pose security issues, every effort, to the extent reasonably practicable, will be made to provide individualized educational opportunities (15 CCR 1061).

1005.4 COURSE OFFERINGS

Course offerings will be subject to need, available resources, security concerns, available space and incarcerated person classification, and may include the following:

- Basic education, preparation for a high school equivalency credential
- English as a second language (ESL)
- Basic literacy
- Substance abuse and healthy lifestyles education
- Parenting courses
- Basic computer instruction
- Basic life skills
- Vocational skills such as:
    - Cooking and food services
    - Landscaping, horticulture
    - Basic office skills
- Other courses as deemed appropriate by staff.

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1005.5 OUTREACH

Information about educational opportunities should be included in the general incarcerated person orientation. At a minimum, incarcerated persons should receive instruction on how to request participation in the incarcerated person education programs, along with eligibility requirements and rules for participation.

1005.6 ELIGIBILITY REQUIREMENTS

Educational/vocational programming (other than televised courses) may be offered to sentenced and pretrial persons. The Sheriff shall ensure that there is equal opportunity for participation for incarcerated persons of each gender.

1005.7 INCARCERATED PERSON REQUESTS

Incarcerated persons can request participation in the incarcerated person education program via kiosk or sign-up sheets.

Incarcerated persons have the right to refuse to participate in programs other than work assignments or programs that are required by statute or court order.

1005.8 SELF-STUDY PROGRAM

Whenever reasonably feasible, the basic educational program may be presented by self study tutoring and videotape programming.

Incarcerated persons admitted into the high-school equivalency preparation program will be issued the necessary books and supplies. Studying may be done throughout the day at scheduled periods when videotape programming is presented.

Upon completion of a GED self-study program, the incarcerated person may be given the opportunity to take the high school equivalency preparation credential examination.

1005.9 HIGH-SECURITY/ADMINISTRATIVE SEPARATION INCARCERATED PERSONS

To the extent reasonably practicable, high-security incarcerated persons and those held in administrative separation may receive individual instruction in the form of a correspondence course.

1005.10 REHABILITATION PROGRAM

The Office provides opportunities for rehabilitation programs that are based upon victim and community input and are fashioned in a way that gives the incarcerated person an opportunity to make amends for the harm done.

The Sheriff and the Jail Commander should work with other justice system partners to create such programs and opportunities. Examples include the following:

- Programs designed to deter domestic violence and substance abuse
- Community service, such as supervised public works projects
- Making restitution to victims

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- Paying court fines

1005.11 DISCLAIMER

Nothing in this policy is meant to confer a legal right for incarcerated persons to participate in any educational offering. Educational programming is provided at the sole discretion of the Sheriff and the Jail Commander.

1005.12 CLASSROOM USE AND DESIGN

The demographics of the incarcerated person population should always be considered when developing educational and other programs. Incarcerated person classification and separation requirements also need to be considered.

The Jail Commander should encourage and include educators in the setup and design of classrooms that have been identified for incarcerated person education programs. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers, and administrators should be consulted to ensure that their needs are met.

In addition to the traditional classroom approach to educational programming, there are several other delivery methods. These include independent study and computer education programs.

1005.13 NEW CONSTRUCTION OR RENOVATION

Whenever construction of new facilities is considered, the Office may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels, and educational equipment.

The Jail Commander may seek technical assistance from consultants to school districts that provide education programs in correctional settings. There are also networks of educators who can provide valuable consulting services in order to keep pace with rapidly evolving program and legislative issues that are related to education.

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Commissary Services

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a commissary program that will give incarcerated persons the opportunity to purchase specific items that are not provided to them while in custody.

1006.2 POLICY

It is the policy of this office to provide commissary services so that incarcerated persons who are not on disciplinary restriction and who have funds posted to their incarcerated person accounts may purchase items approved by the Jail Commander (Penal Code § 4025).

1006.3 COMMISSARY MANAGER RESPONSIBILITIES

The Jail Commander shall be responsible for designating a qualified person to act as the Commissary Manager. The Commissary Manager shall be responsible for the general operation of the commissary, which shall include but is not limited to:

- Maintaining current rules, regulations, and policies of the commissary and ensuring compliance by commissary staff.
- Managing inventory and processing orders in a timely manner.
- Ensuring that all incarcerated persons who are approved to purchase commissary items are provided with a list of items that are available at local stores if the facility does not operate a commissary.
- To the extent reasonably practicable, ensuring the prices for items offered in the commissary correspond to local retail store prices.

Any commissary inventory or sales issues related to religious diets shall be addressed in the Religious Programs Policy.

1006.4 COMMISSARY ACCOUNTING

The Sergeant or Officer in Charge shall be responsible for ensuring that all incarcerated persons who have commissary privileges have the opportunity to order and receive commissary items in a timely manner.

All incarcerated persons shall be afforded the opportunity to review an accounting of their money held in their account, including deposits, debits, and commissary goods purchased and received. Any discrepancy of the incarcerated person's funds shall be immediately reported to the Commissary Manager. If the Commissary Manager and the involved incarcerated person cannot settle the discrepancy, the Jail Commander shall be notified and the Jail Commander will resolve the discrepancy.

1006.5 INCARCERATED PERSON WELFARE PACKS

The Jail Commander or the authorized designee shall monitor the provision of welfare packs to indigent incarcerated persons. Welfare packs shall include but not be limited to:

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(a) At least four postage-paid envelopes and eight sheets of paper each week to permit correspondence with family members and friends (see the Mail Policy).

(b) Personal hygiene items, including toothbrush, toothpaste, soap, and other supplies deemed to be appropriate for indigent persons.

The Sheriff may expend money from the Incarcerated Person Welfare Fund to provide indigent incarcerated persons with essential clothing and limited transportation expenses upon release (Penal Code § 4025(i)).

1006.6 ANNUAL AUDIT OF THE COMMISSARY

All surplus funds from the commissary operation should be deposited into the Incarcerated Person Welfare Fund or used in a manner from which the the incarcerated persons will benefit. They also may be deposited and used in accordance with expenditures authorized by the board of supervisors. An itemized report on expenditures shall be submitted annually to the board of supervisors (Penal Code § 4025 (e)).

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Library Services

1007.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for funding of library services and for providing incarcerated persons access to leisure and legal reading materials.

1007.2 POLICY

It is the policy of this facility to operate a library service that provides leisure and legal reading materials to incarcerated persons.

1007.3 RESPONSIBILITIES

The library service shall include access via paper documents or through electronic media to legal reference materials, current information on community services and resources, and religious, educational, and recreational reading material (15 CCR 1064).

Staff shall ensure that reading materials will be provided to all housing units. and that any member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

1007.4 LIBRARY FUNDING AND MAINTENANCE

The Jail Commander should ensure that funding is available to operate the library. The Jail Commander may use monies from the Incarcerated Person Welfare Fund to offset the cost of salaries, services, and supplies necessary to operate the library. Staff may enlist the assistance of the local public library system and other community organizations to maintain and update the library. Donated books and materials should be screened by staff for permissible content and safety prior to being distributed to incarcerated persons.

The Office may reject library materials that may compromise the safety, security, and orderly operation of this facility (see the Mail Policy for examples of materials that may be rejected).

The library shall be operated within the physical, budgetary, and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility.

1007.5 LEISURE LIBRARY MATERIALS

Each incarcerated person is allowed to have no more than three leisure reading books at any given time. Existing selections must be returned before new books may be selected by an incarcerated person. Incarcerated persons who destroy or misuse books and library materials will be subject to disciplinary action and may be required to pay for the material. If staff believes the destruction was intentional, the matter may be referred for criminal prosecution.

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1007.6 ACCESS TO LEGAL PUBLICATIONS/LAW LIBRARY

All incarcerated persons shall have reasonable access to the legal system, which may include access to legal reference materials. Pro per incarcerated persons shall have priority regarding access to legal publications.

Legal information that may be provided through the library includes but is not limited to:

- Criminal code sections.
- Copies of criminal and/or civil cases.
- Copies of relevant judicial forms.

Incarcerated persons desiring access to the library or legal publications shall submit a completed legal information request to the housing correctional officer. Only one request per incarcerated person per week is allowed unless the incarcerated person is a court ordered pro per. Incarcerated persons in disciplinary separation shall have the same access to reading materials and legal materials as the general population unless a restriction is directed by the court.

The housing correctional officer will collect completed request forms and deliver them to the Sergeant or Officer in Charge. Upon receipt the Sergeant or Officer in Charge will date stamp, log, and number the request and forward the request to the approved Legal Services Vendor. Records of access to legal references and whether the requests were fulfilled or denied should be documented and retained in accordance with established records retention schedules.

Pro per incarcerated persons may keep minimal supplies for their case in their cells (e.g., paper, letters, reference materials), provided they do not create a fire hazard or other safety or security concerns.

1007.7 ALTERNATE MEANS OF ACCESS TO LEGAL PUBLICATIONS

Nothing in this policy shall confer a right to access a law library, unless it is specified by court order, the Jail Commander may provide access to legal resources by a variety of means that may include public or private legal research services (e.g., web-based legal resources).

1007.8 ACCESS TO LIBRARY

Access to the incarcerated person library or to library materials shall be based on incarcerated person classification, housing location, and other factors that legitimately relate to maintaining the safety and security of the facility.

Incarcerated persons in disciplinary separation shall be allowed a book and legal materials unless a restriction is directed by the court.

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Mail

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for receiving, sending, inspecting, censoring, and rejecting mail.

1008.2 POLICY

This office will provide incarcerated persons ample opportunity to send and receive mail, subject to restriction when there is a legitimate government interest in security, order, and rehabilitation.

1008.3 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 orderly jail operations.

The Jail Commander or the authorized designee may allow incarcerated persons to correspond with other incarcerated persons in this jail, as well as in other jails or correctional institutions, as long as the mail is sent and received through the U.S. Postal Service.

Incarcerated persons are authorized to store mail and writing materials in their cells in an amount determined by the Jail Commander. Excess writing materials and mail, including confidential mail, will be seized, inventoried, and retained pending disposition according to the jail procedures regarding excess property (see the Searches Policy).

1008.4 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Commander whenever members become aware of (15 CCR 1083(f)):

(a) Mail sent by an incarcerated person that involves threats of violence against any member of the government, judiciary, legal representatives, victims, or witnesses.

(b) Incoming or outgoing mail representing a threat to jail security, members, or the public.

The District Attorney or County Counsel should be consulted when criminal charges are considered against an incarcerated person or there is an apparent liability risk to the Office that relates to suspension or restriction of mail privileges.

1008.5 PROCESSING AND INSPECTION OF MAIL

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.

Any contraband found in mail or mail that is considered contraband shall be processed in accordance with jail evidence procedures.

Certain types of monetary payment received from federal, state, county or city government agencies, contained in incoming incarcerated person mail will be reviewed on a case-by-case

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basis to determine if it will be credited to the incarcerated person's account. Personal checks, cash and money orders will not be accepted. Monetary payments not accepted may be returned to the sender or held in the incarcerated persons property to be given to the incarcerated person upon release.

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.

1008.5.1 NONCONFIDENTIAL MAIL

Assigned members should open and inspect all incoming and outgoing general mail of current incarcerated persons. Mail for incarcerated persons no longer in custody should not be opened and should be forwarded (see the Forwarding of Mail section of this policy).

Only members designated by the Jail Commander are authorized to read incoming and outgoing nonconfidential mail of current incarcerated persons. These members should receive training on legitimate government interests for reading and censoring mail and other legal requirements related to incarcerated person mail (15 CCR 1063).

Incoming mail should be read as deemed necessary to maintain jail security and order or to monitor a particular problem.

Outgoing general mail shall not be sealed by the incarcerated person and and will not be mailed out if:

(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 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 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.

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1008.5.2 CONFIDENTIAL MAIL

Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect incoming confidential correspondence for contraband, which should be conducted in the presence of the incarcerated person. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the incarcerated person. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

All incoming confidential correspondence will be signed for by the incarcerated person using the legal mail receipt at the time the incarcerated person is given the correspondence. The legal mail receipt is then filed in the incarcerated person booking hard card.

1008.5.3 BOOKS AND PERIODICALS

Unless otherwise in conflict with this policy and prohibited by the Jail Commander, incarcerated persons may purchase, receive, and read any book, newspaper, magazine, or other periodical accepted for distribution by the U.S. Postal Service (15 CCR 1066).

Publications, magazines, newspapers, books or periodicals shall be accepted only if they are mailed directly from the publisher or reputable seller to a named incarcerated person. A local daily newspaper in general circulation shall be made available to incarcerated persons (15 CCR 1066).

Hardcover books will not be accepted into the facility.

1008.6 CENSORSHIP OR REJECTION OF INCOMING AND OUTGOING NONCONFIDENTIAL MAIL

In determining whether to censor or reject a specific piece of incoming nonconfidential mail, consideration shall be given to whether censoring or rejecting the material is rationally related to a legitimate government interest, whether alternate means of communicating with an incarcerated person are available, and the impact of allowing the material into the jail upon members and incarcerated persons.

Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing nonconfidential mail shall only be censored to further a substantial government interest, and only when it is necessary to address the particular government interest. Government interests that justify censorship or rejection of outgoing mail include:

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(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 Sergeant or Officer in Charge, who shall make the decision if such mail will be censored.

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

1008.6.1 REJECTION OF BOOKS AND PERIODICALS

The Office may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books, newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, or pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for incarcerated persons.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Lieutenant whenever a decision is made to reject books, magazines, or periodicals. The Jail Commander or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals, and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

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1008.6.2 DOCUMENTING REJECTED OR CENSORED MAIL, BOOKS, AND PERIODICALS
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) The Correctional officer will document the incident in the incarcerated person's log within the jail management system.

(f) Notification to the incarcerated person and sender (unless such notification jeopardizes any investigation or the security of the facility).

1008.7 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. Otherwise, legal mail should be returned to the sender.

1008.8 WRITING MATERIALS FOR INDIGENT INCARCERATED PERSONS

Indigent incarcerated persons shall receive writing materials on a weekly basis, pursuant to a schedule established by the Jail Commander. Writing materials should include the following (15 CCR 1063):

(a) At least four pre-stamped envelopes for correspondence with family and friends

(b) At least eight sheets of writing paper

(c) One writing implement

Indigent incarcerated persons shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this office, elected officials, jail inspectors, government officials, and officials of the Board of State and Community Corrections. There shall be no limitation on the number of postage-paid envelopes and sheets of paper permitted for correspondence to the indigent incarcerated person's attorney and to the courts (15 CCR 1063(e)).

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

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Telephone Access

1009.1 PURPOSE AND SCOPE

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

1009.2 POLICY

The Jail will provide access to telephones for use by incarcerated persons consistent with federal and state law. The Jail Commander or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All incarcerated persons will be provided a copy of the telephone usage rules as part of their incarcerated person orientation during the booking process.

1009.3 PROCEDURE

Incarcerated persons housed in general population will be permitted reasonable access to public telephones at scheduled times in the dayrooms for collect calls unless such access may cause an unsafe situation for the facility, staff or other incarcerated persons. All calls, with the exception of calls to a verified attorney and PREA-related calls to victim advocate services, are monitored and recorded.

Incarcerated persons are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or Jail Commander, 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.

Telecommunications devices, such as videophones or teletypewriters, will be made available to incarcerated persons who are known to have, or are perceived by others as having hearing or speech impairments to allow these persons to have equivalent telephone access as those incarcerated persons without these disabilities (15 CCR 1067).

Reasons for denial of telephone access shall be documented and a copy placed into the incarcerated person's file. The rules governing the use of the telephone will be provided to incarcerated persons during orientation and posted near the telephones.

The staff should monitor the use of public telephones to ensure incarcerated persons have reasonable and equitable access and that the rules of use are observed. Any incarcerated person refusing to cooperate with the telephone rules may have their call terminated, telephone privileges suspended, and/or incur disciplinary action.

Requirements relating to the use of telephones during booking and reception are contained in the Reception Policy.

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1009.4 USE OF TELEPHONES IN HIGH-SECURITY OR ADMINISTRATIVE SEPARATION HOUSING

Incarcerated persons who are housed in high-security or administrative separation may use the public telephones in the dayroom during the time allocated for that classification of incarcerated person to utilize that space. If portable telephones are available in the facility,persons who are housed in high-security or administrative separation units may have reasonable access to the portable telephones.

1009.5 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific incarcerated person, the supervisor may direct that a person use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the incarcerated person is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court-ordered.

1009.6 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 incarcerated person, in accordance with the Access to Courts and Counsel Policy.

1009.7 TELEPHONE CONTRACTS AND CHARGES

The Jail Commander or the authorized designee is responsible for ensuring that rates charged to incarcerated persons are similar to those charged to the general public and that incarcerated persons are afforded a range of feasible calling options.

1009.8 FOREIGN NATIONALS

A foreign national who has been detained may contact their consulate via the public phones provided for incarcerated persons. If the consulate does not accept collect calls, the foreign national shall be allowed to make a reasonable number of direct calls to establish communication with the consulate.

Consular officers who contact the jail to speak with a foreign national to provide consular services should be given reasonable telephone access to the incarcerated person.

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Visitation

1010.1 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.

1010.1.1 DEFINITIONS

Definitions related to this policy include (Penal Code § 4032):

In-person visit - An on-site visit that may include barriers. In-person visits include interactions in which an incarcerated person has physical contact with a visitor, the incarcerated person is able to see a visitor through a barrier, or the incarcerated person is otherwise in a room with a visitor without physical contact. "In-person visit" does not include an interaction between an incarcerated person and a visitor through the use of an on-site two-way audio/video terminal.

Video visitation - Interaction between an incarcerated person and a member of the public through the means of an audio-visual communication device when the member of the public is located at a local detention facility or at a remote location.

1010.2 POLICY

It is the policy of the Nevada County Sheriff's Office to allow incarcerated person visitation, including video visitation when applicable, as required by law.

1010.3 PROCEDURES

The Office shall provide adequate facilities for visiting that include appropriate space for the screening and searching of incarcerated persons and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Jail Commander shall develop written procedures for incarcerated person visiting, which shall provide for as many visits and visitors as facility schedules, space, and number of personnel will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Video visitation if applicable (Penal Code § 4032; 15 CCR 1062).

The visiting area shall accommodate incarcerated persons and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to incarcerated persons and disabled visitors to facilitate a visitation period.

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Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special incarcerated person visitation are subject to county legal review and interpretation.

1010.3.1 VISITOR REGISTRATION AND IDENTIFICATION
All visitors must register and produce a valid state, military, tribal, or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

(a) The registration form must include the visitor's name, address, and the relationship to the incarcerated person.

(b) A valid identification shall include the following:

1. A photograph of the person

2. A physical description of the person

(c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification, or a business card/ letterhead of the business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

1010.3.2 VIDEO VISITATION NOT TO REPLACE IN-PERSON VISITATION
The Office may not substitute video visitation for in-person visitation to meet the requirements of 15 CCR 1062.

1010.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

The area designated for a visitor to be searched prior to visiting with an incarcerated person shall have a notice posted indicating that any cellular telephone, wireless communication device, or any component thereof shall be confiscated for the period of the visitation and returned to the visitor upon departure from the facility (Penal Code § 4576(b)(3)).

1010.5 VISITING SCHEDULE

The Jail Commander shall designate a person to develop a schedule for incarcerated person visitation that includes daytime and evening hours. The visitation schedule will be posted in all jail housing units. The visiting hours will also be posted in the public area of the facility.

1010.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

The Jail Commander or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

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Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause (15 CCR 1062). Danger to the security of the facility or other good cause includes but is not limited to the :

(a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.

(b) The visitor refuses to submit to being searched.

(c) The visitor or incarcerated person violates facility rules or posted visiting rules.

(d) The visitor fails to supervise and maintain control of any minors accompanying the visitor into the facility.

(e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of the documentation will be placed into the incarcerated person's file and another copy will be forwarded to the Jail Commander (15 CCR 1062).

1010.7 GENERAL VISITATION RULES

All visitors and incarcerated persons will be required to observe the following general rules during visitation:

(a) A maximum of two adults and two children will be permitted to visit an incarcerated person at any one time. Children visiting incarcerated persons must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the incarcerated person and the parent or legal guardian, the incarcerated person will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.

(b) An incarcerated person may refuse to visit with a particular individual.

(c) Those incarcerated persons who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.

(d) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.

(e) Inappropriate clothing, such as transparent clothing, halter-tops, excessively tight or revealing clothing, hats and bandannas, or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.

(f) All visitors must have footwear.

(g) Visitors will leave all personal items outside of the secure area. Visitors who enter the facility 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 facility is not responsible for lost or stolen items.

(h) Food or drink is not permitted in the visitation area.

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(i) Incarcerated persons will be permitted to sign legal documents, vehicle release forms, or any other items authorized by the Sergeant or Officer in Charge. Transactions of this nature will not constitute a regular visit.

1010.8 SPECIAL VISITS

The Sergeant or Officer in Charge may authorize special visitation privileges, taking into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the incarcerated person
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

1010.9 ATTORNEY VISITS

Incarcerated persons shall have access to any attorney retained by or on behalf of the incarcerated person, or to an attorney the incarcerated person desires to consult, in a private interview room. Staff shall not interfere with, suspend, or cancel official visits except in circumstances where the safety, security, or good order of the facility is compromised (see the Access to Courts and Counsel Policy).

1010.10 PROFESSIONAL VISITS

Private Investigators or paralegals are only authorized if they have a signed letter on letterhead from the inmates assigned attorney.

Psychiatric visits are only allowed with a current court order and the court order must be presented at the time of the visit.

1010.11 CONSULAR VISITS

The Jail Commander or the authorized designee should facilitate visitor access between a detained foreign national and a consular officer when requested by the detainee or consular officer.

A foreign national should be allowed to visit with a consular officer in a private interview room. Members should not interfere with, suspend, or cancel official consular visits except in circumstances where the safety, security, or good order of the jail is compromised.

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Resources for Released Persons

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process of providing community resource information to any incarcerated person who is due for release, in order to assist with the transition back into the community.

1011.2 POLICY

It is the policy of this office that all incarcerated persons shall be provided with an information packet containing community resources prior to their release.

1011.3 COMMUNITY RESOURCES

The information packet with community resources should contain, at a minimum, the contact information for the following organizations and resources:

- Community health centers
- Employment centers
- Registry office to obtain an identification card
- Substance abuse and mental health providers
- Housing agencies
- Education agencies

Subject to the approval of the Sheriff or the Jail Commander, the staff or community providers may offer classes within the facility that are related to these community services.

Upon request, the office will provide the verification needed for a replacement California identification card, if applicable (Vehicle Code § 14902(g)).

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Incarcerated Person Work Program

1015.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Incarcerated Person Work Program. The Incarcerated Person Work Program allows incarcerated persons to improve and/or develop useful job skills, work habits, and experiences that will facilitate a successful transition back to the community.

1015.2 POLICY

The Nevada County Sheriff's Office shall operate an Incarcerated Person Work Program in accordance with all applicable federal, state, or local work safety laws, rules and regulations, and to the extent that the operation of incarcerated person work programs do not pose a risk to the safety of the staff, other incarcerated persons, or the public. This policy establishes the requirements, selection process, supervision, and training of persons prior to and after entering the facility's Incarcerated Person Work Program.

The Incarcerated Persons Work Program may also allow inmates to leave the secure perimeter of the facility (e.g. fire hazard mitigation, cooking and general kitchen operations offsite, roadside cleanup).

1015.3 WORK CRITERIA

1015.3.1 SENTENCED INCARCERATED PERSON WORK REQUIREMENTS

All sentenced incarcerated persons who are physically and mentally able may work if they are not assigned to other programs. Incarcerated persons shall not be required to perform work which exceeds their physical limitations. Incarcerated persons may be excused from work in order to maintain their participation in an educational, vocational or drug treatment program. The Office will abide by all laws, ordinances and regulations when using incarcerated persons to work in the facility.

1015.3.2 PRETRIAL AND UNSENTENCED INCARCERATED PERSON WORK REQUIREMENTS

Pretrial incarcerated persons and those awaiting sentencing may not be required to work, except to do personal housekeeping and to clean their housing area. However, they may volunteer for work assignments.

1015.4 INCARCERATED PERSON WORKER SELECTION

The Incarcerated Person Work Program Coordinator(s) shall be responsible for the selection and assignment of incarcerated persons to the various work assignments. The coordinator(s) should solicit input from other custody staff in assisting with incarcerated person selection and assignment. Staff shall take into consideration the following eligibility criteria:

(a) Incarcerated persons who have posed a threat in the past or have been charged with escape should be carefully screened for incarcerated work projects.

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(b) The incarcerated person's charges and classification are such that the person will not pose a security risk to other incarcerated persons, staff or the public.

(c) The incarcerated person's capacity to perform physical tasks, including which tasks can be performed by the incarcerated person while pregnant, will match the job requirements.

(d) The incarcerated person is able to learn the necessary work routines.

(e) The special interests, abilities, craft, or trade of the incarcerated person will benefit the work assignment.

Incarcerated persons must be able to pass a health screening test in accordance with the policies contained in this manual, and must meet all statutory and regulatory requirements. Health-screening shall be done for persons who work in the kitchen, around food products, or who serve meals to the incarcerated person population.

1015.5 COMMUNITY SERVICE PROGRAM

Sentenced incarcerated persons may be assigned to public works projects with state, municipal and local government agencies, or to community service projects, with the approval of the Sheriff and in accordance with all applicable laws and regulations.

1015.5.1 PROGRAM GUIDELINES

Any community service program is subject to the approval of the Jail Commander or the authorized designee.

Any such program shall be subject to the following guidelines:

(a) The program complies with all statutes, ordinances, regulations, labor agreements, permissions, or restrictions relating to incarcerated persons whenever they are assigned to public works and community service projects.

(b) There are incarcerated persons available who, as a matter of classification, are deemed eligible for participating in the community service programs. Only incarcerated persons who are classified as minimum security shall be assigned outside the secure perimeter.

(c) The number of work opportunities available in the community will determine the availability of opportunities to participate in the community service program.

(d) Staff assigned to manage the program should strive to develop work assignments that give incarcerated persons an opportunity to develop good work habits and attitudes that can be applied to jobs obtained after release.

(e) Poor performance in the work program or violating rules may render the incarcerated person ineligible to participate in the work program. Any violation of work rules may result in disciplinary action that may include the loss of credits previously awarded for good behavior and work time. Incarcerated persons who do not comply with program rules, or for any reason cannot work, will be reclassified in accordance with the policies and procedures of the Nevada County Sheriff's Office.

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1015.5.2 COMMUNITY WORK SELECTION PROCESS

Participation in any community service program is strictly voluntary. A classification process that clearly describes the criteria for program participation will be developed by the supervisor in charge of the program.

Any incarcerated person desiring to participate in the community service program is subject to the following:

(a) The incarcerated person must submit to a screening process, including a criminal history check, to ensure that their criminal history is compatible with work in non-secure areas.

(b) The incarcerated person must agree in writing to participate in the community service program.

1015.6 PROHIBITION OF NONPUBLIC WORK PROJECTS

Work projects on behalf of any private individual or to an individual's private property are strictly prohibited and may constitute a violation of the law.

1015.7 SUPERVISION OF INCARCERATED WORKERS

Facility staff in charge of work programs or who provide supervision of incarcerated persons assigned to work crews should adhere to the following:

(a) Incarcerated workers should be provided with safety equipment, clothing, and footwear commensurate with the work performed. Safety equipment may include but is not limited to eye protection, gloves, hardhat or headwear, and sunscreen for protection from sun exposure.

(b) Work periods shall not exceed 12 hours per day.

(c) Incarcerated workers should be provided with work breaks to allow them to take care of personal needs.

(d) Incarcerated workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.

(e) Incarcerated persons who work shifts during the early morning or late-night hours should be provided with quiet space to allow for sleep during daytime hours.

(f) The incarcerated person workday approximates the workday in the community.

(g) Incarcerated person performance is regularly evaluated and recorded.

(h) Incarcerated persons receive written recognition of the competencies they acquire.

(i) Incarcerated persons shall not work more than six days in a seven-day period.

(j) Incarcerated workers shall not access incarcerated person records, incarcerated person monies, or commissary.

(k) Incarcerated workers shall not participate in the maintenance of locking systems or other security detention devices.

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Incarcerated workers shall be under the direct supervision at all times when they are on assignment through the Incarcerated Person Work Program. Incarcerated workers shall not be supervised by other incarcerated persons.

Persons who are responsible for the supervision of incarcerated persons on work crews should receive training in basic areas of safety, security, and reporting procedures.

Disciplinary action for incarcerated worker misconduct shall adhere to the Discipline Policy.

1015.8 INCARCERATED WORKER TRAINING

Incarcerated persons who are assigned to work in any area that may require the handling of any chemicals or the use of any equipment shall receive training from the respective office supervisor prior to using the chemicals or equipment. Work-crew supervisors shall also train incarcerated workers on safety practices. Incarcerated persons should never be assigned to handle dangerous chemicals or equipment that normally require a level of expertise and competency beyond their demonstrated ability.

1015.9 INCARCERATED WORKER INCENTIVES

Recognition of incarcerated persons assigned to the Incarcerated Person Work Program can be observed in the following ways:

(a) Granting "Good Time and Work" credits as allowed by state or local law.

(b) Using credits for sentence reduction when allowed by statute.

(c) Granting distinctive housing assignments, extra privileges, recreation and special rewards, as allowed by law regulation and policy. Incarcerated person welfare funds may be used to offset the cost of a reward program.

(d) Awarding certificates of achievement for successful completion of vocational, educational and/or work programs.

(e) When allowed by law, ordinance and in consideration with local labor relations, giving monetary compensation for work on government projects.

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Religious Programs

1016.1 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).

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Office, 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 Office adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

Religious exercise - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the incarcerated person's sincerely held religious beliefs.

Substantial burden - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Office that places an incarcerated person in a position of having to choose between following the precepts of the person's religion and forfeiting benefits otherwise generally available to other incarcerated persons, or having to abandon one of the precepts of their religion in order to receive a benefit.
- The Office puts considerable pressure on an incarcerated person to substantially modify their behavior in violation of their beliefs.

1016.2 POLICY

It is the policy of this office to permit incarcerated persons to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate governmental objectives of the facility.

1016.3 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.

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Facility staff will not allow their personal religious beliefs to influence them in the daily management of the incarcerated person population, particularly as it relates to religious practices.

1016.4 COMPLIANCE OFFICER RESPONSIBILITIES

The Compliance Officer shall be responsible for assisting the Jail Commander with coordinating religious programs including, but not limited to:

(a) Coordinating religious services.

(b) Maintaining a list of accepted religious practices that have been approved by the Jail Commander and ensuring the current list is available to the staff.

(c) Reviewing requests for religious accommodations.

(d) Providing or arranging for grief counseling for incarcerated persons.

(e) Distributing a variety of religious texts.

(f) Developing and maintaining a liaison with a variety of religious faiths in the community.

(g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.

(h) Seeking donations for religious programs from the community, when appropriate.

(i) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the incarcerated person population.

(j) Providing guidance to the Sheriff and the Jail Commander on issues related to religious observance.

1016.5 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Incarcerated persons are not required to identify or express a religious belief. An incarcerated person may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring the person's religious belief in writing to classification. Incarcerated persons seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the facility's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

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 incarcerated persons 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 incarcerated person. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

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A supervisor who does not grant the accommodation, either in part or in full, should promptly forward the request to the Jail Commander, who, after consultation with legal counsel as appropriate, should make a determination regarding the request within 10 days following the incarcerated person's request.

The Jail Commandershall be informed of all approved accommodations. The Compliance Officer should make any necessary notifications to staff as necessary to meet an approved accommodation.

All incarcerated person requests for religious accommodations and related determinations shall be fully documented in the person's record.

1016.5.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS

In an emergency or extended disruption of normal facility operations, the Jail Commander may suspend any religious accommodation. The Jail Commander 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.

1016.5.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Incarcerated persons may appeal the Jail Commander's denial, suspension, or revocation of an accommodation through the appeal process.

1016.5.3 ACCOMMODATION REQUESTS REGARDING GROOMING, RELIGIOUS CLOTHING, AND HEADWEAR

Individuals in custody have the right to a religious accommodation with respect to grooming, religious clothing, and headwear in observance of their sincerely held religious belief, at all times and throughout the jail, except if in furtherance of a compelling governmental interest regarding security that may impact the jail, staff, the individual, or others in custody. Religious grooming, clothing, and headwear accommodations shall only be denied when doing so would be the least restrictive means of furthering these governmental interests (Penal Code § 2607). (See the Reception Policy.)

1016.6 DIETS AND MEAL SERVICE

The Jail Commander should provide incarcerated persons 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 facility. The Supervising Cook shall establish a process for managing religious meal accommodations.

1016.7 HAIRSTYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, incarcerated persons who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to

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accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility (Penal Code § 2607).

Any incarcerated person whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

1016.8 RELIGIOUS TEXTS

Religious texts should be provided to the requesting incarcerated person, if the texts available do not pose a threat to the safety, security, and orderly management of the facility.

1016.9 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

(a) Animal sacrifice

(b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security

(c) Self-mutilation

(d) Use, display, or possession of weapons

(e) Self-defense or military training

(f) Disparagement of other religions

(g) Nudity or sexual acts

(h) Profanity

(i) Use of illegal substances or controlled substances without a prescription

1016.10 GROUP RELIGIOUS SERVICES

Group religious services may be allowed after due consideration of the incarcerated person's classification or other concerns that may adversely affect the order, safety, and security of the facility.

Alternatives to attendance of group religious services may include but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, video tapes).

1016.11 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety, or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

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1016.12 RELIGIOUS GARMENTS AND CLOTHING

Incarcerated persons who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify incarcerated persons and maintain security (Penal Code § 2607). (See the Reception Policy for additional guidance.)

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of office-supplied head coverings when available and appropriate.

Incarcerated persons wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite gender, if they so desire. Religious garments that substantially cover the person's head and face shall be temporarily removed during the taking of booking and identification photographs.

To the extent reasonably practicable, alternative housing may be considered to accommodate an incarcerated person's need for religious attire, while meeting the security needs of the facility.

1016.13 FAITH- AND MORALS-BASED COUNSELING

The Jail Commander shall be responsible for establishing a plan for incarcerated persons to receive faith- and morals-based counseling from a chaplain or religious volunteers. Incarcerated persons should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs, and other secular volunteer programs.

No incarcerated person shall be required to participate in any such program.

1016.14 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES

The Jail Commander shall ensure that there are sufficient facilities and resources for religious volunteers to serve the incarcerated person population, including providing access to areas of the facility. Space for group worship will be dictated by the availability of secure areas and the classification status of the incarcerated persons to be served. All recognized religious groups should have equal access to the space, equipment, and services which the facility normally provides for religious purposes.

1016.15 COMMUNITY RESOURCES

Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program (see the Volunteer Program Policy). A volunteer could ensure that religious personnel who provide programming in the facility possess the required credentials and have the security clearance to enter the facility.

The Compliance Officer, in cooperation with the Jail Commander or the authorized designee, shall develop and maintain communication with faith communities. The Compliance Officer shall review and coordinate with the Jail Commander regarding offers to donate equipment or materials for use in the religious programs. All communication efforts should be documented and retained in accordance with established records retention schedules.

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1016.16 TRAINING

The Jail Commanderor their designee shall provide training to facility staff on the requirements of this policy.

The Jail Commanderor their designee shall also provide training in safety and security to the chaplain(s) and religious volunteer(s).

1016.17 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

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

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

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Sheriff's Parole

1017.1 PURPOSE AND SCOPE

The Sheriff's Parole program, which is available to the inmate population who meets all the criteria, is established in this policy to comply with California Penal Code Section 3081.

1017.2 PROCEDURE

Sheriff's Parole will be administered using the following procedure:

A. Sheriff's parole hearings are held six times during the calendar year on the first Monday of every even-numbered month. The parole board consists of the sheriff (or their designee), the chief probation officer, and a citizen member appointed by the presiding superior court judge.

B. Inmates will request the parole application from corrections staff. The application will be returned to the facility manager with any supportive documentation. NOTE: Inmates may not have friends or relatives present as references at the hearing unless they obtain prior permission from the hearing board.

C. Any inmate may apply for parole if their present sentence meets all the following requirements:

1. The inmate has been sentenced to serve no more than six months in county jail.
2. No portion of the present sentence is suspended
3. The present sentence has not been granted as a condition of probation or suspension.
4. At least half of the present sentence has been served at the time of the hearing. In the event of consecutive sentences, at least half of the time must have been served on the last sentence.

D. Inmates who are on formal probation, parole, or who have been returned to the jail for violation of parole are not eligible to apply.

E. An inmate may at any time make application for parole, even though otherwise ineligible to apply, if there are unusual or extraordinary circumstances.

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Service Animals

1018.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

1018.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

1018.2 POLICY

It is the policy of the Nevada County Sheriff's Office to provide services and access to persons with service animals in the same manner as those without service animals. Office members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

1018.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with

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schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

1018.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Office members are expected to treat individuals with service animals with the same courtesy and respect that the Nevada County Sheriff's Office affords to all members of the public (28 CFR 35.136).

1018.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

1018.4.2 CONTACT

Service animals are not pets. Office members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

1018.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, members may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this office are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

1018.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this office should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany

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their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, members should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

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Chapter 11 - Facility Design

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Space and Environmental Requirements

1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

1100.2 FACILITY SECURITY AND ACCESSIBILITY

It is the policy of this to comply with federal and state laws, codes and correctional standards in matters relating to the jail space and environmental requirements. Any Planned designs for renovations, modifications, additions or new construction within the facility should facilitate personal communication with incarcerated persons and direct visual observation of all cells, dayrooms and out of cell time areas. Electronic surveillance may be used to augment the observation of incarcerated persons but shall not be used as a substitute for personal communication.

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 unit doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the facility in the event of an emergency.

All parts of the facility that are accessible to the public should be accessible to and usable by disabled persons.

1100.3 ENVIRONMENTAL REQUIREMENTS

1100.3.1 LIGHTING LEVELS

Lighting levels shall be adequate for staff and incarcerated persons to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of incarcerated persons to sleep.

1100.3.2 NATURAL LIGHT

All incarcerated persons' living areas should provide visual access to natural light, unless prohibited by security concerns.

1100.3.3 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 staff's ability to monitor the jail in a manner that is consistent with safety and security and good correctional practices.

1100.3.4 VENTILATION

The ventilation system, including those in the 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.

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Other than an emergency situation, incarcerated person or jail staff shall not adjust or restrict the ventilation systems without the express permission of the supervisor. Any adjustments made to the ventilation system shall only be allowed for the duration of the emergency or until qualified maintenance personnel can adjust or repair the ventilation system.

1100.3.5 TEMPERATURE LEVELS

Temperature and humidity levels should be mechanically maintained at a level established by facility maintenance personnel and deemed comfortable and cost efficient.

Temperature readings shall be conducted for each area of the facility periodically. Staff shall notify, via the maintenance log, facility maintenance in the event that temperatures or humidity levels become uncomfortable.

1100.3.6 CELL FURNISHINGS

Each inmate housed in this facility shall be provided with the following items, unless otherwise specified by the jail medical provider:

- A sleeping surface and mattress in accordance with federal and state laws, codes and jail standards
- A writing surface and seat
- An area for the storage of clothing and personal belongings

1100.4 DAYROOMS

Dayrooms shall be equipped with at least one shower for every 20 incarcerated persons or fraction thereof (24 CCR 1231.3.4), and tables and sufficient seating for all incarcerated persons at capacity. Where incarcerated persons do not have continuous access to their cells, dayrooms shall also be equipped with one toilet, an immediate source of fresh potable water and lavatory with hot and cold water for every 10 incarcerated persons or fraction thereof (24 CCR 1231.2.9).

1100.5 JANITOR CLOSETS

Janitor closets shall be located near or inside each housing unit. Each janitor closet should contain a sink and the necessary cleaning implements. Access to the janitor closets shall be controlled and supervised by the staff. Only incarcerated persons who have been approved by classification and the orderly officer shall be allowed access to the janitor closets, and then only under the supervision of staff.

1100.6 EMERGENCY POWER

The facility 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 persons housing areas, security control points and audio-visual monitoring systems.

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Smoking and Tobacco Use

1101.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by members and others while on-duty or while in Nevada County facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device intended to simulate smoking such as an electronic cigarette or personal vaporizer.

1101.2 POLICY

The Nevada County Sheriff's Office recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Office and its members. Therefore, smoking and tobacco use are prohibited by members, incarcerated persons, and visitors in all office facilities, buildings, and vehicles, and as further outlined in this policy. (Government Code §7597; Labor Code §6404.5)

1101.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Office.

It shall be the responsibility of each employee to ensure that no person under their supervision smokes or uses any tobacco product inside county facilities and vehicles.

1101.4 ADDITIONAL PROHIBITIONS

No person shall smoke tobacco products within 20 feet of a main entrance, exit or operable window of any public building, including any office facility or a building on the campuses of the University of California, California State University and the California community colleges, whether present for training or any other purpose (Government Code § 7596 et seq.).

1101.4.1 NOTICE

The Jail Commander or the authorized designee should ensure that proper signage regarding smoking and tobacco use prohibitions is posted at each entrance to the facility (Labor Code § 6404.5).

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WBCF Central Control

1102.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for a control center for monitoring and coordinating the facility security, safety and communications.

1102.2 POLICY

It is the policy of this office to maintain a control center, designated as Central Control, which shall be secure and staffed 24 hours each day to monitor and coordinate security, safety and communications.

1102.3 COMMUNICATIONS AND MONITORING CAPABILITIES

Central Control shall have multiple means of direct communication capabilities with all staff control stations in incarcerated person housing areas, including telephone, intercom, and radio.

The Central Control staff shall be responsible for monitoring fire, smoke, and life-safety alarms and shall have the means to summon assistance in the event of an emergency.

1102.4 SECURITY

Access into the Central Control should be through an entrance controlled by the staff inside the Central Control.

At no time should incarcerated persons be allowed to enter Central Control.

Visitors will not be allowed in central without the approval of the Lieutenant or Jail Commander.

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Crowding

1103.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the incarcerated person population to the number of beds constructed in each incarcerated person classification level. Occasionally, emergencies occur that will require the jail to exceed its approved bed capacity. This policy establishes the approved bed capacity of the facility, addresses temporary population excess, and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

1103.2 POLICY

It is the policy of the Nevada County Sheriff's Office to manage the incarcerated person population to the extent as is reasonably possible to avoid exceeding the facility's approved bed capacity.

1103.3 FACILITY NEEDS ASSESSMENT

In the event that the jail maintains an average 80 percent occupancy rate consistently for one year, the Office should initiate a jail needs assessment. The assessment initiates a systematic process that is designed to identify a variety of operational issues and program needs, and may indicate when expansion or replacement of the facility is warranted.

1103.4 DAILY INCARCERATED PERSON POPULATION REPORT

The Jail Commander or the authorized designee is responsible for ensuring that detailed daily logs of the facility's incarcerated person population and other demographic information are completed and maintained by the staff. These logs shall reflect the monthly, average daily population of sentenced and non-sentenced incarcerated persons by categories of gender each day. The number of incarcerated persons occupying holding cells shall also be counted each day. An incarcerated person population report summarizing this information shall be created daily (see the Population Management Policy). The Classification Officer shall provide the Board of State and Community Corrections with applicable incarcerated person demographic information as described in the Jail Profile Survey (15 CCR 1040).

1103.5 RESPONSIBILITIES

The Sheriff is responsible for ensuring that the facility has a sufficient number of housing units in an appropriate configuration so that incarcerated persons can be separated according to the facility's classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the incarcerated person population to the approved bed capacity as soon as reasonably practicable. The Office will take affirmative action to address excess population. In the event that the incarcerated person population remains over capacity or continues to increase, a crowding committee should be formed to examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

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Attachments

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Consular Fax Sheet for Arrest Or Detention.pdf

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FAX SHEET – CONSULAR NOTIFICATION

SUBJECT:

NOTIFICATION OF ARREST OR DETENTION OF A NATIONAL OF YOUR COUNTRY

DATE/TIME: _____

TO: Embassy/Consulate of _____in _____, _____
(COUNTRY) (CITY) (STATE)

FROM:

Name/Office_____

Address_____

City _____ State_____ Zip Code_____

Telephone (_____) _____ Fax (_____) _____

We arrested/detained the following foreign national, who we understand is a national of your country, on _____ .
(DATE)

Name: _____

Date of Birth/Place of Birth: _____

Nationality/Country: _____

Passport Issuing Nation: _____

Passport Number: _____

This person has been or may be charged with the following offense(s):

_____

For more information, **please call** _____ between the hours of _____.

Please refer to **case number** _____when you call.

ADDITIONAL INFORMATION:

ICE request for hold.pdf

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Immigration and Customs Enforcement Request

(Truth Act Form 2)

❑ Solicito recibir este formulario en español. / I request to receive this form in Spanish.
❑ 請寄來中文表格。**/** I request to receive this form in Chinese.
❑ Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
❑ Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
❑ 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다 / I request to receive this form in Korean.

Name: _____ Booking #: _____ Date: _____

The purpose of this notice is to inform you that Immigration and Customs Enforcement ("ICE") has requested that the Nevada County Sheriff's Office:

- Hold you for up to 48 hours after your release from criminal custody to allow ICE time to take you into immigration detention. (I-247 or I-247D)
- Notify ICE of your release date, so that ICE may detain you (I-247N)
- Transfer you into immigration detention (I-247X or other request)

Under the Transparent Review of Unjust Transfers and Holds (TRUTH) Act, the Nevada County Sheriff's Office is required to provide you with a copy of ICE's request and inform you whether The Nevada County Sheriff's Office intends to comply with the request. A copy of the request is attached.

Nevada County Sheriff's Office ___DOES___DOES NOT intend to comply with ICE'S request.
(check one)

You will promptly receive a separate letter if the Nevada County Sheriff's office notifies ICE of your release date. The Nevada County Sheriff's office is required by law to notify both you and your attorney or designee if the Nevada County Sheriff's Office notifies ICE of your release. Please provide contact information, including phone number and/or email, for your attorney or designee that you choose below.

Name of Detained Individual: _____

Attorney or Designee (choose one): _____

Name of Attorney or Designee: _____

Email for Attorney or Designee: _____

Phone number for Attorney or Designee: _____

Served by: _____ ID #:_____ Date: _____

ICE interview Request.pdf

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Consent Form for Immigration and Customs Enforcement Interview

(Truth Act Form 1)

❑ Solicito recibir este formulario en español. / I request to receive this form in Spanish.
❑ 請寄來中文表格。**/** I request to receive this form in Chinese.
❑ Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
❑ Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
❑ 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다 / I request to receive this form in Korean.

This notice is to inform you that Immigration and Customs Enforcement ("ICE") wants to interview you, either in person or by phone, to get information that they may use to try to deport you. **You have the right to agree or to refuse this interview.**

This notice is intended to provide you with information about your rights:

(1) **ICE interviews are voluntary**. You can say no to an interview by ICE.

(2) **You have the right to remain silent**. Even if you decide to say yes to an interview, you can refuse to answer any questions, including questions about your immigration status. This includes where you were born and how you came to the United States. Anything you say may be used against you in a criminal and/or immigration proceedings. You should not sign any forms you do not understand.

(3) **You may request to have an attorney present during any interview**. If you request an attorney in this form below, the jail may not bring you to an ICE interview without your attorney present.

(4) **If you are already in removal (deportation) proceedings**, you have the right to have your immigration lawyer present during any question. You should tell ICE to contact your attorney (if you have one) before the interview.

By checking the box and signing below, you are indicating whether or not you agree to an interview with ICE. The Nevada County Sheriff's Office will inform ICE of your decision. The Nevada County Sheriff's Office is only allowed to bring you to an ICE interview if you agree.

Name: _____ Booking #: _____

Signature: _____

_____ I do **not** agree to speak to ICE.

_____ I agree to speak with ICE, **only** with my attorney present.

_____ I agree to speak with ICE, **without** an attorney present.

Served by: _____ ID#: _____ Date: _____

ICE notified of release date.pdf

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

❑ Solicito recibir este formulario en español. / I request to receive this form in Spanish.
❑ 請寄來中文表格。**/** I request to receive this form in Chinese.
❑ Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
❑ Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
❑ 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다 / I request to receive this form in Korean.

Name: _____ Booking #: _____ Date: _____

Under the Transparent Review of Unjust Transfers and Holds ("TRUTH") Act, the Nevada County Sheriff's Office is required to notify you and your attorney or designee in writing if the Nevada County Sheriff's Office informs Immigration and Customs Enforcement ("ICE") of your release.

You are hereby noticed that on _____at_____ hours, the Nevada County Sheriff's Office notified ICE that you are scheduled to be released on _____at_____ hours. The Nevada County Sheriff's Office provided the same information to your _____ attorney/ _____designee.

_____ at _____
Name of Attorney or Designee (see form 2) Email and/or phone number

Served by: _____ ID #: _____ Date: _____

Advisement for pregnant or recovering incarcerated persons.pdf

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WAYNE BROWN CORRECTIONAL FACILITY
ADVISEMENT FOR PREGNANT OR RECOVERING INCARCERATED PERSONS

Per Penal Code Section 3407:

1. Incarcerated persons known to be pregnant **shall not** be restrained by the use of leg irons, waist chains, or handcuffs behind the body.

2. Incarcerated persons in recovery after delivery or termination of pregnancy **shall not** be restrained by the use of leg irons, waist restraints, or handcuffs behind the body.

3. A pregnant incarcerated person in labor, during delivery, in recovery after delivery or recovery after termination of pregnancy **shall not** be restrained by the wrists, ankles, or both, unless it is deemed necessary for the safety and security of the incarcerated person, staff, or the public.

4. Restraints shall be removed when a professional who is currently responsible for the medical care of a pregnant incarcerated person during a medical emergency, labor, delivery, recovery after delivery, or recovery from termination of pregnancy determines that the removal of restraints is medically necessary.

I, _____, acknowledge that I have received and understand the information provided to me regarding the use of mechanical restraints while pregnant, in labor, during delivery, and in recovery after delivery.

_____ _____
IP Signature Date

_____ _____
Officer Signature Date

Disciplinary Note Sheet.pdf

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Disciplinary Hearing / Adjudication

Name: _____

Date: _____ Time: _____

Given copy of report: _____

Have you read report: _____

Understood report and charges: _____

Received Witness List: _____ Do you want witnesses: _____

Plea: No Plea / Not Guilty / Guilty

Charges: _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____

Incarcerated Person's Response:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Findings: _____ Dismissed _____

Sanction: _____

IP – Accepted / Appealed Appeal Due Date and Time; _____

Witness Request List.pdf

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Retalitation Monitoring Continuation Form.pdf

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Retaliation Monitoring Continuation sheet

PREA Incident # **Staff/Inmate Being Monitored:**

Face-to-face contact shall be made with the monitored inmate at least 1 time every 30 days.

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

START A NEW CONTINUATION SHEET FOR CONTINUED MONITORING

This monitoring log shall be part of the PREA investigation file and shall be retained in accordance with confidentiality laws.

Missed Training.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

Documentation of scheduled training that was missed

TO: _____

FROM: _____

DATE: _____

EMPLOYEE: _____

SCHEDULED TRAINING: _____

Was missed training approved or not?

Employee - (Name): _____

I missed training ☐ **Yes** ☐ **No**

I was pre-approved to miss training? ☐ **Yes** ☐ **No**

Reason for missed training: _____

Recommended Action: _____

1st Line Supervisor- (Name): _____

I am aware the listed employee missed training? ☐ **Yes** ☐ **No**

I approved the employee not attending training? ☐ **Yes** ☐ **No**

Recommended Action: _____

Training Manager - (Name): _____

I am aware the listed employee missed training? ☐ **Yes** ☐ **No**

I approved the employee not attending training? ☐ **Yes** ☐ **No**

Recommended Action: _____

Please return this form to the Personnel/Training Unit to be filed in the employee's training file.

Retaliation Monitoring Initial 90-day Form.pdf

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NEVADA COUNTY CORRECTIONS DIVISION
RETALIATION MONITORING #7

PREA Incident #: Date of Allegation:

Type of Monitoring: ☐ Initial 90-day

Assigned Monitor: Title: Date Assigned:

Staff/Inmate Being Monitored:
Monitoring Reason:
☐ Reported Sexual Abuse Harassment ☐ Victim/Alleged Victim
☐ Fear of Retaliation is Expressed for Cooperating with Sexual Abuse/Harassment Investigation.
☐ Other:

Face-to-face contact shall be made with the monitored inmate at least 1 time every 30 days.

Month 1 (30 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Month 2 (60 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Month 3 (90 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:
☐ Monitoring Complete – No Retaliation Found
☐ Monitoring Complete – Retaliation Addressed and Resolved
☐ Continue Monitoring for 30 Days. Notes:

Personnel Complaint Form (1).pdf

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NEVADA COUNTY SHERIFF'S OFFICE



SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

PERSONNEL COMPLAINT FORM

You have the right to make a complaint against Sheriff's Office personnel for any improper conduct. California law requires this agency to have a procedure to investigate personnel complaints. You have a right to a written description of this procedure. This agency may find after investigation, that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint, and have it investigated if you believe our employee behaved improperly. Personnel complaints and any reports or findings relating to complaints must be retained by this agency for a period of no less than five (5) years where there is not a sustained finding of misconduct and for not less than fifteen (15) years where there is a sustained finding of misconduct. (Penal Code 832.5(b))

REPORTING PARTY'S FULL NAME: _____

MAILING ADDRESS: _____

TELEPHONE NUMBER/S: _____

SUBJECT OF COMPLAINT: If known, include name, badge number, description, classification, or any identifiers that might help identify the employee)

_____

DATE AND TIME OF EVENT/S:_____

LOCATION OF EVENT/S: _____

WITNESSES: (Include full name, address, phone numbers)

_____

_____

DETAILS OF COMPLAINT: (Please be as factually complete as possible.)

_____

_____

_____

Continue on next page

DETAILS OF REPORT CONTINUED

_____

_____

_____

_____

_____

_____

_____

_____

_____I

IF RACIAL OR IDENTITY PROFILING IS PART OF YOUR COMPLAINT, PLEASE CHECK ALL THAT APPLY:

____RACE OR ETHNICITY
____NATIONALITY
____GENDER
____AGE
____RELIGION
____GENDER IDENTITY OR EXPRESSION
____SEXUAL ORIENTATION
____MENTAL DISABILITY
____PHYSICAL DISABILITY

_____

Printed name of Complainant

_____

Signature of Complainant **Date**

##

For Office Use Only

_____

Receiving Employee **Date**

Nevada County Sheriff's Office Personnel Complaint Process

Although not required, it is desirable that you come to the Sheriff's Office to complete a complaint form. Complaints may be made via telephone, mail, email, or any other format. You will be asked to complete as much information as possible to assist us in the investigation of your complaint.

Personnel Complaint

Generally, the supervisor of the employee/s who is the subject of the complaint will investigate the matter and report to the Undersheriff. The Undersheriff will then prepare a written response outlining our findings. We make every effort to send you a written response within 30 days of the date we receive your complaint.

Administrative Investigation

There may be times when the seriousness of the matter brought to our attention leads us to assign your complaint to one of our Administrative Investigators. All information received will be treated confidentially by the Sheriff's Office. After completing the investigation, a complaint disposition shall be made, based on each alleged act of formal misconduct. You will be notified of the results of the investigation; however, you may not be allowed information contained within the investigation—only the disposition.

When complaints are found to be sustained, the Sheriff shall administer the appropriate corrective and/or disciplinary action.

Medical Status Report.pdf

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Medical Form of Physical Capabilities of Correctional Officer.pdf

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WBCF Tour Waiver (1).pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

WAYNE BROWN CORRECTIONAL FACILITY TOUR
ASSUMING RISK OF INJURY OR DAMAGE WAIVER AND RELEASE OF CLAIMS

1. The undersigned, not being a member, employee, or agent of any law enforcement department, has made a voluntary request for permission to tour the Wayne Brown Correctional Facility as an observer, and has further requested permission to accompany a member or members of said law enforcement office during the active performance of official duties.
2. The undersigned acknowledges that the work and activities of said law enforcement office are inherently dangerous, involving possible risk of death or injury, damage, expense or loss of personal property, and further agrees that said undersigned assumes any such risk.
3. The undersigned understands Nevada County has a no hostage negotiation policy.
4. The undersigned hereby agrees that the County of Nevada, the Nevada County Sheriff's Office, any member of the Nevada County Sheriff's Office, the driver or owner of any automobile owned or operated by or in service of the County of Nevada, their sureties, and each of them shall not be held liable or responsible under any circumstances whatsoever by the undersigned, his or her estate or heirs, for any injury, damage, expense, or loss to the person or property the undersigned incurred while touring any Nevada County facility, or while accompanying a member of said office during the active performance of his or her official duties as a peace officer.
5. The undersigned hereby agrees to abide by all policies, rules and restrictions of the correctional facility; i.e. no communication with inmates, no contraband, wearing proper attire, and other restrictions as informed.
6. The undersigned agrees to provide the Nevada County Sheriff's Officer, if request, all necessary personal information to confirm identification and/or warrant status.

ANY PERSON WITH OUTSTANDING WARRANTS SHALL BE PROHIBITED FROM ATTENDING THE TOUR AND MAY BE SUBJECT TO ARREST.

READ THIS DOCUMENT COMPLETELY BEFORE SIGNING

Date: _____ Probation: Informal ☐ Formal ☐ N/A☐

County _____ P.O._____

Visitor's Name: _____ Signature: _____

Address: _____ Phone #: (___)_____ DOB: _____

Parent/Guardian Signature is required if Participant is under 18 years of age

_____ _____

(Parent/Guardian Printed Name) (Parent/Guardian Signature)

FOR DEPARTMENT USE ONLY

Date:_____ Time:_____ Approved by: _____

Officer _____

Retaliation Monitoring Continuation Form.pdf

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Retaliation Monitoring Continuation sheet

PREA Incident # **Staff/Inmate Being Monitored:**

Face to Face contact shall be made with the monitored inmate at least 1 time every 30 days.

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Notes:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Notes:

START A NEW CONTINUATION SHEET FOR CONTINUED MONITORING

This monitoring log shall be part of the PREA investigation file and shall be retained in accordance with confidentiality laws.

Category III Notification.pdf

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NEVADA COUNTY SHERIFF

DISCIPLINARY REPORT

CATEGORY III VIOLATIONS ONLY

INCARCERATED PERSONS NAME: _____ BOOKING #: _____

OFFENSE(S): _____ _____ _____ _____ INCIDENT # : _____

Category III appeals are for DUE PROCESS ONLY. If the IP chooses to appeal the sanction, they must immediately fill out the *Incarcerated Person's Written Response.* The appeal will then be reviewed by the on-duty supervisor as soon as possible.

INCARCERATED PERSON RESPONSE

☐ Accept
☐ 1st level appeal

Incarcerated Person
Signature:_____

Officer Signature: _____

Date: _____ Time:_____

SUPERVISOR FINDINGS

☐ Incarcerated Person Accepts
☐ Appeal Denied/Sanctions Upheld
☐ Appeal Upheld
☐ Sanctions Modified

Supervisor
Signature:_____

Date: _____Time: _____

Incarcerated Person's Written Response:

_____

_____

_____

_____

_____

_____

_____

Sanctions (investigating officers may impose any combination of the following):

☐ Verbal counseling, warning, or reprimand.
☐ Loss of one outside recreation period from _____ to_____.
☐ Room restriction up to 23 hours from _____to_____ with 1 hour out from _____to_____.
☐ Work contract, where the incarcerated person is given hours to work off.
☐ Extra work detail up to twenty (20) hours.
☐ Other _____.

Sanctions Completed:

Officer Signature: _____Badge #: _____ Date: _____Time: _____

Leave this form in the housing unit until sanctions are completed. When completed, return to disciplinary sergeant.

Disciplinary Disposition and Appeal Form.pdf

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Disciplinary Notification and Waiver Form.pdf

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WAYNE BROWN CORRECTIONAL FACILITY
DISCIPLINARY NOTIFICATION AND WAIVER FORM

1. Date of Notification _____ 2. Time of Notification _____

2. Name of Incarcerated Person _____

3. Booking Number _____ 4. Incident Number _____

5. On the above date and time your are accused of committing the following violations:

Category and violation number: _____, _____, _____,

_____, _____, _____, _____.

Incarcerated Person Signature: _____ Date: _____ Time:_____

(SIGNATURE ACKNOWLEDGES RECEIPT OF THE DISCIPLINARY NOTIFICATION FORM).

Officer Signature: _____ Date: _____ Time: _____

WAIVER

Charges pending against you may NOT be acted upon prior to 24 hours after you have been notified of the charges in writing; however, you may waive the 24 hour limitation.

☐ Yes, I choose to waive the 24 hr limitation ☐ No, I do not choose to waive the 24 hr limitation

Incarcerated Person Signature: _____ Date: _____ Time: _____

Officer Signature: _____ Date: _____ Time: _____

_____ Copy to Incarcerated Person

_____ Copy to Disciplinary Sergeant (with a copy of the Incident Report).

Reference California Code of Regulations
Title 15, Section 1081. Revision date: 10/19/2012

298.1 Admonition.pdf

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Penal Code Section 298.1 Admonishment Form

Name: _____

Date/Time: _____

☐ You have been convicted of:_____which requires you to comply with Penal Code Section 296;

☐ In the past, you were convicted of:_____which requires you to comply with Penal Code 296; and/or

☐ You have been arrested for the felony charge of:_____ which requires you to comply with Penal Code 296.1; and/or

☐ You have received written notification, from a peace officer, advising you that you must comply with Penal Code Section 296.

It is a violation of Penal Code Section 298.1 (misdemeanor), if you refuse to provide blood and saliva samples and palm prints, per Penal Code Section 296. You may be arrested and booked for this new crime. Refusal to provide these samples may result in increased jail time. In addition, pursuant to Penal Code Section 298.1, reasonable force may be employed to collect blood and saliva samples and print impressions from individuals who refuse to voluntarily provide those samples or impressions.

Inmate Signature: _____

Officer Signature: _____

Supervisor Signature: _____

Phlebotomist Signature: _____

☐ Inmate complied by providing all samples and print impressions.

☐ Inmate refused to voluntarily provide all samples and print impressions.

NCSO Personnel Complaint Form.pdf

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NEVADA COUNTY SHERIFF'S OFFICE



SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

PERSONNEL COMPLAINT FORM

You have the right to make a complaint against Sheriff's Office personnel for any improper conduct. California law requires this agency to have a procedure to investigate personnel complaints. You have a right to a written description of this procedure. This agency may find after investigation, that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint, and have it investigated if you believe our employee behaved improperly. Personnel complaints and any reports or findings relating to complaints must be retained by this agency for a period of no less than five (5) years where there is not a sustained finding of misconduct and for not less than fifteen (15) years where there is a sustained finding of misconduct. (Penal Code 832.5(b))

SECTION 1: INCIDENT INFORMATION		
DATE OF INCIDENT (MM/DD/YYYY)	TIME (AM/PM)	NAME OF AGENCY INVOLVED
LOCATION OF INCIDENT		

SECTION 2: COMPLAINANT INFORMATION			
FIRST NAME		LAST NAME	
DATE OF BIRTH (MM/DD/YYYY)		GENDER	
		☐ Male ☐ Female ☐ Non-Binary	
ETHNICITY			
☐ American Indian or Alaska Native ☐ Asian or Pacific Islander ☐ Black or African ☐ American Hispanic or Latino ☐ Middle Eastern ☐ South Asian ☐White/Caucasian ☐ Multiracial ☐ Not Listed ☐ Prefer Not to Answer			
PHONE		EMAIL	
STREET ADDRESS			
CITY	STATE/PROVINCE	POSTAL/ZIP CODE	COUNTRY
RELATIONSHIP TO THE INCIDENT			
☐ Victim ☐ Witness ☐ Family Member / Friend ☐ Concerned Citizen ☐ Coworker ☐ Other			

SECTION 3: INCIDENT INFORMATION	
Employee's actions were Serious Misconduct as defined in California Penal Code 13510.8, check all that apply	
☐ Dishonesty ☐ Abuse of Power ☐ Physical Abuse ☐ Sexual Assault ☐ Demonstrating Bias ☐ Violation of law ☐ Participate in Law Enforcement Gang ☐ Failure to Intercede ☐ Other:_____	
Employee's actions showed bias, check all that apply	
☐ Race or Ethnicity ☐ Nationality ☐ Gender ☐ Age ☐ Religion ☐ Gender Identity or Expression ☐ Sexual Orientation ☐ Mental Disability ☐ Physical Disability	
INVOLVED OFFICER'S NAME(S)	BADGE NUMBER OR ID NUMBER OF THE OFFICER

PLEASE DESCRIBE COMPLAINT ON NEXT PAGE

SECTION 5: NARRATIVE/SUMMARY OF INCIDENT		
Please provide specific information about the alleged misconduct. If more space is needed, attach additional pages	**Total # Pages Attached:**	

NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Nevada County Sheriff's Office Personnel Complaint Process

Although not required, it is desirable that you come to the Sheriff's Office to complete a complaint form. Complaints may be made via telephone, mail, email, or any other format. You will be asked to complete as much information as possible to assist us in the investigation of your complaint.

Personnel Complaint

Generally, the supervisor of the employee/s who is the subject of the complaint will investigate the matter and report to the Undersheriff. The Undersheriff will then prepare a written response outlining our findings. We make every effort to send you a written response within 30 days of the date we receive your complaint.

Administrative Investigation

There may be times when the seriousness of the matter brought to our attention leads us to assign your complaint to one of our Administrative Investigators. All information received will be treated confidentially by the Sheriff's Office. After completing the investigation, a complaint disposition shall be made, based on each alleged act of formal misconduct. You will be notified of the results of the investigation; however, you may not be allowed information contained within the investigation—only the disposition.

When complaints are found to be sustained, the Sheriff shall administer the appropriate corrective and/or disciplinary action.

TRUCKEE SOBERING WATCH.pdf

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Disciplinary Disposition and Appeal Form.pdf

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NEVADA COUNTY SHERIFF'S
DISCIPLINARY DISPOSITION AND APPEAL FORM

Inmate's Name: _____ Incident #: _____

Charges pending against an inmate shall NOT be acted upon prior to 24 hours after the inmate has been notified of the charges in writing unless previously waived.

Officer findings/proposed action:

_____

_____

Initial Disposition

Inmate Response (choose one):

☐ Accept ☐ Appeal

Inmate Signature: _____

Officer Signature: _____

Date: _____ Time: _____

Post Appeal Disposition

Appeal:

☐ Uphold ☐ Modified ☐ Dismissed

Officer Signature: _____

Date: _____ Time: _____

Review Authority Decision:

☐ Uphold ☐ Modified ☐ Dismissed

Signature: _____

Date: _____ Time: _____

Appeals must be returned to the Pod Officer within 24 hours. Appeals will only be considered if based on the following:

- The disciplinary process or procedures were not followed.
- There was insufficient evidence to support the hearing officer's decision.
- The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as possible if the appeal is granted or discipline is reduced, but no later than **10 days** after the appeal is submitted. The decision of the review authority shall be final, and the result shall be provided in writing.

EXPLAIN REASON FOR APPEAL:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

APPEAL DUE DATE: _____ TIME: _____

Returned to Officer: (O) Signature: _____Date: _____ Time: _____

NEVADA COUNTY SHERIFF'S
DISCIPLINARY DISPOSITION AND APPEAL FORM

Incarcerated Person's Name: _____ Incident #: _____

Charges pending against an incarcerated person shall NOT be acted upon prior to 24 hours after the incarcerated person has been notified of the charges in writing unless previously waived.

Officer findings/proposed action:

_____

_____

Initial Disposition

Incarcerated Person Response (choose one):

☐ Accept ☐ Appeal

IP Signature: _____

Officer Signature: _____

Date: _____ Time: _____

Post Appeal Disposition

Appeal:

☐ Uphold ☐ Modified ☐ Dismissed

Officer Signature: _____

Date: _____ Time: _____

Review Authority Decision:

☐ Uphold ☐ Modified ☐ Dismissed

Signature: _____

Date: _____ Time: _____

Appeals must be returned to the Pod Officer within 24 hours. Appeals will only be considered if based on the following:

- The disciplinary process or procedures were not followed.
- There was insufficient evidence to support the hearing officer's decision.
- The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as possible if the appeal is granted or discipline is reduced, but no later than **10 days** after the appeal is submitted. The decision of the review authority shall be final, and the result shall be provided in writing.

EXPLAIN REASON FOR APPEAL:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

APPEAL DUE DATE: _____ TIME: _____

Returned to Officer: (O) Signature: _____Date: _____ Time: _____

Witness Request List.pdf

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Witness Request List

Inmate Name: _____ Incident #: _____

Requests for witnesses must be submitted by you, in writing, no later than twelve (12) hours before the start of the hearing unless you signed the 24-hour limitation waiver.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals when the witness's information would not be relevant or would be unnecessarily duplicative or is otherwise unnecessary. The reason for denying a witness to testify shall be documented in the hearing report.

A witness's signed written statement may be submitted by you as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Please list witness(es) and include a brief summary of what the witness is expected to say:

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Incarcerated Person: _____ Date:_____ Time:_____

Receiving Officer:_____ Date:_____ Time:_____

Witness Request List

Incarcerated Person Name: _____ Incident #: _____

Requests for witnesses must be submitted by you, in writing, no later than twelve (12) hours before the start of the hearing unless you signed the 24-hour limitation waiver.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, when the witness's information would not be relevant or would be unnecessarily duplicative or is otherwise unnecessary. The reason for denying a witness to testify shall be documented in the hearing report.

A witness's signed written statement may be submitted by the inmate as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Please list witness(es) and include a brief summary of what the witness is expected to say:

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Witness Name: _____

_____
_____
_____
_____

Date due by:_____ Time: _____

Inmate Signature: _____ Date:_____ Time:_____

Receiving Officer:_____ Date:_____ Time:_____

Writ of Habeas Corpus.pdf

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Safety-Sobering Cell Log page 1.pdf

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Corrections Division
Incarcerated Person Observation Log

Shift supervisor must be notified and approve all of the following: **Page #:_____**

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. No more than 15 min lapse between checks. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/ retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Incarcerated Person Name: _____ Booking #: _____ Cell Location: _____

Shift Supervisor: _____ Date: _____ Time: _____

Medical Staff: _____ Date: _____ Time: _____

Nevada County Behavioral Health Notified: Yes No Notified by: _____

Nevada County Behavioral Health Staff: _____ Date: _____ Time: _____

Initial Arrestee Reason for Placement:

Orientation	**Gait**	**Pupils**	**Level of Consciousness**
☐Cooperative ☐Argumentative ☐Combative ☐Suicidal ☐_____	☐ Steady ☐ Unstable ☐_____	☐PERRL ☐Nystagmus ☐Sluggish ☐Non-reactive ☐_____	☐Awake & Alert ☐No Response ☐Lethargic, but responds to stimuli ☐Responds to pain only ☐_____

Comments:

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 12/16/2025

IP Name: _____ Booking #:_____ Page # _____

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. No more than 15 min lapse between checks. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/ retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 12/16/2025

Safety-Sobering Cell Log page 2.pdf

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IP Name: _____ Booking #:_____ Page # _____

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. No more than 15 min lapse between checks. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/ retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 12/16/2025

IP Name: _____ Booking #:_____ Page # _____

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. No more than 15 min lapse between checks. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/ retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 12/16/2025

Grievance Response Form.pdf

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GRIEVANCE RESPONSE FORM

Initial Grievance: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:_____

_____

_____

_____

_____

_____

_____

_____

_____

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Responding Officer: _____ Date of Reply: _____

Level 1 Appeal: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:_____

_____

_____

_____

_____

_____

_____

_____

_____

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Level One Reviewer: _____ Date of Reply: _____

Level 2 Appeal: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:_____

_____

_____

_____

_____

_____

_____

_____

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Level Two Reviewer: _____ Date of Reply: _____

Grievance Log #: _____

RETALIATION MONITORING 90 DAY.pdf

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NEVADA COUNTY CORRECTIONS DIVISION
RETALIATION MONITORING #7

PREA Incident #: Date of Allegation:

Type of Monitoring: ☐ Initial 90-day

Assigned Monitor: Title: Date Assigned:

Staff/Incarcerated Person Being Monitored:
Monitoring Reason:
☐ Reported Sexual Abuse/Harassment ☐ Victim/Alleged Victim
☐ Fear of Retaliation is Expressed for Cooperating with Sexual Abuse/Harassment Investigation.
☐ Other:

Face-to-face contact shall be made with the monitored IP at least 1 time every 30 days.

Month 1 (30 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Month 2 (60 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Month 3 (90 days) Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:
☐ Monitoring Complete – No Retaliation Found
☐ Monitoring Complete – Retaliation Addressed and Resolved
☐ Continue Monitoring for 30 Days. Notes:

Retaliation Monitoring Continuation.pdf

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Retaliation Monitoring Continuation sheet

PREA Incident # **Staff/Incarcerated Person Being Monitored:**

Face-to-face contact shall be made with the monitored IP at least 1 time every 30 days.

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

Date:	Additional Check: Date:	Additional Check: Date:
☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports	☐ Reviewed disciplinary reports
☐ Reviewed housing changes	☐ Reviewed housing changes	☐ Reviewed housing changes
☐ Reviewed program changes	☐ Reviewed program changes	☐ Reviewed program changes
☐ Face-to-face contact	☐ Face-to-face contact	☐ Face-to-face contact
☐ Review staff reassignments	☐ Review staff reassignments	☐ Review staff reassignments
☐ Reviewed performance evaluations	☐ Reviewed performance evaluations	☐ Reviewed performance evaluations
Notes:		

Findings Date:

☐ Monitoring Complete – No Retaliation Found

☐ Monitoring Complete – Retaliation Addressed and Resolved

☐ Continue Monitoring for 30 Days. Comments:

START A NEW CONTINUATION SHEET FOR CONTINUED MONITORING

This monitoring log shall be part of the PREA investigation file and shall be retained in accordance with confidentiality laws.

Grievance Response Form fillable.pdf

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GRIEVANCE RESPONSE FORM

Initial Grievance: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Responding Officer: _____ Date of Reply: _____

Level 1 Appeal: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Level One Reviewer: _____ Date of Reply: _____

Level 2 Appeal: To be completed within 10 days. Incarcerated person to be provided a photocopy of response.

Response:

☐ Founded ☐ Unfounded ☐ Resolved ☐ Noted

Level Two Reviewer: _____ Date of Reply: _____

Grievance Log #: _____

Grievance Appeal Form.pdf

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Grievance Form Initial.pdf

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INITIAL GRIEVANCE FORM

IF THIS IS AN EMERGENCY GRIEVANCE CHECK WHAT TYPE: ☐ PREA ☐ Medical ☐ Other:_____

Incarcerated Person Name:	Today's Date:	Housing Unit:
Incarcerated Person Signature:	Date of Problem:	Booking #:

If you have a complaint relating to any condition of confinement, including, but not limited to medical care, officer conduct, hygiene and sanitation needs, recreation opportunities, program participation, telephones and mail, visiting visitation, food services, clothing or bedding, and allegations of sexual abuse you may complete this form and give it to an officer. Every attempt will be made to resolve your grievance at the lowest possible level. Only **1 issue** per form will be accepted. You will only have **14 days from the date of occurrence** to submit your grievance. **There is no time limit if the grievance is used to report a PREA related incident. Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions, and parole and probation actions.** In most instances, Courts will not recognize an Incarcerated Person's writ if they have not completed the Grievance process.

Check ONE option below:

☐ Medical/ADA ☐ Staff/Officer ☐ Out of Cell/Rec-yard ☐ Use of Force ☐ Phones/Tablets ☐ Mail
☐ Kitchen ☐ Visitation ☐ Education/Programs ☐ Commissary ☐ Classification ☐ Title 15
☐ Facility Issue ☐ Other: _____

DESCRIBE YOUR PROBLEM IN DETAIL (**ONLY 1 ISSUE PER FORM WILL BE ACCEPTED**)

Officer received by:	Date:	Time:

White Copy: Retain on Log Yellow Copy: Give to Incarcerated Person Grievance Log #: _____

Support Personnel Orientation.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Wayne Brown Correctional Facility
Support and Contractor Personnel Acknowledgement Form

SIGNED STATEMENT OF UNDERSTANDING

I, _____ (print name), have received new professional support and contractor orientation. I was provided a "ten-code" card to reference. I understand that I should be included in training exercises relative to facility safety and security during emergencies. The officer and I will initial below indicating a basic understanding of the following items that were explained to me and that I was given the opportunity to ask any follow up questions.

Support personnel	Officer	
_____	_____	A general understanding of the purpose, goals, policies and procedures for the Nevada County Sheriff's Office.
_____	_____	Security and contraband regulations
_____	_____	Access control to include the use of keys
_____	_____	Appropriate conduct with inmates
_____	_____	Responsibilities and rights of facility employees/contractors
_____	_____	Overview of the correctional field as it relates to custody functions and medical needs
_____	_____	Use of radio / ten codes

Additionally, I acknowledge that I previously received initial PREA education.

_____ _____
Professional Support/Contractor Signature Date

_____ _____
Nevada County Staff Signature Date

Claim against the County of Nevada.pdf

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CLAIM AGAINST THE
COUNTY OF NEVADA
STATE OF CALIFORNIA
(GOVERNMENT CODE SECTION 910 ET SEQ)

TO: *GOVERNING BOARD OF NEVADA COUNTY
STATE OF CALIFORNIA

A. NAME AND POST OFFICE ADDRESS OF THE CLAIMANT:

_____
_____
_____

B. POST OFFICE ADDRESS TO WHICH THE PERSON PRESENTING THE CLAIM DESIRESS NOTICES TO BE SENT:

_____
_____
_____

C. THE DATE, PLACE AND CIRCUMSTANCES OF THE OCCURANCE OR TRANSACTION WHICH GAVE RISE TO THE CLAIM ASSERTED:

_____
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*CLAIM MUST BE FILED WITH THE CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, ERIC ROOD ADMINISTRATIVE CENTER, 950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617.

D. A GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGE OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

E. GENERAL DESCRIPTION OF THE LEGAL BASIS FOR COUNTY LIABILITY, AND THE DATE OF DISCOVERY THEREOF:

_____
_____
_____
_____
_____
_____
_____
_____

F. THE NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGE, OR LOSS, IF KNOWN:

_____
_____
_____
_____
_____
_____
_____

G. THE AMOUNT CLAIMED IF IT TOTALS LESS THAN TEN THOUSAND DOLLARS ($10,000) AS OF THE DATE OF PRESENTATION OF THE CLAIM, INCLUDING THE ESTIMATED AMOUND OF ANY PROSPECTIVE INJURY, DAMAGE, OR LOSS, INSOFAR AS IT MAY BE KNOWN AT THE TIME OF THE PRESENTATION OF THE CLAIM, TOGETHER WITH THE BASIS OF COMPUTATION OF THE AMOUNT CLAIMED. IF THE AMOUNT CLAIMED EXCEEDS TEN THOUSAND DOLLARS ($10,000), NO DOLLAR AMOUNT SHALL BE INCLUDED IN THE CLAIM. HOWEVER, IT SHALL INDICATE WHETHER THE CLAIM WOULD BE A LIMITED CIVIL CASE:

_____

_____

_____

_____

_____

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_____

DATED: _____

_____

_____

CLAIMANT

Discriminatory Harassment Policy.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

Discriminatory Workplace Harassment Policy

SIGNED STATEMENT OF UNDERSTANDING

I have read and understand the Discriminatory Workplace Harassment Policy of this office. I agree to comply with this policy and understand that this signed statement will be placed in my Personnel File.

_____
Signature of employee

_____
Printed Name

_____
Date

_____
Supervisor Signature

SAFETY or SOBERING LOG.pdf

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Corrections Division
Inmate Observation Log

Shift supervisor must be notified and approve all of the following: **Page #:_____**

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Inmate Name: _____ Booking #: _____ Cell Location: _____

Shift Supervisor: _____ Date: _____ Time: _____

Medical Staff: _____ Date: _____ Time: _____

Nevada County Behavioral Health Notified: Yes No Notified by: _____

Nevada County Behavioral Health Staff: _____ Date: _____ Time: _____

Initial Arrestee Reason for Placement:

Orientation	**Gait**	**Pupils**	**Level of Consciousness**
☐Cooperative ☐Argumentative ☐Combative ☐Suicidal ☐_____	☐ Steady ☐ Unstable ☐_____	☐PERRL ☐Nystagmus ☐Sluggish ☐Non-reactive ☐_____	☐Awake & Alert ☐No Response ☐Lethargic, but responds to stimuli ☐Responds to pain only ☐_____

Comments:

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 09/14/2020

Inmate Name: _____ Booking #:_____ Page # _____

☐ **Safety Cell**	☐ **Sobering Cell** ☐ _____	☐ **Mechanical Restraints**	☐ **OC Observation**
1. Direct visual observation twice every 30 minutes. 2. Medical notified within 15 min of placement. 3. Medical evaluation at 6 hrs. 4. Supervisor continued retention approval every 4 hrs. 5. Medical/Mental Health evaluation of placement/retention within 12 hrs. 6. Removal only with approval of Mental Health.	1. Initiated by Medical or Supervisor. 2. Direct visual observation twice every 30 minutes. 3. Medical evaluation by 4 hrs and every 4 hrs thereafter.	1. Direct visual observation twice every 30 minutes. 2. Supervisor continued retention approval every 1 hr. 3. Medical evaluation for placement /retention by 1 hr. 4. Exercise alternate extremities each 2 hrs. 5. Medical assessment by 4 hrs. 6. Taken to Medical Facility for evaluation after 8 hrs.	1. Direct visual observation twice every 30 minutes. 2. Watch conducted for a minimum of an hour.

Log all that apply: Food, Water, Breathing, Behavior, Demeanor, Speech, Movement, etc…

Date/Time	Activity(Describe)	Person Checking	Badge #		Check One	
		Print Name	Ofc.	Sgt.	Med.	CMH

NOT TO BE USED FOR RESTRAINT CHAIR

Revised 09/14/2020

Soter Scanner English.pdf

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Information Sheet on Security Screening

YOU WILL RECEIVE RADIATION DURING A SECURITY SCREENING

Summary of Key Messages

- People are exposed to ionizing radiation every day.
- The ionizing radiation dose from the security screening process is much less than the average member of the public receives in one day from natural sources of radiation.
- Exposure to ionizing radiation may increase an individual's risk of developing cancer later in life; however, at these very low doses the potential increase in risk is extremely small.

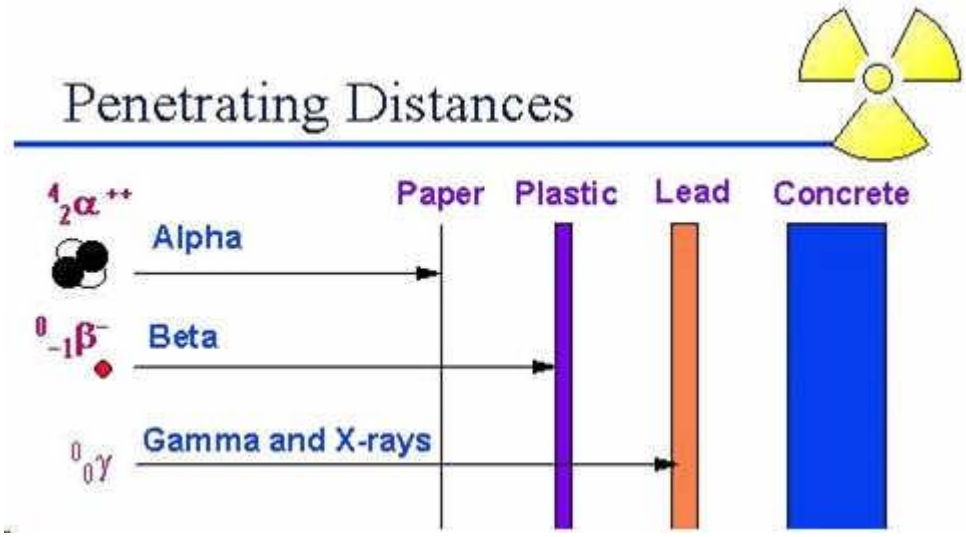
What is ionizing radiation?

Radiation is a form of energy. If radiation has sufficient energy to eject electrons from neighboring atoms, it is called ionizing radiation. This energy may be in the form of particles or electromagnetic waves.

What are the types of ionizing radiation?

The main forms of ionizing radiation are alpha particles, beta particles, gamma rays, and x-rays. This screening system uses x-ray.

Gamma and X-rays are electromagnetic waves (like radio waves and visible light, but more energetic). They are more penetrating than alpha and beta particles.



How may I be exposed to ionizing radiation?

Ionizing radiation is an everyday part of our environment. Low levels of radiation strike the earth in the form of cosmic rays and solar emissions. All soils contain naturally occurring uranium and thorium, which are radioactive. Uranium and thorium decay to produce radon, a radioactive gas that seeps from the soil into the air we breathe. Additionally, small amounts of radioactive material are found in our food supply and in many consumer products such as tobacco and smoke detectors. All of these sources of background radiation can vary widely depending on geographic location.

How much radiation do we typically receive?

Everyone receives some radiation dose every day. Most of this exposure comes from natural sources, but a portion comes from man-made sources, such as medical procedures.

	Cause	Dose (mRem)	Dose µSv	Every
Everyday exposures	Average US annual radiation dose	360	3,600	Year
Everyday exposures	Natural sources in the US	300	3,000	Year
Sleeping next to someone	Exposure comes from the naturally radioactive potassium in the other person's body	2	20	8 Hours
Living in a masonry home	Stone and brick have natural radioisotopes in them	7	70	Year
Living on the Earth	We are living in a sea of radon. It is made from the natural decay of uranium and thorium in the soil, left over from the creation of the solar system. Radon is a rare gas that diffuses out of soil and into the air. It contributes more than half of our background exposure.	200	2,000	Year
Air Travel	30,000 feet above the ground you're closer to the ionizing radiation from the sun.	0.5	5	Hour
Banana	Eating one banana (the dose is from the K-40)	0.01	0.1	One item
X-Ray - Dental	One scan	50	500	One scan
X-Ray - Chest	One scan	100	1,000	One scan
CAT Scan - Chest	One scan	600	6,000	One scan
Cosmic Radiation at Sea Level	(From outer space) Exposure depends on your elevation (how much air is above you to block radiation).	26	260	Year
Watching TV	3 hours daily	1	10	Year
NCRP Annual Dose	NCRP recommends that members of the general public (including special groups such as pregnant women and children) receive less than 250uSv (25mRem) effective dose per year from x-ray security screening.	25	250	Year
US Capitol Building	Dose from standing in front of the granite of the United States Capitol building.	85	850	Year
SOTER RS Scanner	**One Scan**	**.15**	**1.5**	**One scan**

Will this exposure to radiation make me radioactive?

No exposure to gamma rays or x-rays deposits energy in the body, but will not cause you to become radioactive.

Where can I get more information?

Environmental Protection Agency, Understanding Radiation: http://www.epa.gov/radiation/understand/index.html
Centers for Disease Control and Prevention Radiation Emergencies: http://www.bt.cdc.gov/radioantion/emerbencyfaq.asp
World Health Organization Ionizing Radiation Page: http://www.who.int/ionizing radiation /en/
Health Physics Society fact sheets: http://hps.org/publicinformation/radterms
NCRP Report No. 91, Ionizing Radiation Exposure of the Population of the United States: http://www.ncrppublications.org/
Food and Drug Administration, Radiological Health Program: http://www.fda.gov/cdrh/radhealth

NEVADA COUNTY SHERIFF'S OFFICE
SOTER Pre-Screening Questionnaire

Date: _____ Time: _____

Name of Person being scanned: _____

Booking Number: _____ JMS Pin: _____

Gender: ☐ Male ☐ Female ☐ Other

Name of Screener: _____ OSN: _____

Prescreening Questions

1. Is the arrestee/inmate in a wheel chair? ☐ Yes ☐ No
2. Is the arrestee/inmate pregnant? ☐ Yes ☐ No
3. Has the arrestee/inmate undergone radiation or chemotherapy in the past 6 months? ☐ Yes ☐ No
4. Does the arrestee/inmate have a pacemaker? ☐ Yes ☐ No
5. Has the arrestee/inmate been given the opportunity to be provided a copy of the information sheet on the Soter X-Ray Security Screening System? ☐ Yes ☐ No
6. Has the arrestee/inmate been given an opportunity to have any concerns addressed? ☐ Yes ☐ No

_____ _____
Signature of Person being Scanned Signature of Screener

Notes:

_____

_____

_____

_____

TRUCKEE SOBERING WATCH.pdf

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Corrections Division- Truckee
Sobering Cell Assessment Log

Incarcerated Person Name: _____ Booking #: _____

Date of Placement: _____ Time of Placement: _____

Shift Supervisor : _____ Date Notified: _____ Time Notified: _____

Clearance by Tahoe Forest Hospital: ☐Yes ☐No Date: _____ Time: _____

Initial Arrestee Examination/Observation

Attitude	Breath/Smell of Alcohol	Coordination	Eyes	Face	Speech
☐Antagonistic	☐Strong	☐Staggering	☐Bloodshot	☐Flushed	☐Incoherent
☐Combative	☐Moderate	☐Swaying	☐Watery	☐Pale	☐Slurred
☐Argumentative	☐Slight	☐Poor	☐Normal/none	☐Normal	☐Slow
☐Calm	☐No smell	☐Unsteady			☐Thick
☐Cooperative		☐Fair			☐Loud
		☐Normal			☐Normal

Direct Visual Observation shall be conducted twice every 30 minutes:

Date/Time	Checked By	Awake	Drowsy	Asleep	Comments

Cleared from Sobering Watch: Officer Signature: _____ Date: _____ Time: _____

If a Sobering Watch continues for longer than 6 hours a reassessment must be done. After 12 hours the IP must be evaluated by health care staff. Officer Signature: _____Date: _____Time: _____

Attitude	Breath/Smell of Alcohol	Coordination	Eyes	Face	Speech
☐Antagonistic	☐Strong	☐Staggering	☐Bloodshot	☐Flushed	☐Incoherent
☐Combative	☐Moderate	☐Swaying	☐Watery	☐Pale	☐Slurred
☐Argumentative	☐Slight	☐Poor	☐Normal/none	☐Normal	☐Slow
☐Calm	☐No smell	☐Unsteady			☐Thick
☐Cooperative		☐Fair			☐Loud
		☐Normal			☐Normal

Released from Custody ☐ Temporary Housing☐ Transported to WBCF☐ Transported to Tahoe Forest ☐

Corrections Division- Truckee
Sobering Cell Assessment Log

Inmate Name: _____ Booking #: _____

Date of Placement: _____ Time of Placement: _____

Shift Supervisor : _____ Date Notified: _____ Time Notified: _____

Clearance by Tahoe Forest Hospital: ☐Yes ☐No Date: _____ Time: _____

Initial Arrestee Examination/Observation

Attitude	Breath/Smell of Alcohol	Coordination	Eyes	Face	Speech
☐Antagonistic ☐Combative ☐Argumentative ☐Calm ☐Cooperative	☐Strong ☐Moderate ☐Slight ☐No smell	☐Staggering ☐Swaying ☐Poor ☐Unsteady ☐Fair ☐Normal	☐Bloodshot ☐Watery ☐Normal/none	☐Flushed ☐Pale ☐Normal	☐Incoherent ☐Slurred ☐Slow ☐Thick ☐Loud ☐Normal

Direct Visual Observation shall be conducted twice every 30 minutes:

Date/Time	Checked By	Awake	Drowsy	Asleep	Comments

Cleared from Sobering Watch: Officer Signature: _____ Date: _____ Time: _____

If a Sobering Watch continues for longer than 6 hours a reassessment must be done. After 12 hours the inmate must be evaluated by health care staff. Officer Signature: _____Date: _____Time: _____

Attitude	Breath/Smell of Alcohol	Coordination	Eyes	Face	Speech
☐Antagonistic ☐Combative ☐Argumentative ☐Calm ☐Cooperative	☐Strong ☐Moderate ☐Slight ☐No smell	☐Staggering ☐Swaying ☐Poor ☐Unsteady ☐Fair ☐Normal	☐Bloodshot ☐Watery ☐Normal/none	☐Flushed ☐Pale ☐Normal	☐Incoherent ☐Slurred ☐Slow ☐Thick ☐Loud ☐Normal

Released from Custody ☐ Temporary Housing☐ Transported to WBCF☐ Transported to Tahoe Forest ☐

Grievance Appeal Form.pdf

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GRIEVANCE APPEAL FORM

Incarcerated Person Name:	Today's Date:	Housing Unit:
Incarcerated Person Signature:	Date of Problem:	Booking #:

Check appeal level:

☐ LEVEL 1 APPEAL ☐ LEVEL 2 APPEAL

DESCRIBE THE REASON FOR THE APPEAL BELOW IN DETAIL:

Officer Received by:	Date:	Time:

White Copy: Retain on Log Yellow Copy: Give to Incarcerated Person Grievance Log #: _____

GRIEVANCE APPEAL FORM

Inmate Name:	Today's Date:	Housing Unit:
Inmate Signature:	Date of Problem:	Booking #:

Check appeal level:

☐ LEVEL 1 APPEAL ☐ LEVEL 2 APPEAL

DESCRIBE THE REASON FOR THE APPEAL BELOW IN DETAIL:

Officer received by:	Date:	Time:

White Copy: Retain on Log Yellow Copy: Give to Inmate

Grievance Log #: _____

Grievance Form.pdf

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INITIAL GRIEVANCE FORM

IF THIS IS AN EMERGENCY GRIEVANCE CHECK WHAT TYPE: ☐ PREA ☐ Medical ☐ Other:_____

Inmate Name:	Today's Date:	Housing Unit:
Inmate Signature:	Date of Problem:	Booking #:

If you have a complaint relating to any condition of confinement, including, but not limited to medical care, officer conduct, hygiene and sanitation needs, recreation opportunities, program participation, telephones and mail, visiting visitation, food services, clothing or bedding, and allegations of sexual abuse you may complete this form and give it to an officer. Every attempt will be made to resolve your grievance at the lowest possible level. Only **1 issue** per form will be accepted. You will only have **14 days from the date of occurrence** to submit your grievance. **There is no time limit if the grievance is used to report a PREA related incident. Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions, and parole and probation actions.** In most instances, Courts will not recognize an Inmate's writ if they have not completed the Grievance process.

Check ONE option below:

☐ Medical/ADA ☐ Staff/Officer ☐ Dayroom/Rec-yard ☐ Use of Force ☐ Phones/Tablets ☐ Mail
☐ Kitchen ☐ Visitation ☐ Education/Programs ☐ Commissary ☐ Classification ☐ Title 15
☐ Facility Issue ☐ Other: _____

DESCRIBE YOUR PROBLEM IN DETAIL (**ONLY 1 ISSUE PER FORM WILL BE ACCEPTED**)

_____
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Officer received by:	Date:	Time:

White Copy: Retain on Log Yellow Copy: Give to Inmate Grievance Log #: _____

GRIEVANCE RESPONSE FORM

Initial Grievance: To be completed within 10 business days. Inmate to be provided a photocopy of response.

Response:_____

Responding Officer: _____ Date of Reply: _____

Level 1 Appeal: To be completed within 10 business days. Inmate to be provided a photocopy of response.

Response:_____

Level One Reviewer: _____ Date of Reply: _____

Level 2 Appeal: To be completed within 10 business days. Inmate to be provided a photocopy of response.

Response:_____

Level Two Reviewer: _____ Date of Reply: _____

Grievance Log #: _____

POLICY ECP-ATD.pdf

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Aerosol Transmissible Disease Exposure Control Plan

The Nevada County Sheriff's Office Correction Division is committed to providing a safe and healthful work environment for our entire staff.

Aerosol Transmissible Diseases (ATD) are infectious diseases such as tuberculosis and severe acute respiratory syndrome (SARS). They are spread through respiratory secretions which are exhaled or expelled through coughing, sneezing, etc. ATDs can be separated into two categories: those requiring droplet precautions, such as pertussis, diphtheria, mumps, and meningococcal disease, and those requiring airborne infection isolation, such as tuberculosis, SARS, smallpox, and measles. Our employees have occupational exposure to ATDs in the course of conducting their job duties, whether at the work facility or offsite

In accordance with Cal OSHA standard 8 CFR 5199, “Aerosol Transmissible Diseases” the following Exposure Control Plan (ECP) is provided to reduce the risk of occupational exposure to Aerosol Transmissible Diseases (ATD), including Tuberculosis (TB), so that we may respond in an appropriate and timely manner when exposure incidents occur.

The ATD ECP has been established to eliminate or minimize the risk of employee exposure to ATDs, to prevent infection that might occur as a result of exposure to those agents, and to provide a means by which the County may provide medical attention to employees.

The ECP is a key document to assist our organization in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

- Definitions
- Responsibilities
- Program Administration
- Employee Exposure Determination
- Methods of Implementation and Control
    - Engineering Controls
    - Work Practice Controls
    - Universal Precautions
    - Handwashing
    - Personal Protective Equipment
    - Cleaning and Disinfection of Work Areas, Vehicles, and Equipment
- Respiratory Protection
- Screening and Source Control Measures
    - Source Control Measures
    - Referrals

- Medical Services
    - Tuberculosis (TB) Screening
    - Exposure Incident and Communication Procedures
    - Communication with Employees and Other Employers
    - First Aid and Exposure Incident Report
    - Post-Exposure Evaluation and Follow up
    - Employee Testing and Treatment
    - Licensed Health Care Professional's Written Opinion
- Training
- Recordkeeping
    - Medical Records
    - Training Records
    - Access to Records and Transfer of Records
- List of Aerosol Transmissible Diseases

Implementation methods for these elements of the standard are discussed in the subsequent pages of this ECP.

Employees covered by the Aerosol Transmissible Disease standard will receive an explanation of this ECP during their initial training session. It will also be reviewed in their annual refresher training. All employees can review this plan at any time during their work shifts.

Definitions

1. Aerosol Transmissible Disease (ATD), or pathogen, means an epidemiologically significant disease or pathogen that is transmitted via droplet or airborne route and for with droplet or airborne precautions are required.
2. Airborne Infection Isolation (AII) means infection control procedures that are designed to reduce the transmission of airborne infectious pathogens. Airborne infection isolation procedures apply to patients known or suspected to be infected with epidemiologically important pathogens that can be transmitted by the airborne route.
3. Airborne Infection Isolation Room or Area (AIIR) means a room, area, booth, tent, or other enclosure that is maintained at negative pressure to adjacent areas in order to control the spread of aerosolized M. Tuberculosis or other airborne infectious pathogens, and that meets the requirements of title 24, Part 4, for Isolation Rooms.
4. Airborne Infectious Disease (AirID) Either: (1) an aerosol transmissible disease transmitted through the dissemination of airborne droplet nuclei, small particle

aerosols, or dust particles containing the disease agent for which AII is recommended by the CDC or CDPH, as listed in Appendix A, or (2) the disease process caused by a novel or unknown pathogen for which there is no evidence to rule out with reasonable certainty the possibility that it is transmissible through dissemination or airborne droplet nuclei, small particle aerosols, or dust particles containing novel or unknown pathogens.

5. Cal/OSHA means the California Division of Occupational Safety and Health that protects workers and the public from safety hazards.
6. CDC means the United States Centers for Disease Control and Prevention.
7. CDPH means the California Department of Public Health and its predecessor, the Department of Health Services (CDHS).
8. Confirmed Case means an individual who meets the definition of a confirmed case of an ATD under diagnostic criteria accepted by the CDC, CDHS, or the infection control physician or other licensed health care professional.
9. Droplet Precautions means infection control procedures designed to reduce the risk of transmission of infectious agents through contact of the conjunctivae or mucous membranes of the nose or mouth of a susceptible person with large-particle droplets containing microorganisms generated from a person who has a clinical disease or who is a carrier of the microorganism.
10. Exposure Incident means an event in which an employee or other personnel has had an exposure to an individual with a diagnosed reportable disease or condition for which droplet precautions or airborne infection isolation is recommended.
11. Latent Tuberculosis Infection (LTBI) means a condition in which living M. Tuberculosis bacilli are present in the body without producing clinically active disease. Although the infected individual has a positive TB test, they may have no symptoms related to the infection and are not capable of transmitting the disease.
12. Local Health Officer means the health officer for the local jurisdiction responsible for receiving reports of communicable diseases, as defined in Title 17 of the California Code of Regulations.
13. M. Tuberculosis means Mycobacterium Tuberculosis, the scientific name of the bacillus that causes tuberculosis.
14. Negative Pressure means the relative air pressure difference between two areas. A room that is under negative pressure has lower pressure than adjacent areas, which keeps air from flowing out of the room into adjacent rooms or areas.
15. NIOSH means the National Institute for Occupational Safety and Health. It is the federal agency responsible for conducting research and making recommendations for the prevention of work-related injury and illness.
16. Novel or Unknown ATP means a disease or agent that meets at least one of the following criteria, i.e.: (1) it is a newly recognized pathogen, (2) it is a newly recognized variant of an existing pathogen for which there is reason to believe that the variant differs significantly in virulence or transmissibility, (3) it is a

pathogen that has been recently introduced into the human population, or (4) it is an unknown pathogen; and, in addition, meets all of the following criteria: (a) it is capable of causing serious human disease, (b) there is credible evidence that it is transmissible to humans by aerosols, and (c) there is insufficient evidence to rule out the transmission of the pathogen by the airborne route.

17. Occupational Exposure means reasonably anticipated exposure to a source of ATD under conditions that, without protective measures, create a significant risk that the exposed employee other personnel will contract the disease caused by the ATD.
18. Physician or Other Licensed Health Care Professional (PLHCP) means an individual whose legally permitted scope or practice (i.e., license, registration, or certification) allows him or her to independently provide, or be delegated the responsibility to provide, some of or all of the health care services required by this section.
19. Referral means the directing or transferring of a possible ATD case to another facility, service, or operation for the purpose of transport, diagnosis, treatment, isolation, housing, or care.
20. Significant Exposure means exposure to a source of ATD in which the circumstances of the exposure make the transmission of a disease sufficiently likely the employee will require further evaluation by a PLHCP.
21. Source Control means the use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD, such as persistent coughing.
22. Surge means a rapid expansion beyond normal services to meet the increased demand for qualified personnel, medical care, public health professionals, and all other employees required to continue the continuity of operations in the event of large-scale public health emergencies or disasters, such as in a pandemic or earthquake.
23. Surge plan means the plan that each department must prepare to operationally function during a surge event. Surge plans deal with both increased demand for services and significant loss of staff able to work.
24. Suspected Case means either of the following: (1) a person whom a health care provider believes, after weighing signs, symptoms, and/or laboratory evidence, to probably have a particular disease or condition listed in Appendix A. (2) a person who is considered a probable case, or an epidemiologically-linked case, or who has supportive laboratory findings under the most recent communicable disease surveillance case definition established by CDC and published in the Morbidity and Mortality Weekly Report (MMWR) or its supplements as applied to a particular disease or condition listed in Appendix A.
25. TB Conversion means a change from negative to positive as indicated by TB test results and based upon current Centers for Disease Control and Prevention or CDHS guidelines.
26. Test for Tuberculosis Infection (TB Test) means an interferon gamma release

assay (IGRAs), a blood assay for M. Tuberculosis. For the purpose of this Plan, it is limited to Quantiferon TB Gold In Tube. As newer tests come on the market, the Local Health Officer will review them for acceptability.

Responsibilities

Managers and Supervisors

- Monitor department to ensure compliance with the ECP, including maintaining an adequate supply of protective equipment.
- Ensuring that affected staff has received training in the department's exposure control plan.
- Developing and implementing written procedures for screening and referral of cases (and suspected cases) of ATD to appropriate facilities (I.E. hospitals, clinics, correctional institutions, etc.) within appropriate time frames.
- Implementing and maintaining effective written procedures to communicate with employees and any other affected person regarding the suspected or diagnosed infectious disease status of referred patients.
- Making available to all employees recommended vaccinations and medical surveillance as required by this Plan.
- Advise new employees of their exposure category and the potential risks.
- Ensure employees attend initial and annual training sessions.
- Reporting potential exposures to Risk Management for follow-up as needed, and to ensure that appropriate control measures are in place after an exposure incident to prevent further potential transmission.
- Provide adequate personal protective equipment to minimize exposure in normal operations and also in foreseeable emergencies and surge situations.
- Testing isolation rooms on an annual basis, per Cal/OSHA regulatory requirements.
- Developing and maintaining department Pandemic Plans.

Employees

- Becoming familiar with the contents of the department's ATD exposure control plan.
- Utilizing safe and healthful work practices.
- Reporting actual or potential exposure incidents immediately within 24 hours.
- Complying with the procedures and work practices learned through training.
- Compliance with medical surveillance and follow-up procedures.
- Compliance with the vaccination program.

Program Administration

The Administrative Sergeant and Compliance Officer are responsible for the implementation of the ATD ECP. The Administrative Sergeant and Compliance Officer

will maintain, review, and update the ATD ECP at least annually, and whenever necessary to include new or modified tasks and procedures. Contact location/phone number: WBCF / (530)265-1291.

Those employees who are determined to have occupational exposure to ATDs must comply with the procedures and work practices outlined in this ECP.

The Administrative Sergeant will provide and maintain all necessary personal protective equipment (PPE) (Gloves, Respiratory Protection, Gowns, etc.) and engineering controls as required by the standard. The Administrative Sergeant will ensure that adequate supplies of the aforementioned equipment are available in the appropriate sizes. Contact location/phone number: WBCF / (530)265-1291.

The Professional Standards Unit will be responsible for ensuring all medical actions required by the standard are performed and that appropriate employee health and OSHA records are maintained. Contact location/phone number: Professional Standards Unit / (530) 265-1598.

The Administrative Sergeant and Compliance Officer will be responsible for training, documentation of training, and making the written ECP available to employees, OSHA, and NIOSH representatives. Contact location/phone number: WBCF / (530) 265-1291.

Employee Exposure Determination

The following is a list of all job classifications at our establishment in which all employees have occupational exposure:

Job Title	Department/Location
Cook	Kitchen / WBCF
Cook Supervisor	Kitchen / WBCF
Correctional Officer	Jail Division / WBCF / Truckee
Correctional Sergeant	Jail Division / WBCF / Truckee
Executive Lieutenant	Jail Division / WBCF / Truckee
Jail Commander	Jail Division / WBCF / Truckee
Maintenance	Maintenance / WBCF / Truckee
Operations Lieutenant	Jail Division / WBCF / Truckee

The following is a list of job classifications in which some employees at our establishment have occupational exposure. Included is a list of tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure may occur for these individuals.

Job Title	Task/Procedure
Cook	Contact with inmates, Exposure to BBP, Exposure to Sharps
Cook Supervisor	Contact with inmates, Exposure to BBP, Exposure to Sharps

Correctional Officer	Contact with the public and inmates, Exposure to BBP/Sharps, First Aid/CPR
Correctional Sergeant	Contact with the public and inmates, Exposure to BBP/Sharps, First Aid/CPR
Executive Lieutenant	Contact with the public and inmates, Exposure to BBP/Sharps, First Aid/CPR
Jail Commander	Contact with the public, Contact with inmates, Exposure to BBP/Sharps
Maintenance	Contact with inmates, Exposure to BBP/Sharps
Operations Lieutenant	Contact with the public and inmates, Exposure to BBP/Sharps, First Aid/CPR

Methods of Implementation and Control

Engineering Controls
Engineering controls will be considered before relying on personal protective equipment to prevent exposure to aerosol transmissible diseases. Engineering Controls are controls that isolate, remove, or create a barrier from pathogenic hazards from the workplace or operation.

Engineering controls may include:

- Local exhaust ventilation to capture aerosolized pathogens at its source.
- General exhaust ventilation to create a negative pressure environment.
- Air purification via portable HEPA filters to extract droplet nuclei containing infectious aerosol pathogens.
- Booths or tents for high-risk procedures

In the absence of an available airborne infection room, transfers will occur within five (5) hours of the identification of the suspected case to a facility that has an airborne infection isolation room or area available within the jurisdiction.

If an airborne infection isolation room is available within the facility appropriate maintenance of engineering controls must be done to prevent transmission of ATDs. Ventilation systems and fresh air exchanges in Airborne Infection Isolation Rooms or areas are controls that are used to manage the environment of patients/clients/inmates with ATDs and include:

- During high-risk occupancy, an isolation room will maintain an air rate of at least 12 air changes per hour.
- Ventilation systems will be maintained by inspection and monitoring for exhaust and recirculation filter loading and leakage at least annually.
- Air from airborne isolation rooms and areas connected via plenums or other shared air spaces are exhausted directly outside, away from intake vents and people.
- Negative pressure rooms are to be used for inmates with suspected or known airborne transmissible diseases. Negative pressure is visually demonstrated by smoke trails or other devices that show air is moving into the room instead of out of the room. Doors and windows of airborne isolation rooms are kept closed

while in use except when doors are opened for entering and exiting.

- Smoke testing and documentation should be done daily when a room is actively used as an isolation room.
- Proper pressurization will be checked and documented daily when a room is occupied by an inmate who requires airborne infection isolation.
- When a suspected case vacates an isolation room or area, the room shall be ventilated for a removal efficiency of 99% before permitting employees to enter without respiratory protection.
- Records will be kept for five years on all isolation room's engineering controls and measurements, including smoke testing.

Work Practice Controls

In conjunction with engineering controls, work practices and procedures are necessary to minimize or eliminate unprotected exposure to bloodborne pathogens. Compliance with these practices and procedures is mandatory. Supervisors are responsible for implementing, evaluating, and monitoring compliance by their subordinates with these work practices. Compliance is mandatory for all employees covered by the ECP. Work Practice controls may include the placement of persons in isolation rooms or areas.

Universal Precautions

All employees will utilize universal precautions. Universal Precautions incorporates a range of operational and engineering controls designed to eliminate or minimize employee exposure to ATD. Since there is no way to know if an arrestee, inmate, or injured person is infected, Universal Precautions must be consistently used for all activities potentially involving exposure.

Handwashing

Handwashing is the single most important means of preventing the spread of infection. The principle of good handwashing is that of using friction to mechanically remove microorganisms.

Wash hands and any other contacted skin surfaces thoroughly for 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with a disposable paper towel or electric dryer. Use a paper towel to turn off the faucet. All manually controlled faucets are considered contaminated. Dispose of single-use or linen towels in appropriate containers. When running water is not available, use an antiseptic hand cleanser and clean towels or antiseptic towelettes.

<u>When to wash hands</u>:

- Immediately after any accidental skin contact with blood, body fluids, drainage from wounds, or other soiled garments, objects, or surfaces.
- Immediately after removing gloves, gowns or smocks, or other PPE.
- Immediately after decontaminating the worksite.
- Before eating, drinking, feeding, or smoking.
- Before handling food, cooking utensils, or kitchen equipment.
- Before and after using the toilet.
- Prior to leaving the facility.

Hand-washing supplies are available for all staff. If hand-washing facilities are not feasible, an antiseptic cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes to remove the blood or OPIM will be provided. If these alternatives are used, wash hands with soap and running water as soon as feasible.

Handwashing supplies are located in all restrooms, kitchen, medical, staff briefing, and booking. Replacement supplies are located in the property storage room.

Hand sanitizer is also located at A, B, and N section pod control, booking, medical, lobby, and in the kitchen.

In addition to handwashing supplies, there are showers in the staff locker rooms and an eyewash station in the kitchen.

Personal Protective Equipment (PPE)

PPE is provided to our employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by Target Solutions, during First Aid Training, and training is given to staff by the jail medical provider. PPE is considered appropriate if it does not permit blood or OPIM to pass through to the employee's work clothes, street clothes, or undergarments; skin; eyes, or other mucous membranes under normal working conditions and for the duration of time that PPE is used.

The types of PPE available to employees are as follows:

- Gloves: Non-Latex and Utility Gloves
- Eye/Face Protection
- Respiratory Protection
- Disposable Gowns
- Shoe Covers
- Disposable CPR Devices
- Face Spit Hoods (for inmates)
- Alcohol (or similar substance to flush skin)

PPE is strategically located with ease of access within each pod, booking, medical unit, prebooking, kitchen, and maintenance where exposure may exist. Replacements are located in the property room. The Administrative Sergeant is responsible for ensuring that there is an adequate amount of PPE supplies available for all employees. The Sergeant or Officer in Charge is responsible for ensuring PPE is available to all employees.

All employees using PPE must observe the following precautions:

a. Wash hands immediately or as soon as feasible after removing gloves or other PPE.
b. Remove PPE after it becomes contaminated and before leaving the work area.
c. Used PPE may be disposed of in the appropriate storage containers, laundry, decontamination container, or disposal area.
d. Use disposable, single-use nitrile or latex gloves whenever it is reasonably anticipated that there may be hand contact infectious diseases, and when handling or touching contaminated items or surfaces; replace gloves if torn, punctured, or contaminated, or if their ability to function as a barrier is compromised.
e. Utility gloves may be decontaminated for reuse if their integrity is not compromised; discard utility gloves if they show signs of cracking, peeling, tearing, puncturing, or deterioration.
f. Never wash or decontaminate disposable gloves for reuse.
g. Leather gloves may be decontaminated for reuse provided the integrity of the glove is not compromised. Leather gloves are to be discarded if they are cracked, peeling, torn, punctured, or exhibits other signs of deterioration or when their ability to function as a barrier is compromised. Note: Discard leather gloves if grossly contaminated. They are not to be used as PPE against bloodborne pathogens. Therefore, if exposure is possible, latex or nitrile gloves should be worn under the leather gloves.
h. Wear appropriate face and eye protection when splashes, sprays, spatters, or droplets of infectious diseases, blood, or OPIM pose a hazard to the eye, nose, or mouth.
i. Remove immediately or as soon as feasible any garment contaminated by infectious materials, blood, or OPIM, in such a way as to avoid contact with the outer surface.

Cleaning and Disinfection of Work Areas, Vehicles, and Equipment

a. Routine cleaning and disinfection practices play a significant role in minimizing the spread of ATD infection. Reducing the number of virus particles on surface areas can reduce the chances of hand transfer of viruses.
b. The following are general guidelines and may need to be modified or additional

procedures may be needed as recommended by the Centers for Disease Control and Prevention.

c. Routine cleaning with soap or detergent and water to remove soil and organic matter, followed by the proper use of disinfectants are the basic components of effective environmental management of ATD viruses.
d. All disinfectants marketed in the U.S. are required to be registered by the U.S. Environmental Protection Agency (EPA). These products must be used in accordance with their label instructions. Following label instructions is necessary to achieve adequate efficacy and to avoid unreasonable adverse effects.
e. Special attention should be given to frequently touched surfaces, such as door handles, equipment control panels, and patient/client/inmate care areas of vehicles.
f. Non-sterile disposable gloves should be worn while cleaning. Eye protection such as goggles or a face shield may be required if splashing is expected.
g. Routine cleaning methods should be employed for County vehicles with special attention in certain areas such as inmate care areas of the vehicle (e.g. the driver's compartment that may become indirectly contaminated, such as by touching the steering wheel with a contaminated glove).
h. Non-porous surfaces in vehicles that are not frequently touched can be cleaned with detergent and water. Avoid large-surface cleaning methods that produce mists or aerosols or disperse dust. Ensure the surface is kept wet with disinfectant for the full contact time specified by the manufacturer and then wipe the application of cleaning and/or disinfectant solution.
i. Large spills of bodily fluids should be first managed by removing visible organic matter with absorbent materials and then discarded in a leak-proof, properly labeled container. The spill should then be cleaned and then disinfected.
j. Place contaminated reusable inmate care devices and equipment in biohazard bags clearly marked for disinfection or sterilization as appropriate.
k. After cleaning, remove and dispose of gloves as instructed in a leak-proof bag or waste container.
l. Immediately clean hands with soap and water, or an alcohol-based hand gel. Avoid touching the face with gloved or unwashed hands.

Respiratory Protection

The objective of the respiratory protection program is to prevent excessive exposure to occupational air contaminants. When engineering controls are not feasible then respiratory protection will be provided at no cost to employees. The purpose of this respirator program is to establish standard operating procedures to ensure the protection of all employees from respiratory hazards through proper selection and use of respirators per CCR, Title 8, Section 5144, Section 3204, Section 5141, and Section 5144. This program applies to all employees who are

required to wear respirators or may elect to wear respirators voluntarily for routine tasks such as painting or pesticide application, but also non-routine tasks such as disaster response.

Respiratory protection procedures will be required in all high-risk work areas, such as:

- An isolation room in which a confirmed or suspected infectious ATD inmate is housed or a facility where an airborne infectious disease suspect or confirmed case is known to be present.
- An enclosed transport vehicle in which a suspect or confirmed case is being transported. Respiratory personal protective equipment (PPE), such as an N95 rated respirator, will be provided and used by suspect individuals being transported.
- In direct contact and close proximity of an inmate undergoing high-risk procedures. Respiratory protection is not required in the exterior areas during such procedures if the inmate is located within an enclosed room or booth.
- During decontamination procedures after the person has left the isolation room or area.
- In an area during the performance of aerosol-generating procedures on inmates that are suspected of, or confirmed as, being infected with airborne infectious pathogens.
- For employees who are repairing or maintaining air systems or equipment that may be anticipated to contain or generate aerosolized pathogens.

Where respirators are required, they will be NIOSH-approved N95 or higher (HEPA). A power air-purifying respirator (PAPR) with a high-efficiency particulate aerosol (HEPA) cartridge or full-face elastomeric respirator with an N, P, or R 100 cartridge shall be provided to employees who conduct, or are present, during high-hazard procedures on ATD suspect or confirmed cases.

Initial and Annual Medical Evaluations and Fit Testing must be done in accordance with Title 8, Section 5144 (f) Respiratory Protection.

If an N95 is used in the care of an inmate with an ATD infection, it must be disposed of after use. If using a powered air-purifying respirator, it is to be cleaned and maintained according to the manufacturer's recommendations. During surges, conservation measures will be implemented, to the extent that is reasonably possible. Conservation measures may include re-donning of used respirators and use of other NIOSH-certified respirators.

Section contents include:

- Responsibilities
- Respirator Selection
- Medical Evaluations
- Fit Testing
- Respirator Use
- Maintenance
- Training
- Program Evaluation

Responsibilities:

Managers

- Enforce implementation of this Respiratory Protection Program.
- Act as Program Administrator until delegated to a subordinate.

Program Administrator

- Assess workplace to identify and evaluate respiratory hazard(s); may contract with appropriate professionals to conduct workplace airborne hazards measurements and assessments.
- Posting Airborne Hazards Area warning signs, when appropriate.
- Determine appropriate respirator.
- Maintain a sufficient number of respirator models and sizes.
- Coordinating employee medical evaluations
- Conducting fit testing.
- Providing initial and remedial training.
- Observing respirator use to ensure compliance.
- Ensuring proper storage and maintenance of respirators.
- Maintaining required records (fit testing, training, inspections, and evaluations).
- Evaluating the program.
- Update written program as needed.
- The Program Administrator shall authorize voluntary use of respiratory protective equipment as requested by all other workers on a case-by-case basis, depending on specific workplace conditions and the results of the medical evaluations.

Supervisors

- Ensure respiratory protection program is implemented in their particular areas.
- Must be knowledgeable about the program requirements.

- Must participate in training prior to using a respirator or prior to their employees using a respirator.
- Ensure subordinate employees (especially new hires) receive initial and remedial training, fit testing, and medical evaluation.
- Assessing workplace for airborne hazards and informing the program administrator and department head.
- Enforcing the proper use of respiratory protection especially the performance of the user seal check.
- Ensuring respirators are properly disposed of.
- Ensure subordinate employees wear an appropriate respirator.

Employee

- Wear an approved respirator when and where required and in the manner trained.
- Participate in training, fit testing, and medical evaluation prior to using a respirator in the workplace.
- Store respirators as instructed.
- Inform supervisor if respirator no longer fits or malfunctions and stops work until a safe replacement is obtained.
- Inform their supervisor or the Program administrator of any respiratory hazards.
- Share concerns regarding this program.

Respirator Selection

Based on a workplace exposure assessment, the following airborne hazards and appropriate respirators have been identified for employee use:

Location/Operation	Air Contaminants	Respirator	Manufactures
Disaster Service Worker	Wildfire Smoke Hazardous Dust Airborne infection	N95 disposable respirator	3M N95 1870 3M N95 1860 3M N95 1860s
Medical Quarantine	Airborne infection	N95 disposable respirator	3M N95 1870 3M N95 1860 3M N95 1860s

Medical Evaluations

Using a respirator may place a physiological burden on employees. Therefore, all employees must pass a medical evaluation before using a respirator in the workplace for the first time, including fit testing.

Medical evaluations are to be performed by licensed health care professionals at the Occupational Health Services Clinic. The Program Administrator shall provide to the health care professional a copy of this Program, the respiratory protection standard, and the employees' job description. The job description is to include the following information (Form #1):

- Expected physical workload (light, moderate, or heavy)
- Potential temperature and humidity extremes
- Proposed respirator type and weight
- Length of time required to wear the respirator
- Additional protective equipment to be worn

The Program Administrator will provide all employees requiring medical evaluation with the Medical Questionnaire along with a stamped and addressed envelope for mailing the questionnaire to Occupational Health Services. Employees are required to complete the questionnaire and medical evaluation during their normal working hours.

The Medical Questionnaire can be found at:
https://www.osha.gov/sites/default/files/publications/OSHA3789info.pdf

Employees may request to discuss the questionnaire and examination results with the physician. All examinations and questionnaires are to remain confidential between the employee and the physician.

Follow-up medical exams will be provided to employees as required by the OSHA standard, and/or as deemed necessary by the health care professional. After an employee has received clearance to wear a respirator, additional medical evaluations will be provided under any of the following circumstances:

- The employee reports signs and/or symptoms related to their ability to use a respirator, such as shortness of breath, dizziness, chest pains, or wheezing
- The health care professional or supervisor informs the Program Administrator that the employee needs to be reevaluated
- Information from this program, including observations made during fit testing and program evaluation, indicates a need for reevaluation
- A change occurs in workplace conditions that may result in an increased physiological burden on the employee

Fit Testing

Respirators that do not seal properly around an employee's face offer only the illusion of protection and result in sickness or death. Therefore, all employees must be fit tested prior to requiring them to wear a tight-fitting respirator (both negative and positive pressure). Under no circumstances shall an employee be permitted to wear a respirator that cannot pass the fit test. Fit testing should occur before the initial assignment

requiring respirator use. Fit test records are retained for respirator users until the next fit test is administered.

The Nevada County Sheriff's Office shall ensure that each employee who is assigned to use a filtering facepiece or other tight-fitting respirator passes a fit test:

- At the time of initial fitting;
- When a different size, make, model, or style of respirator is used; and
- At least annually thereafter.

Additional fit tests will be conducted if the employee reports or the employer, supervisor, program administrator, or physician, or other licensed healthcare professional (PLHCP), observes changes in the employee's physical condition that may affect respirator fit. Examples of such changes are significant weight gain or loss, dental changes, and facial scarring.

Fit testing will not be done on employees with facial hair that passes between the respirator seal and the face or interferes with valve function. Such facial hair includes stubble, beards, and long sideburns.

If a specific respirator model or size cannot be found, or an employee cannot be properly fit tested, you must provide the employee with a loose-fitting powered air-purifying (PAPR) or an atmosphere-supplying respirator that has a hood, a helmet, or a loose-fitting facepiece that provides the employee with adequate protection; alternatively, reassign the employee.

The fit test shall be performed on the same size, make, model, and style of the respirator as the employee will use.

When fit testing single-use respirators, a new respirator shall be used for each employee.

Fit Test Procedures for the N95 Masks

a. Initial Selection and Fit Check
    1. Instructs employees on how to don a respirator and conduct a seal check (see Respirator Use).
    2. Provide a variety of N95 masks in different sizes and from different manufacturers.
    3. Employees will select the most comfortable facepiece from the options available.
    4. Employees will don respirators, assess fit, comfort, and seal check.
    5. Employees shall continue through the selection process until a suitable respirator is identified If the employee does not pass the fit check, have him/her readjust the facepiece and/or straps and try the fit check again. If

the employee is again unable to pass the fit check, a different facepiece must be selected and the test repeated.

6. After the employee passes the fit check, he/she must wear the respirator in a normal atmosphere for at least five minutes to make sure the fit remains.

b. Sensitivity Test

1. This test is done to assure that the person being fit tested can detect the sweet taste of the test solution at very low levels. The Sensitivity Test Solution is a very dilute version of the Fit Test Solution. The test subject should not eat, drink (except water), or chew gum for 15 minutes before the test. Any employee unable to detect the irritant smoke fails the fit test.
2. Have the test subject put on the hood and collar assembly without a respirator.
3. Position the hood assembly forward so that there are about six inches between the subject's face and the hood window.
4. Instruct the test subject to breathe through his/her mouth with tongue extended.
5. Using Nebulizer #1 with the Sensitivity Test Solution (#1), inject the aerosol into the hood through the hole in the hood window. Inject ten squeezes of the bulb, fully collapsing and allowing the bulb to expand fully on each squeeze. Both plugs on the nebulizer must be removed from the openings during use. The nebulizer must be held in an upright position to ensure aerosol generation.
6. Ask the test subject if he/she can detect the sweet taste of the solution. If tasted, note the number of squeezes as 10 and proceed to the Fit Test.
7. If not tasted, inject an additional ten squeezes of the aerosol into the hood. Repeat with ten more squeezes if necessary. Note whether 20 or 30 squeezes produced a taste response.
8. If 30 squeezes are inadequate, in that the subject does not detect the sweet taste, the test is ended the employee fails the test.
9. Remove the test hood and give the subject a few minutes to clear the taste from his/her mouth. It may be helpful to have the subject rinse his/her mouth with water.

c. Fit Test

1. Have the test subject don the respirator and perform a user seal check per the instructions provided on the respirator package.
2. Have subject wear any applicable safety equipment that may be worn during actual respirator use that could interfere with respirator fit. The respirator must be worn at least 5 minutes before testing.
3. Have the subject put on and position the test hood as before and breathe through his/her mouth with tongue extended.
4. Using Nebulizer #2 with Fit Test Solution (#2), inject the fit test aerosol

using the same number of squeezes as required in the Sensitivity Test (10). A minimum of ten squeezes is required, fully collapsing and allowing the bulb to expand fully on each squeeze. The nebulizer must be held in an upright position to ensure aerosol generation. To maintain an adequate concentration of aerosol during this test, inject one-half the number of squeezes (5, 10, or 15) every 30 seconds for the duration of the fit test procedure.

5. After the initial injection of aerosol, ask the test subject to perform the following test exercises for 60 seconds each:
    i. Normal breathing — In a normal standing position, without talking, the subject shall breathe normally.
    ii. Deep breathing — In a normal standing position, the subject shall breathe slowly and deeply, taking caution so as not to hyperventilate.
    iii. Turning head side to side — Standing in place, the subject shall slowly turn his/her head from side to side between the extreme positions on each side. The head shall be held at each extreme momentarily so the subject can inhale at each side.
    iv. Moving head up and down — Standing in place, the subject shall slowly move his/her head up and down. The subject shall be instructed to inhale in the up position (i.e., when looking toward the ceiling).
    v. Talking — The subject shall talk out loud slowly and loud enough so as to be heard clearly by the test conductor. The subject shall read the Rainbow Passage:
        1. When the sunlight strikes raindrops in the air, they act like a prism and form a rainbow. The rainbow is a division of white light into many beautiful colors. These take the shape of a long round arch, with its path high above, and its two ends apparently beyond the horizon. There is, according to legend, a boiling pot of gold at one end. People look, but no one ever finds it. When a man looks for something beyond reach, his friends say he is looking for the pot of gold at the end of the rainbow.
    vi. Bending over — The test subject shall bend at the waist as if he/she were to touch his/her toes. Jogging in place may be substituted for this exercise.
    vii. Normal breathing — Same as exercise i.
6. The test is terminated at any time the sweet taste of aerosol is detected by the subject because this indicates an inadequate fit. Wait 15 minutes and perform the fit test again.
7. Repeat the fit test after redonning and readjusting the respirator. A second failure may indicate that a different size or model respirator is needed.

8. If the entire test is completed without the subject detecting the aerosol, the test is successful and respirator fit has been demonstrated.
9. Periodically check the nebulizer to make sure that it is not clogged. If clogging is found, clean the nebulizer and retest.
10. Cleaning: At the end of each session or at least every four hours, discard the unused solutions from the nebulizers.
11. DO NOT pour unused solutions back into bottles. Rinse the nebulizers with warm water to prevent clogging and shake dry. Wipe out the inside of the hood with a damp cloth or paper towel to remove any deposited Test Solution. 3MTM Respirator Cleaning Wipes 504 may be used to clean non-disposable type respirator facepieces between fit tests.

Respirator Use

Follow manufacturer's users' instructions for the N95 mask model used. Failure to follow all manufactures instructions and limitations on the use and/or failure to wear this respirator during all times of exposure can reduce respirator effectiveness and may result in sickness or death. Employees must use their respirators in accordance with the training they receive.

Inspect N95 masks before use to ensure that it is in good operating condition in accordance with the manufacturer's instructions. Examine all the respirator parts for signs of damage including the two headbands, attachment points, nose foam, and nose clip. The respirator should be disposed of immediately upon observation of damaged or missing parts. Filtering facepieces are to be inspected prior to each use to assure there are no holes in the breathing zone other than the punctures around staples and no damage has occurred. Enlarged holes resulting from ripped or torn filter material around staple punctures are considered damage. Immediately replace the respirator if damaged.

All tight-fitting respirators (both negative and positive pressure) shall not be used with beards or other facial hair or any other condition that prevents direct contact between the face and the edge of the respirator or interferes with valve function.

Putting on the respirator:

a. Pre-stretch top and bottom straps before placing respirator on the face.
b. Cup the respirator in your hand, with the nosepiece at your fingertips, allowing the headbands to hang freely below your hand.
c. Position the respirator under your chin with the nosepiece up. Pull the top strap over your head resting it high at the top back of your head. Pull the bottom strap over your head and position it around the neck below the ears.
d. Place your fingertips from both hands at the top of the metal nosepiece. Using two hands, mold the nose area to the shape of your nose by pushing inward

while moving your fingertips down both sides of the nosepiece.

e. To check the respirator-to-face seal, place both hands completely over the respirator and exhale sharply. Be careful not to disturb the position of the respirator. If air leaks around the nose, readjust the nosepiece. If air leaks at the respirator edges, work the straps back along the sides of your head. If you cannot achieve a proper seal, do not enter the contaminated area. See your supervisor.

A diagram of the proper method of putting on and taking off a disposable respirator can be found at https://www.cdc.gov/niosh/docs/2010-133/pdfs/2010-133.pdf

Employees will conduct user seal checks each time they wear their respirator to ensure that it is functioning correctly and has a good facepiece seal. Follow manufacturer's recommended procedures for performing a user seal check.

If the respirator becomes damaged, soiled or breathing becomes difficult, leave the contaminated area immediately and replace the respirator. Employees are required to leave a contaminated area when any of the following occurs:

- Upon malfunction of the respirator.
- Upon detection of leakage of a contaminant into the respirator.
- If increased breathing resistance of the respirator is noted.
- If severe discomfort in wearing the respirator is detected.
- If the wearer experiences dizziness, nausea, weakness, difficulty breathing, coughing, sneezing, vomiting, fever, and chills.
- To wash face to prevent skin irritation.
- To change respirators whenever they detect the warning properties of the contaminant or increased breathing resistance or in accordance with the cartridge change schedule.

Supervisors will maintain surveillance of work area conditions and the degree of employee exposure or stress. When changes occur that may affect respirator effectiveness, the continued effectiveness of the respirator is to be reevaluated.

Respirators must always be used in compliance with the conditions of the NIOSH certification.

Maintenance

The N95 respirator mask is disposable and not intended to be cleaned or repaired. If an N95 mask is dirty, damaged, or otherwise defective, then dispose and retrieve another mask.

Store N95 respirators in accordance with manufacturer's recommendations. Store N95 respirators in original packaging away from contaminated areas, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals.

N95 mask for disaster response should be stored in original packaging, in containers with tight-fitting lids, with several silica bags, kept accessible, and clearly marked. Inspections should occur regularly to monitor the date of expiration. N95 masks should be used prior to expiration or disposed of and replaced when required.

Training and Information

Wearers must receive initial training before using any respirator for the first time. Remedial training must be provided before use or at least annually. Training must be documented and include the following information: type, model, and size of respirator for which each employee has been trained and fit tested. Training must cover the following topics:

- Airborne hazards identified for the applicable task,
- How to select an appropriate respirator,
- Limitations of the respirator,
- How to don a respirator and perform the user seal check,
- How to doff and dispose of their respirator,
- Medical signs and symptoms limiting the effective use of respirators, and
- How to store respirators.

Program Evaluation

The Program Administrator shall review the written Respiratory Protection Program, assess the workplace, and survey employees at least every 12 months or when environmental conditions change (Form #2). The evaluation will be documented. It shall be the responsibility of the Program Administrator to correct all deficiencies in a timely manner.

Screening and Source Control Procedures

Early identification of ATD cases or suspected cases is critical to ensure that employees have as little unprotected contact as possible, thereby reducing the risk of becoming infected. This is our procedure for early identification:

Employee Infection Control:

- Employee is to stay home if he/she is sick.
- Use a tissue to cover coughs and sneezes.
- Properly dispose of used tissues in waste receptacles.
- If no tissue is available, cough or sneeze into the upper sleeve, not hands.

Note: Employees may be asked to put on a surgical mask to protect others.

Non-medical screening procedures for staff will be initiated based on readily observable symptoms and/or self-reports of the following conditions:

- Persistent cough for more than three weeks.
- Signs and symptoms of a flu-like illness between March and October (non-seasonal flu months) or for more than two weeks any time of year. Flu-like symptoms include coughing, fever, sweating, chills, muscle aches, weakness, malaise, or a combination.
- The person states he or she has a transmissible respiratory disease or an infectious ATD case, excluding the common cold and seasonal flu.

Any employee who exhibits any of the above-described findings and/or reports contact with individuals known to have any of these transmissible illnesses in the past two to four weeks should be promptly evaluated by a health care provider.

All incoming arrestees will be asked the ATD questions during the medical pre-screening process. The privacy of the arrestee/inmate must be maintained during screening procedures.

- Cough for more than three weeks
- Unexplained weight loss (>5 lbs)
- Night sweats
- Fever, Chronic fatigue/malaise
- Coughing up blood

All yes answers to the medical pre-screening questions must be referred to the jail medical provider for immediate evaluation.

If staff observe any of the signs or symptoms in an inmate in custody, the staff member shall contact the jail medical provider immediately.

Other vaccine preventable ATDs, including pertussis ("whooping cough"), measles, mumps, rubella (German measles), and chickenpox, should be considered. The following is a brief list of some findings that should prompt referral to a health care provider for further evaluation when identified through a screening process:

- Severe coughing spasms, especially if persistent; coughing fits may interfere with eating, drinking, and breathing
- Fever; headache; muscle aches; tiredness; poor appetite followed by painful, swollen salivary glands on one side or both sides of the face under the jaw
- Fever, chills, cough, runny nose, watery eyes associated with the onset of an unexplained rash (diffuse rash or blister-type skin rash)
- Fever, headache, stiff neck, possibly mental status changes

Source Control Measures

If respiratory infection symptoms are observed in an arrestee or inmate, source control measures will be utilized to protect our employees from contracting the illness while the suspected ATD case is in our facility. These include a combination of engineering controls, such as placing the arrestee/inmate in a separate room or area; procedures, such as providing and having the suspected ATD case wear a surgical mask; and work practice controls, such as limiting contact with the suspected ATD case.

As a correctional facility, recommendations contained in the CDC's Respiratory Hygiene/Cough Etiquette in Health Care Settings have been incorporated. These recommendations are available on the CDC Respiratory Hygiene/Cough Etiquette in Health Care Settings webpage.

The following source control measure is used to prevent the spread of aerosol transmissible pathogens:

- Visual alerts
    - Cover your Cough
    - Information about PPE

Visual alerts are posted in the following areas:

- Pre-Booking
- Booking
- A, B, and N-Section Housing Units
- Medical
- Kitchen

Correctional Officers bringing arrestees into the facility will be knowledgeable in observing for signs and symptoms of ATD.

The following measures to contain respiratory secretions are recommended for all individuals with signs and symptoms of a respiratory infection.

a. Covering mouth and nose with a tissue when coughing or sneezing;
b. Use in the nearest waste receptacle to dispose of the tissue after use; and
c. Perform hand hygiene (e.g., hand washing with non-antimicrobial soap and water, alcohol-based hand rub, or antiseptic handwash) after having contact with respiratory secretions and contaminated objects/materials.

In the lobby waiting area the following materials will be available for visitors to adhere to the Respiratory Hygiene/Cough Etiquette:

a. Tissues and no-touch receptacles for used tissue disposal, and
b. Conveniently located dispensers of alcohol-based hand rub; where sinks are available, ensure that supplies for hand washing (i.e., soap, disposable towels)

are consistently available.

The following source control procedures will be used:

a. During periods of increased respiratory infection activity masks will be offered to inmates/staff who are coughing. Either procedure masks (i.e., with ear loops) or surgical masks (i.e., with ties) may be used to contain respiratory secretions (respirators such as N-95 or above are not necessary for this purpose). When space and chair availability permit, inmates or staff will be encouraged to sit at least three feet away from others in common waiting areas.
b. Separate symptomatic individuals from others by placing them in a separate room that has its own separate ventilation system, if available.
c. Separate symptomatic individuals from others by placing them in a separate room that has its does not have its own separate ventilation system until an airborne infection isolation room becomes available or until transfer to a facility that has an airborne infection isolation room.
d. Separate symptomatic individuals from others by distance in the same room (at least 3 to 6 feet away from others) if the facility does not have a separate room in which to temporarily place the individual(s) until a room becomes available or until transfer to a facility that has airborne infection isolation room.
e. Limited contact with symptomatic individuals.
f. Transfer to an airborne infection isolation room shall occur within five hours of identification of the case.

An inmate who may have a droplet-transmitted disease refuses to or cannot comply with source control measures, employees will observe droplet precautions at a minimum, including wearing a surgical mask, if in close contact. Employees may also be encouraged to wear N95 respirators for which they have been medically evaluated and fit tested.

If a known or suspected Airborne Infectious Disease (AirID) case refuses to or cannot comply with our source control measures, employees will wear N95 respirators for which they have been medically evaluated and fit tested when in a common area or housing unit where the known or suspected AirID case is or has been recently.

Referrals

In order to best protect our employees from contracting infections from AirID cases or suspected cases, we will strive to identify these cases as quickly as possible. After identifying an individual as an AirID case or suspected case, we will continue to use the previously described source control measures and isolate the inmate by masking them or placing them in a location where they will not contact employees who are not wearing respiratory protection until the inmate can be transferred to an airborne infection isolation room.

We will take the following measures to reduce the risk of ATD transmission to our

employees. This includes constant observation of standard precautions as well as other protective measures.

If an airborne infection isolation room is not available, the inmate requiring transfer or isolation will be temporarily housed in a medical or booking cell while they await transfer. If feasible, this room must be equipped with a separate ventilation or filtration system.

If the inmate requiring referral does not comply with established source control measures, employees will wear a NIOSH-certified N95 mask when entering that room or area.

If an Airborne infection isolation room (AIIR) is not available in that timeframe, AirID cases, and suspected cases will be transferred to another suitable facility within five hours of being identified as a case or suspected case. If no suitable facility with AIIR is available to accommodate the inmate, the local health officer will be contacted at the end of the five-hour timeframe. The local health officer and other medical facilities inside and outside of our local health officer's jurisdiction will be contacted every 24 hours until an AIIR becomes available. When an AIIR becomes available, the inmate will be immediately transferred to the AIIR.

With each unsuccessful attempt at transfer and at the end of the 5-hour period, and at least every 24 hours thereafter, each of the following will be documented by the jail medical provider:

a. Contact with the local health officer.
b. There is no Airborne Infection Isolation (AII) room or area available within that jurisdiction.
c. Reasonable efforts have been made to contact establishments outside of that jurisdiction, as provided in the Plan.
d. All applicable measures recommended by the local health officer or the Infection Control PLHCP have been implemented.
e. All employees who enter the room or area housing the individual are provided with, and use, appropriate personal protective equipment, and respiratory protection in accordance with subsection (g) and section 5144, Respiratory Protection of these orders.

The following are exceptions to the requirement for the timely transfer of AirID cases or suspected cases:

a. Where the treating physician determines that transfer would be detrimental to an inmate's condition, the inmate need not be transferred. In that case, employees will use respiratory protection when entering the room or area housing the individual. The inmate's condition will be reviewed at least every 24 hours to determine if a transfer is safe, and the determination will be documented. Once

the transfer is determined to be safe, the transfer will be made within the required timeframes described above.

In the event that the treating physician determines that a transfer would be detrimental to a patient's condition, this determination will be documented.

a. Where it is not feasible to provide AII rooms or areas to individuals suspected or confirmed to be infected with or carriers of novel or unknown ATPs, other effective control measures will be provided to reduce the risk of transmission to employees, which shall include the use of respiratory protection for both the employee and the inmate.

The jail medical provider is responsible for contacting the local health officer and nearby medical facilities.

The phone number or other contact information for the local health officer is:

Facility	Contact Information
Dr. Scott Kellerman	Scott.kellerman@co.nevada.ca.us 530-798-8869

These are the names and contact information for facilities with AII rooms or AII areas within the local jurisdiction that will be contacted in the event of referral:

Facility	Contact Information
Sierra Nevada Memorial Hospital	530-274-6000

These are the names and contact information for facilities with AII rooms or AII areas outside the local jurisdiction that will be contacted in the event of referral and no AII rooms and/or AII areas are available within our local jurisdiction:

Facility	Contact Information
Placer County Jail	530-745-8572

If we are unable to transfer the AirID case to an AIIR within five hours of identification, the jail medical provider will document each attempt to locate a facility with an available AIIR to which to transfer the symptomatic individual.

Correctional Officers required to accompany an airborne infectious disease case or suspected ATD case in the ambulance will use N95 respirator protection unless the use of respiratory protection would result in a safety hazard.

Correctional Officers transporting an airborne infectious disease case or suspected ATD cases in a transport vehicle will use N95 protection unless the use of respiratory protection would result in a safety hazard.

Medical Services

Medical services will be provided to employees at no cost to the employees who have occupational exposure to aerosol transmissible diseases. These medical services, including vaccinations, tests, examinations, evaluations, determinations, procedures, and medical management and follow-up, will meet the following conditions:

a. Performed by or under the supervision of a physician or other licensed health care provider (PLHCP).
b. Provided according to applicable public health guidelines.
c. Provided in a manner that ensures the confidentiality of employees and patients. Test results and other information regarding exposure incidents and TB conversions shall be provided without providing the name of the source individual.

Tuberculosis (TB) Screening

A latent tuberculosis infection (LTBI) is a condition when the individual infected with the *M. tuberculosis* bacteria does not exhibit symptoms and cannot spread the infection to others. However, approximately 5 to 10% of these people will develop active, potentially contagious TB disease if untreated. LTBI screening helps to ensure that employees are provided with appropriate treatment for new TB infections and to identify previously unidentified occupational exposures so that we may correct any deficiencies in our ATD exposure control plan. Employees testing positive for TB will be referred for further evaluation as recommended by the physician or other licensed health care professional.

TB infection screening (the TB skin test) will be provided annually to all employees with reasonably foreseeable occupational exposures to ATD by the jail medical provider. If applicable public health guidelines or the local health officer recommends more frequent testing, the Nevada County Sheriff's Office will comply with the recommendation. (Cal OSHA 5199 (h)(3)(A))

Flu Vaccine

Flu vaccines will be available for employees during flu season at no cost to the employee. Information on the efficacy, safety, method of administration, and the benefits of being vaccinated shall be provided. Employees who do not wish to receive a seasonal flu vaccination must sign a declination form. (CAL OSHA 5199 (h)(5)(E)) https://www.dir.ca.gov/title8/5199c1.html

Exposure Incident and Communication Procedures

In the event of an exposure incident, it is critical to inform exposed employees quickly and provide medical services in a timely manner to mitigate the severity of illness and limit the spread of infection. An “exposure incident” is an event where all of the following have occurred:

a. An employee has been exposed to an individual who is a case or suspected case of a reportable ATD, or to a work area or equipment that is reasonably expected to contain an aerosol transmissible pathogen associated with a reportable ATD.
b. The exposure occurred without the benefit of applicable exposure controls required by the Cal/OSHA ATD regulation title 8 CCR 5199. It reasonably appears from the circumstances of the exposure that transmission of the disease is sufficiently likely to require medical evaluation.

A reportable ATD (RATD) is an aerosol transmissible disease that a health care provider is required to report to the local health officer, in accordance with title 17 CCR, Division 1, Chapter 4.

In the context of the ATD regulation, a “health care provider” is a physician and surgeon, a veterinarian, a podiatrist, a nurse practitioner, a physician assistant, a registered nurse, a nurse-midwife, a school nurse, an infection control practitioner, a medical examiner, a coroner, or a dentist.

The California Department of Public Health, Division of Communicable Disease Control home page includes the current list of RATDs. Contact information for the local health departments is also available on the CDPH webpage for the California Conference of Local Health Officers.

If a potentially significant exposure incident is suspected, it must be immediately reported to the Public Health Department. Public Health will then assist in conducting a formal investigation to help determine which employees had significant exposure to the infected individual. The consultation will be documented in writing and shall include the names of employees who were included in the analysis.

Communication with Employees and Other Employers

Human Resources, upon notification from Public Health, will be responsible for notifying staff members who were potentially exposed. Employees having significant exposure will be notified within 48 hours. Other employees will be notified, within 24 hours of the diagnosis, of the date, time, and nature of the exposure and any other information that is necessary will be provided to other employers to evaluate the potential exposure of his or her employees.

First Aid and Exposure Incident Report

Employees are to report all exposure incidents as soon as possible (and in no case later than the end of the work shift during which they occurred) regardless of whether first aid was rendered. Supervisors will investigate and document all incidents involving the exposure of ATDs.

During normal working hours, the following individuals are designated by the County of Nevada to receive reports of exposure incidents:

a. Managers
b. Supervisors
c. Risk Manager

Investigations include the following information:

a. A description of the exposure or first aid incident including:
    1. The time and date.
    2. A determination of whether an exposure incident occurred. This determination is necessary to ensure the proper post-exposure evaluation is conducted and prophylaxis and follow-up are made available immediately if an exposure incident has occurred.
    3. Work Practices followed.
    4. Engineering controls.
    5. Procedure performed when the incident occurred.
    6. The person receiving the report.
    7. Contact number.

Screening
Post-Exposure Evaluation and Follow-Up

In the event of an exposure incident, supervisors are to offer the employee a confidential medical evaluation and follow-up immediately, or as soon as possible following knowledge of the exposure incident. All post-exposure evaluation and follow-up are performed at one of the designated medical providers/clinics.

Yuba Docs Medical Group, Inc.
(Yuba Docs Urgent Care)
2090 Nevada County Highway
Grass Valley, CA
(530) 274-5020

Tahoe WoRz –
Health Services Clinic
10956 Donner Pass Rd, #230
Truckee, CA
(530) 582-3277

Following an exposure incident and when permissible, the supervisor and employee will complete the following paperwork:

a. *Workers' Compensation (WC) Claim* Packet

https://nevcounty.sharepoint.com/:f:/r/sites/sfprivate/Documents/Workers%20Compensation?csf=1&web=1&e=K5xc8K

1. *DWC-1*
2. *Medical Treatment Authorization*
3. *WC Temporary Prescription ID Card*
4. The *Report of Industrial Injury* form
5. The *Accident/Incident Investigation* form
6. *Receipt of the DWC-1* form
7. *WC Checklist*

The supervisor will also give the employee a copy of the job description, the *Medical Status Report,* and the *Physical Capabilities to Perform Duties of a Correctional Officer* (Correctional Staff Only).

All paperwork is submitted to the Operations or Executive Lieutenant, Professional Standards Unit, Human Resources, and Risk Management.

Employee Testing and Treatment

Post-exposure follow-up treatment for employees who have been significantly exposed to an aerosol transmissible disease will consist of the following:

a. Appropriate vaccination and prophylaxis treatment for TB or other ATD pathogen, as recommended by the CDC.
b. For exposure to active TB, a TB screening test is to be administered within seven days from the date of the notification of the exposure incident on all personnel who have been identified to be potentially exposed. If the initial test is negative, a second test will be administered 8-10 weeks post-exposure to determine if an infection has occurred.
c. A chest x-ray, clinical evaluation, and counseling of personnel with TB conversion, post-exposure, and completion of an exposure incident questionnaire by personnel with a previously documented positive TB skin test. Clinical evaluation will not be required unless symptoms suggestive of TB occur.

NOTE: Employees who have previous positive TB tests or who have been exposed to TB will be evaluated with a chest x-ray at the discretion of the occupational physician with consultation from the Local Health Officer.

Medical evaluations shall be offered to employees in the following circumstances:

a. When an employee is found to have a positive TB test.
b. When an employee has an annual or two-year approved TB test convert from negative to positive.
c. Following an exposure incident to any other transmissible aerosol pathogen.

A medical evaluation will be performed by the County's Occupational Health Clinic (Yuba Doc or Tahoe WoRz), and will include, but is not limited to, the following:

a. A medical history evaluation.
b. All medical tests deemed necessary, including approved TB testing and a baseline chest x-ray if indicated.
c. Informing employees with medical conditions that may place them at higher risk of developing TB or infection from exposure to other aerosol transmissible pathogens.
d. Recommendations and provisions for follow-up treatment when indicated.
e. Referral to an infectious disease physician for recent TB conversion will include treatment and follow-up monitoring.

All occupationally related employee TB test conversions and exposures to any other aerosol transmissible pathogen will be handled as Workers' Compensation claims and all County procedures pertaining to the processing of Workers' Compensation claims will be followed. Any questions concerning this can be referred to Human Resources (530)265-1225 or the Professional Standards Unit (530)265-1598. Public Health will provide technical assistance for identifying, testing, and surveillance of infectious aerosol transmissible diseases for employees. Occupational Health will be responsible for complying with the Public Health Department infectious disease reporting requirements.

Licensed Health Care Professional's Written Opinion

A physician from the Occupational Health Clinic, or an appropriate physician, shall provide the employee with a copy of the Medical Status Report and The Physical Capabilities to Perform the Duties of a Correctional Officer form (Correctional Staff Only) which will include the diagnosis, any need for further treatment or evaluation, and the employee's ability to return to work. If the employee is not able to return to work or perform assigned duties, the medical opinion will state when this is possible and what work limitations or restrictions apply.

A copy of this written report will be made available to the employee within 15 working days of the completion of the evaluation. All other findings or diagnoses shall remain confidential and shall not be included in the written report.

Training

The Professional Standards Unit, Wayne Brown Correctional Facility, and/ or the jail medical provider will provide training to all employees who are at risk for exposure to ATDs. This training is provided at no cost to the employee and during work hours. Training is given as follows:

a. At the time of initial assignment to tasks where occupational exposure may take

place as soon as possible for currently employed workers.
b. At least annually after the initial training.
c. When there is the introduction of new engineering, administrative, or work practice controls and whenever modifications of current tasks may affect the potential occupational exposure to ATDs.

Information and training of individuals who are not Nevada County Sheriff's Office employees (contract workers, etc.) will be provided by the affected outside agency or as specified in the contract. The County of Nevada monitors the outside agency for compliance with the information and training requirement.

Training is appropriate in content and vocabulary to the educational level, literacy, and language of employees. The training program includes information and explanations of at least the following:

a. Location of the Cal/OSHA ATD regulation (8 CFR 5199);
b. A general explanation of ATDs, including signs and symptoms of ATDs that require further medical attention;
c. An explanation of the modes of transmission of aerosol transmissible pathogens (ATPs) and applicable source control procedures;
d. An explanation of the department's exposure control procedures, how the employee can obtain a copy of the written exposure control plan, and how they can provide input as to its effectiveness;
e. Appropriate methods for recognizing tasks and other activities that may expose employees to ATPs;
f. Use and limitations of methods to prevent or reduce exposure to ATPs, including engineering and work practice controls, decontamination and disinfection procedures, and personal and respiratory protective equipment;
g. The basis for selection of personal protective equipment, location, proper, cleaning, decontamination, and disposal of contaminated equipment;
h. A description of the department's TB surveillance procedures, including the information that immune-compromised persons may have a false negative test for latent TB;
i. Training and fit testing meeting the requirement of Cal/OSHA's Respiratory Protection Program (8CCr5144) for employees whose assignment includes the use of a respirator;
j. Information on immunizations offered by the County;
k. An explanation of post-exposure procedures including reporting the incident, medical follow-up, and post-exposure evaluation;
l. Information on the department's surge plan as it pertains to the duties that employees will perform. As applicable, this training shall cover the plan for surge receiving and treatment of inmates, inmate isolation procedures, how to access supplies needed for the response including personal protective equipment and respirators, decontamination facilities and procedures, and how to coordinate with other emergency response personnel and outside agencies; and
m. In addition to the above-mentioned information, supervisors provide employees

access to a copy of 8 CCR, §5193, and an explanation of its content, as required by the training requirement.

Recordkeeping

Medical Records

Medical records pertaining to exposure incidents are maintained by the Professional Standards Unit, separate from regular personnel/employment files unless otherwise directed by the County Executive Officer (CEO). Each medical record includes:

a. The name of the employee and identification number (e.g., social security number).
b. A copy of the employee's vaccination status including, declination statements, and medical records relative to the employee's ability to receive vaccinations.
c. A copy of all results of examinations, medical testing, evaluation, and follow-up of exposure incidents.
d. A copy of the health care professional's written opinion as required following an exposure incident.

The Nevada County Sheriff's Office ensures employee medical records are kept confidential and are not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by this Program and by law.

The Nevada County Sheriff's Office maintains employee health records, as required by this section, for at least the duration of employment plus 30 years, meaning during the entire employment period and 30 years after the last date of work.

Employee medical records are provided upon request of the employee or to anyone having written consent of the employee within 15 working days. Such requests should be sent to the Professional Standards Unit.

ATD Exposure Records

The Professional Standards Unit maintains employee exposure records, as required by this section, for 30 years as required by 8 CCR, §3204, Access to Medical and Exposure Records. Exposure records will include the date of the incident; the name of the employee involved; the potential disease or pathogen; the name and job title of the person performing the evaluation; the identity of any local health officer, physician, or licensed health care professional consulted; the date of the evaluation; and the date of contact. Departments will maintain contact information for any other employers notified regarding potential employee exposure.

Training Records

ATD training records are maintained by the Professional Standards Unit for a minimum of three years as required by 8 CCR, §5193. (It is a best practice to maintain them as part of the permanent personnel file). At a minimum, training records include:

a. Dates of the training session
b. Contents or a summary of the training session
c. Names and qualifications of persons conducting the training sessions
d. Names and job titles of persons attending the training

Employee training records are provided upon request to the employee or the employee's authorized representative within 15 working days. Such requests should be addressed to the Professional Standards Unit.

Access to Records and Transfer of Records

All relevant exposure and confidential medical records to the Assistant Secretary of Labor for the Occupational Safety and Health Administration, the Director of Cal/OSHA or designee, and the Director of the National Institute for Occupational Safety and Health (NIOSH) will be provided upon request.

All personal employee medical records and exposure records will be available in accordance with Title 8, California Code of Regulations, §5193, and §3204, Access to Medical and Exposure Records. Exposure records include but may not be limited to the ECP and Cal/OSHA Forms 300 and 301, a separate Form 300 for "privacy" cases, First Aid Bloodborne Pathogens Incident Report, and the Sharps Injury Log.

Record	May Include These and Others	Provide When Requested
All Training, Medical, and Exposure Records	• ATD Exposure Control Plan (ATD ECP) • Injury and Illness Prevention Plan (IIPP)	• Director of Cal/OSHA • Director of the National Institute for Occupational Safety and Health (NIOSH
Training	• ATPECP • IIPP	• Employee • Employee Representative
Medical Records	• Blood Test Results • Medical Examinations	• Employee • Designated Representatives
Exposure Records	• Cal/OSHA Form 300 • Cal/OSHA Form 301 • Sharps Injury Log • Incident Investigation	• Employee/Former Employee • Designated Representatives

If the County ceases to exist and there is no successor employer to receive and retain the records for the prescribed period, the Risk Manager will contact the director of NIOSH for final disposition.

List of Aerosol Transmissible Diseases

Diseases/Pathogens Requiring Airborne Infection Isolation

- Aerosolizable spore-containing powder or other substance that is capable of causing serious human disease, e.g. Anthrax/Bacillus anthracis
- Avian influenza/Avian influenza A viruses (strains capable of causing serious disease in humans)
- Varicella disease (chickenpox, shingles)/Varicella zoster and Herpes zoster viruses, disseminated disease in any patient. Localized disease in immunocompromised patient until disseminated infection ruled out
- Measles (rubeola)/Measles virus
- Monkeypox/Monkeypox virus
- Novel or unknown pathogens
- Severe acute respiratory syndrome (SARS)
- Smallpox (variola)/Variola virus
- Tuberculosis (TB)/Mycobacterium tuberculosis -- Extrapulmonary, draining lesion; Pulmonary or laryngeal disease, confirmed; Pulmonary or laryngeal disease, suspected
- Any other disease for which public health guidelines recommend airborne infection isolation

Diseases/Pathogens Requiring Droplet Precautions

- Diphtheria pharyngeal
- Epiglottitis, due to Haemophilus influenza type b
- Haemophilus influenza Serotype b (Hib) disease/Haemophilus influenza serotype b -- Infants and children
- Influenza, human (typical seasonal variations)/influenza viruses
- Meningitis
    - Haemophilus influenza, type b known or suspected
    - Neisseria meningitides (meningococcal) known or suspected
- Meningococcal disease sepsis, pneumonia (see also meningitis)
- Mumps (infectious parotitis)/Mumps virus
- Mycoplasmal pneumonia
- Parvovirus B19 infection (erythema infectiosum)
- Pertussis (whooping cough)
- Pharyngitis in infants and young children/Adenovirus, Orthomyxoviridae, Epstein-Barr virus, Herpes simplex virus,
- Pneumonia

    - Adenovirus
    - Haemophilus influenza Serotype b, infants and children
    - Meningococcal
    - Mycoplasma, primary atypical
    - Streptococcus Group A
- Pneumonic plague/Yersinia pestis
- Rubella virus infection (German measles)/Rubella virus
- Severe acute respiratory syndrome (SARS)
- Streptococcal disease (group A streptococcus)
    - Skin, wound, or burn, Major
    - Pharyngitis in infants and young children
    - Pneumonia
    - Scarlet fever in infants and young children
    - Serious invasive disease
- Viral hemorrhagic fevers due to Lassa, Ebola, Marburg, Crimean-Congo fever viruses (airborne infection isolation and respirator use may be required for aerosol-generating procedures)
- Any other disease for which public health guidelines recommend droplet precautions

Referral for Medical Evaluation (Form #1)

To: _____M.D.

_____(Employee Name) is being referred to you for a medical examination to determine if he/she can wear respiratory protection on the job.

1. Type and weight of the respirator to be used by the employee:

   _____

2. Duration and frequency of respirator use (including use for rescue and escape):

   _____

3. Type of work to be performed while wearing the respirator:

   _____

4. Additional protective clothing and equipment to be worn:

   _____

5. Environmental conditions (e.g., temperature and humidity extremes) that may be encountered in the workplace:

   _____

Upon completion of your examination, please complete the following and return a copy of this form to me.

Date_____ _____

Department Head Signature

_____

Department

* * * * * * * * * *

Based on my opinion and evaluation, _____

(employee's name)

_____ Has a condition that makes respirator use inadvisable.

_____ Is approved for respirator fit testing and assignment subject to the following limitations:

_____

_____

_____ Is approved for respirator fit testing and assignment without restriction.

The employee has been informed of the results of the examination and of any medical conditions that require further explanation or treatment. Any specific findings or diagnosis were referred to the private medical doctor for appropriate treatment. These medical findings will not be revealed in this letter of results, as mandated by law.

Date_____ _____

Attending Physician

Distribution: 1 copy to Department Head, 1 copy to Employee

Retention: Length of employment, plus 30 years.

Respirator Program Evaluation (Form #2)

Evaluation performed by _____ on _____.
(Program Administrator)

Workplace Environmental Conditions	**YES**	**NO**
1.		
Employee Use	**YES**	**NO**
1. Have all employees been medically evaluated?		
2. Do any employees require medical re-evaluation?		
3. Have all employees passed Fit-Testing?		
4. Is fit testing conducted properly?		
5. Have all employees received initial training?		
6. Are any employees overdue on remedial training?		
7. Are respirators worn properly?		
8. Are respirators being properly stored?		
9. Are stored respirators being inspected regularly?		
10. Are records for fit-testing, training, and inspections being kept?		

Comments:
_____
_____
_____

Program Administrator's Signature: _____

Department Head's Signature: _____

Warning Signage

- Infectious Disease

WARNING



Infectious Disease

Soter Scanner Spanish.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

Programa de seguridad sobre la Radiación y Enseñanza sobre la operación en general y los límites de uso de los Rayos X llamado Sistema de seguridad por medio de Rayos X.

Hoja de información sobre la seguridad del escanear.
Tú recibes Radiación durante el Chequeo de escaneo de Seguridad.

Cosas que debes saber sobre esta información.

- La gente está expuesta todos los días a la radiación ionizada..
- Una dosis de radiación ionizada procedente del procedimiento de escanea miento de seguridad es mucho menos de la que recibe una persona de pública en un día naturalmente.
- La exposición a la radiación ionizada puede incrementar la posibilidad de adquirir cáncer en la vida: pero con las pequeñas dosis que usted recibe el riesgo es pequeño.

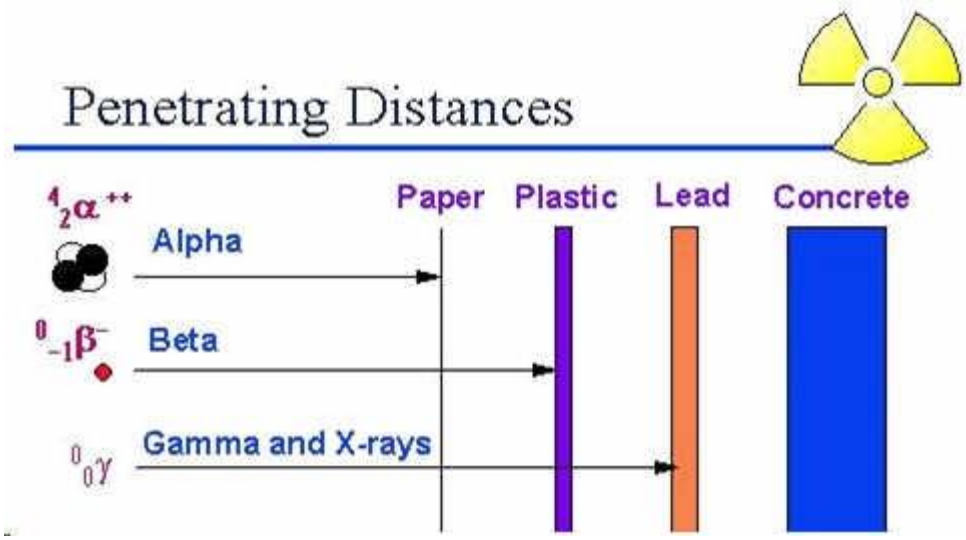
Que es Radiación Ionizada?

La Radiación es una forma de energía. SI la radiación tiene suficiente energía para separar los electrones de los Átomos. A eso se le llama radiación ionizada. Este tipo de energía tiene forma de partículas y de olas electromagnéticas.

Cuáles son las formas de energía ionizada?

Las principales formas de radiación ionizada son alfa partículas, beta partículas, gamma rayos y Rayos X.

Gamma y Rayos X son olas electromagnéticas (como olas radio y luz visible, pero mucho mas energéticas). Estas son más penetrantes que alfa y beta partículas.



Como yo puedo exponerme a la radiación ionizada?

La radiación ionizada es parte de la vida diaria a tu al rededor Niveles bajos de radiación pegan en la tierra en forma de rayos cósmicos y emisión solar. Todas las tierras contienen uranio y Thorium, que son radioactivos. Uranio y Thorium se descompone y produce Radon, es un gas radioactivo que procede de la tierra y viene al aire que respíranos. Adicional mente, material radioactiva en porciones pequeñas, son encontradas en los alimentos que consumimos y en barrios producto como el tabaco y en detectores de humo. Tofos estos tipos de radiación mencionadas pueden bañar abiertamente dependiendo en la locación geógrafo.

Típicamente cuanta radiación recibimos?

Todos recibimos una dosis todos los días. Toda esta exposición proviene de forma natural. Pero una porción viene hecha por el ser humano. Por procedimientos médicos.

Evento	Causa	Dosis (Per día)	Dosis	Todo
Expuesto todos los	El promedio dela radiación analmente	360	3,600	Un año
Expuesto todao los	Recursos naturales en los E.U.	300	3,000	Un año
Durmiendo de lado de una persona	Naturalmente sale la radioactividad del potasio de la otra persona.	2	20	8 horas
Viviendo en una casa de tabiques	Naturalmente la piedras y el ladrillo tienen radioisótopos dentro de ellos	7	70	Un año
Viviendo en el paneta tierra	Vivemos en un mar de Radón. Esta echo de descompuestos de uranio y Thorium en la tierra, de jade de los planetas del espacio. Radón es un gas raro que sale de la tierra al aire. Esta exposición contribuye más de la mitad de nuestro pasado.	200	2000	Un año
Viajar en el aire	30000 pies sobre la tierra está más cerca de la radiación ionizante del sol	0.5	5	Una hora
Plátano	Comiéndote un plátano l es la dosis forma de K-40	0.01	0.1	Un articulo
Rayos- X Dental	Escudriñar una ves	50	500	Escudriñar una ves
Rayos- X del Pecho	Escudriñar una ves	100	1,000	Escudriñar una ves
Exploración- del Pecho	Escudriñar una ves	600	6,000	Escudriñar una ves
Radiación cósmica al nivel del mar	(Fuera del espacio) Exposición depende de tu altura(El aire que esta sobre ti depende lo que bloquea radiacion)	26	260	año
Mirar la televisión	3 horas diarias	1	10	año
La dosis analmente recomendada por la NCRP	La NCRP recomienda que miembros del publica general (incluyendo a grupos especiales como a mujeres embarazadas y ninis) recibe menos de 250uSv (25mRem) dosis efectivo por ano de los rayos-x de seguridad de pantalla	25	250	año
E.U. Capital construcción	La dosis de estar parado enfrente de Granite de los E.U. edificio de la capital	85	850	año
SOTER RS Escanciadora	**Escudriñar una ves**	**.15**	**1.5**	Escudriñar una ves

Exponer me a esta radiación me hará mas radioactivo?

No exponiéndote a rayos de gamma y a rayos-X te entra energía a tu cuerpo, pero no te causara que seas radioactiva.

Environmental Protection Agency, Understanding Radiation: http://www.epa.gov/radiation/understand/index.html
Centers for Disease Control and Prevention Radiation Emergencies: http://www.bt.cdc.gov/radioantion/emerbencyfaq.asp
World Health Organization Ionizing Radiation Page: http://www.who.int/ionizing radiation /en/
Health Physics Society fact sheets: http://hps.org/publicinformation/radterms
NCRP Report No. 91, Ionizing Radiation Exposure of the Population of the United States: http://www.ncrppublications.org/
Food and Drug Administration, Radiological Health Program: http://www.fda.gov/cdrh/radhealth

NEVADA COUNTY SHERIFF'S OFFICE

SOTER Preguntas Antes de ser Escaneado

Date: _____ Time: _____

Name of Person being Scanned: _____ JMS PIN: _____

Gender: ☐ Male ☐ Female ☐ Other Other Identifying Number: _____

Name of Screener: _____ OSN: _____

Preguntas Antes de escañarte

1. El arrestado está en silla de Ruedas? ☐ Sí ☐ No
   (Is the arrestee/inmate in a wheel chair?)
2. La arrestada está embarazada? ☐ Sí ☐ No
   (Is the arrestee/inmate pregnant?)
3. El ofensor o arrestado a recibido radiación o quimioterapia en los 6 meses pasados? ☐ Sí ☐ No
   (Has the arrestee/inmate undergone radiation or chemotherapy in the past 6 months?)
4. El ofensor o arrestado tiene un marca pasos? ☐ Sí ☐ No
   (Does the arrestee/inmate have a pacemaker?)
5. Al arrestado a recibito información sobre estas preguntas? ☐ Sí ☐ No
   (Has the arrestee/inmate been provided a copy of this information sheet and questionnaire?)
6. El arrestado a tenido oportunidad de expresar sus preocupaciones? ☐ Sí ☐ No
   (Has the arrestee/inmate been given an opportunity to have any concerns addressed?)

_____ _____

Firma de la persona Escañaba: Signature of Screener:

Notas (Notes)

_____

_____

_____

_____

NCSO SHERIFF LETTER.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

January 29, 2019

Addressee
Addressee's Address
City, State 99999

Re: Employee kudo

Dear Addressee:

Today your employee, Jane Doe, participated as a panelist for oral board interviews conducted in order to fill a vacancy in our Communication's Center. Ms. Doe's assistance was much appreciated. Her presence added another perspective, aiding us in selecting the best dispatcher candidate. She represented your department (agency) admirably.

I appreciate your authorization to Ms. Doe to leave her post and assist us with our search for a new employee. We are at the ready to return the favor should you need it.

Sincerely,

Shannan Moon
Sheriff-Coroner

106 Annual Facility Inspection Tool.pdf

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Annual Facility Inspection Areas	Lexipol Policies	NCSO Policies	Title 15
Staff Training - BSCC End of year (EOY) report: Admin Sergeant	314		
Number of Personnel - BSCC EOY report: Admin Sergeant	224	20	1027
Policy and Procedure Manual - Reviewed throughout the year by command staff via Lexipol.	103	63	1029
Fire Suppression Pre-planning - The policy is reviewed yearly. There are fire inspections every year by NCCFD. Once per month each shift does a fire safety log. The compliance officer gathers these logs which are verified by the shift sergeant and stored in the facility until the end of the calendar year. These logs are stored in the facility in preparation for BSCC inspections which occur every two years. The facility smoke alarms are checked twice per year as required by law.	402	59	1032
Incident Reports - Incident reports are signed off by the shift sergeant or officer in charge. They are reviewed by the operations lieutenant and the facility captain. At the end of the year the facility captain will ensure all reports have been signed off at every level and document this in the EOY report	210	49	1044
Death in Custody - The death is reported to BSCC immediately. A report will be sent to the California Attorney General within 10 days. After the initial report there will be an internal review within 30 days of the death. There also will be a full coroner's investigation and report. At the end of the calendar year the stats will be sent to the BSCC. The data will be reported in the EOY report. Covered by policy which is reviewed yearly.	515,723	27, 60, Coroner 22	1046, 1341
Documented Suicide Attempts - Medical documents the attempts and they are also logged in an incident report. Stats will be included in the EOY report.	722		1030
Classification Plan - Policy which is reviewed annually. May be noted on the EOY report.	508	36	1050
Reception and Booking - Forms attached to policies are reviewed yearly, completeness of the forms is verified by the shift sergeant or OIC.	502	22,24	1029
Communicable Disease Prevention Plan - Covered by policy which is reviewed annually. May be noted on the EOY report.	714	29	1051
Inmates with Mental Disorders - Covered by policy which is reviewed annually. May be noted on the EOY report.	711,712	31	1052
Administrative Separation - Covered by policy which is reviewed annually. May be noted on the EOY report.	505	38	1053
Developmentally Disabled Inmates - Covered by policy which is reviewed annually. May be noted on the EOY report.	505,602,713	50	1,057
Use of Force and Restraint Devices - Covered by policy which is reviewed annually. May be noted on the EOY report. Individual uses of force are documented in an incident report and on the USE of force form. The report, UOF form, and video are reviewed by the sergeant or OIC, the operations LT, and the facility captain. Documentation is forwarded to the US for retention and stating purposes as necessary.	511,512	12,43, GO-23	1058, 1059
Contraband Control - Covered by policy which is reviewed annually. May be noted on the EOY report. The Inmate Handbook also provides information to the inmates regarding contraband and is reviewed and revised as necessary. Some contraband may also result in an incident reports which are reviewed by the duty sergeant or OIC, watch commander, and jail commander.	514,800, 1008	44	1029
Perimeter Security - Covered by policy which is reviewed annually. May be noted on the EOY report. Notable events will be documented in incident reports which are reviewed by the duty sergeant or OIC, watch commander, and jail commander.	514	44	1029
Searches - (area and personal) Covered by policy which is reviewed annually. May be noted on the EOY report. Daily inspections and additional inspections are performed regularly. Some searches required additional documentation such as with strip searches on certain inmates. The forms are signed off by the OIC or duty sergeant and uploaded to the multimedia section of the inmate's JMS file. Some searches also result in incident reports which are reviewed by the duty sergeant or OIC, watch commander, and jail commander.	514	44	1029
Access to Telephone - Covered in the inmate handbook and notices are posted in all of the section dayrooms. If an inmate has difficulty, they can address the issue with staff directly or via a kiosk request. Penal Code 851.5 dictates fresh arrestee minimum access to telephones and appropriate signage. Also covered by policy which is reviewed annually. May be noted on the EOY report.	502, 1009	30	1067

Annual Facility Inspection Areas	Lexipol Policies	NCSO Policies	Title 15
Access to Courts and Counsel - Covered in the inmate handbook. Information for the Public Defender's Office is posted in all housing areas. Attorneys have the ability to register their phone numbers with NCSO staff so they can be added to the do not record list in the inmate telephone system. Attorney visits are conducted at the request of the attorney 24 hours per day. Inmates are transported to and from court by NCSO staff or the court proceedings can take place via video.	1008, 1009, 1010	17,26,30	1029,1063, 1068
Inmate Visiting – Covered in the inmate handbook and notices are posted in all of the section dayrooms. Information is available to the public on the Sheriff's Office website. Covered by policy which is reviewed annually. May be noted on the EOY report.	1010	17	1029
Inmate Mail - Covered in the inmate handbook. Information is available to the public on the Sheriff's Office website. Covered by policy which is reviewed annually. May be noted on the EOY report.	1008	26	1063
Religious Access - Covered by policy which is reviewed annually. May be noted on the EOY report. Information is available in the inmate handbook and also on the tablets.	1016	56	1027
Health Care Services - Covered by policy which is reviewed annually. May be noted on the EOY report.	701, 702, 704, 733, 734, 735	9	1200
Intake Medical Screening - Covered by policy which is reviewed annually. May be noted on the EOY report. Performed by jail medical staff and jail staff.	502	22, 24	1029
Vermin Control - Covered by policy which is reviewed annually. May be noted on the EOY report.	805		1212
Detoxification Treatment - Covered by policy which is reviewed annually. May be noted on the EOY report.	518,716	4	1213, 1056
Suicide Prevention Program - Covered by policy which is reviewed annually. May be noted on the EOY report. Annual training is a requirement of Title 15 Section 1030.	722		1030
First-Aid Kit - A kit is placed in each section. The kits are stocked monthly by jail medical staff. This audit log is maintained by medical.			1220
Meals, Frequency of Serving - Covered in the inmate handbook. The number of meals may be discussed in the EOY report.	900		1220, 1240
Minimum Diet - Covered by policy which is reviewed annually.	902		1241
Food Service - An 8-week menu is approved periodically by the Nevada County Public Health Officer. Covered by policy which is reviewed annually.	900		1243
Food Serving and Supervision - May be noted on the EOY report.	900		1246
Facility Sanitation, Safety, Maintenance - Incident reports may be generated for issues as they arise. The incident reports are reviewed by the OIC or duty sergeant, watch commander and facility captain. Any Worker's Compensation qualifying injuries, deaths, or near misses are documented in a Worker's Compensation packet which is sent to Risk Management who maintains statistics for all Nevada County Agencies. Maintenance personnel are assigned to the facility and are on call after hours.	802	35	1029, 1280
Tool, Key and Lock Control - Covered by policy which is reviewed annually. May be noted on the EOY report.	211	39	1029
Use of Safety and Sobering Cells - Covered by policy which is reviewed annually. May be noted on the EOY report. Reported to BSCC on every 2 years.	518, 716	14, 15	1055, 1213
Plan for Inmate Discipline - Covered by policy which is reviewed annually. May be noted on the EOY report. Reported to BSCC on every 2 years.	1080-1084	33	600
Standard Bedding and Linen use - Covered by policy which is reviewed annually. May be noted on the EOY report.	807	54	1262,1270, 1271
Mattresses - May be noted on the EOY report.	807		1272

**All NCSO policies are custody policies unless stated otherwise.

Writ of Habeas Corpus.pdf

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Name: _____

Address: _____

_____

_____

_____

_____

CDCR or ID Number: _____

_____

_____

_____

_____

(Court)

_____

Petitioner

v.

_____

Respondent

PETITION FOR WRIT OF HABEAS CORPUS

No. _____

(To be supplied by the Clerk of the Court)

INSTRUCTIONS—READ CAREFULLY

- **If you are challenging an order of commitment or a criminal conviction or sentence and are filing this petition in the superior court, you should file it in the county that made the order.**
- **If you are challenging the conditions of your confinement and are filing this petition in the superior court, you should file it in the county in which you are confined.**

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original of the petition and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rules 4.551 (as amended January 1, 2024) and 8.380 (as amended January 1, 2020) of the California Rules of Court. Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- ☐ A conviction
- ☐ Parole
- ☐ A violation of the Racial Justice Act under Penal Code section 745(a)
- ☐ A sentence
- ☐ Credits
- ☐ Jail or prison conditions
- ☐ Prison discipline
- ☐ Other *(specify):* _____

1. Your name: _____

2. a. Where are you incarcerated? _____

   b. If you are not incarcerated, are you on supervised release, such as probation, parole, mandatory supervision, or postrelease community supervision?

      ☐ Yes *(specify):* _____

      ☐ No

3. Why are you in custody or on supervised release? ☐ Criminal conviction ☐ Civil commitment

   Answer items a through i to the best of your ability.

   a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

   _____

   _____

   _____

   _____

   b. Penal or other code sections: _____

   c. Name and location of sentencing or committing court:

   _____

   _____

   _____

   d. Case number: _____

   e. Date convicted or committed: _____

   f. Date sentenced/Date of judgment: _____

   g. Length of sentence: _____

   h. When do you expect to be released? _____

   i. Were you represented by counsel in the trial court? ☐ Yes ☐ No *If yes, state the attorney's name and address:*

   _____

   _____

   _____

4. What was the LAST plea you entered? *(Check one):*

   ☐ Not guilty ☐ Guilty ☐ Nolo contendere ☐ Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

   ☐ Jury ☐ Judge without a jury ☐ Submitted on transcript ☐ Awaiting trial

6. CLAIMS FOR RELIEF

Claim 1: State briefly your claim for relief. For example, "The trial court imposed an illegal enhancement," or "an expert witness violated the Racial Justice Act." *(If you have additional claims for relief, use a separate page for each claim. State claim 2 on page 4. For additional claims, make copies of page 4 and number the additional claims in order.)*

a. Supporting facts:
Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. *If necessary, attach additional pages.* CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, *who* did exactly *what* to violate your rights at what time *(when)* or place *(where).*

b. Supporting documents:
Attach declarations, relevant records, transcripts, or other documents supporting your claim. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

c. Supporting cases, rules, or other authority *(optional)*:
(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

Claim 2 or Claim _____ *(if applicable):*

a. Supporting facts:

b. Supporting documents:

c. Supporting cases, rules, or other authority:

7. Did you appeal from the conviction, sentence, or commitment? ☐ Yes ☐ No If yes, give the following information:
   a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"):
   b. Result: c. Date of decision:
   d. Case number or citation of opinion, if known:
   e. All issues raised:
      (1)
      (2)
      (3)
   f. Were you represented by counsel on appeal? ☐ Yes ☐ No If yes, state the attorney's name and address, if known:

8. Did you seek review in the California Supreme Court? ☐ Yes ☐ No If yes, give the following information:
   a. Result: b. Date of decision:
   c. Case number or citation of opinion, if known:
   d. All issues raised:
      (1)
      (2)
      (3)

9. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal (see *In re Dixon* (1953) 41 Cal.2d 756, 759):

10. Administrative review:
   a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.) Explain what administrative review you sought or explain why you did not seek such review:
   b. Did you seek the highest level of administrative review available? ☐ Yes ☐ No
      Attach documents that show you have exhausted your administrative remedies. (See People v. Duvall *(1995) 9 Cal.4th 464, 474.)*

11. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, sentence, commitment, or issue in any court, including this court? (See *In re Clark* (1993) 5 Cal.4th 750, 767–769 and *In re Miller* (1941) 17 Cal.2d 734, 735.)
   ☐ Yes If yes, continue with number 12. ☐ No If no, skip to number 14.

12. a. (1) Nature of proceeding (for example, "habeas corpus petition"): _____

(2) Name of court: _____

(3) Result *(attach order or explain why unavailable):* _____

(4) Date of decision: _____

(5) Case number or citation of opinion, if known: _____

(6) All issues raised:

(a) _____

(b) _____

(c) _____

b. (1) Nature of proceeding: _____

(2) Name of court: _____

(3) Result *(attach order or explain why unavailable):* _____

(4) Date of decision: _____

(5) Case number or citation of opinion, if known: _____

(6) All issues raised:

(a) _____

(b) _____

(c) _____

13. If any of the courts listed in number 12 held a hearing, state name of court, date of hearing, nature of hearing, and result:

_____

_____

_____

14. Explain any delay in discovering or presenting the claims for relief and in raising the claims in this petition. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; Pen. Code, § 1473(e).)

_____

_____

_____

15. Are you presently represented by counsel? ☐ Yes ☐ No If yes, state the attorney's name and address, if known:

_____

_____

_____

16. Do you have any petition, appeal, or other matter pending in any court? ☐ Yes ☐ No If yes, explain:

_____

_____

_____

17. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

_____

_____

_____

18. Answer the following questions if you are raising a claim of violation of the Racial Justice Act under Penal Code section 745(a):

a. Indicate which of the following apply to the case in which you are making a claim for violation of Penal Code section 745(a) *(check all that apply)*:

(1) ☐ Judgment is not final (for example, because an appeal is pending),

(2) ☐ You are currently serving a sentence in the state prison or county jail under Penal Code 1170(h) for the felony conviction in which you are raising a Racial Justice Act claim,

(3) ☐ This petition is filed **on or after** January 1, 2025, and judgment became final for a felony conviction on or after January 1, 2015, or

(4) ☐ This petition is filed **on or after** January 1, 2026, and judgment is for a felony conviction.

b. I request relief based on the following (*choose all that apply*):

(1) ☐ The judge, an attorney, a law enforcement officer, an expert, or a juror in the case exhibited bias or animus toward me because of my race, ethnicity, or national origin.

(2) ☐ During in-court trial proceedings, the judge, an attorney, a law enforcement officer, an expert, or a juror used racially discriminatory language about my race, ethnicity, or national origin. (Racially discriminatory language does not include relaying language used by someone else that is relevant to the case, or giving a racially neutral and unbiased physical description of the suspect.)

(3) ☐ I was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated, ***and*** the prosecution more frequently sought or obtained convictions for more serious offenses against people who share my race, ethnicity, or national origin in the county where the convictions were sought or obtained.

(4) ☐ I received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense **and**:

(a) ☐ longer or more severe sentences were more frequently imposed for the same offense on defendants who share my race, ethnicity, or national origin than on others in that county; *and/or*

(b) ☐ longer or more severe sentences were more frequently imposed for the same offense on defendants in cases with victims of one race, ethnicity, or national origin than in cases with victims of other races, ethnicities, or national origins in that county.

c. Is your claim based on a statement or conduct by a judge? ☐ Yes ☐ No

If yes, please state the judge's name:

d. Do you want appointed counsel? ☐ Yes ☐ No

If yes, can you afford to hire counsel? ☐ Yes ☐ No

e. Do you request permission to amend a pending petition for writ of habeas corpus with this claim? ☐ Yes ☐ No

(1) If yes, in what court is your petition pending? _____

(2) If yes, what is the case number of your pending petition? _____

f. Do you request disclosure of evidence relevant to a potential violation of Penal Code section 745(a)? ☐ Yes ☐ No

(1) ☐ The type of records or information sought is described as follows:

_____

_____

_____

(2) ☐ The reason the records or information are needed is as follows:

_____

_____

_____

g. Are you raising this claim for the first time? ☐ Yes ☐ No
If no, are you raising it again because of new evidence that could not have been previously known to you?

(1) ☐ Yes *(explain):*

(2) ☐ No *(explain):*

If you need additional space to answer any question on this petition, add an extra page and indicate that your answer is "continued on additional page."

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: _____

▶ _____
(SIGNATURE OF PETITIONER)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Name: _____

Address: _____

_____

_____

_____

_____

CDC or ID Number: _____

_____

_____

_____

_____

(Court)

_____
Petitioner
vs.
_____
Respondent

PETITION FOR WRIT OF HABEAS CORPUS

No. _____

(To be supplied by the Clerk of the Court)

INSTRUCTIONS—READ CAREFULLY

- **If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.**
- **If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.**

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original of the petition and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2018). Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

☐ A conviction ☐ Parole

☐ A sentence ☐ Credits

☐ Jail or prison conditions ☐ Prison discipline

☐ Other *(specify):* _____

1. Your name: _____
2. Where are you incarcerated? _____
3. Why are you in custody? ☐ Criminal conviction ☐ Civil commitment

Answer items a through i to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

_____

_____

_____

_____

b. Penal or other code sections: _____

c. Name and location of sentencing or committing court:

_____

_____

_____

d. Case number: _____

e. Date convicted or committed: _____

f. Date sentenced: _____

g. Length of sentence: _____

h. When do you expect to be released? _____

i. Were you represented by counsel in the trial court? ☐ Yes ☐ No *If yes, state the attorney's name and address:*

_____

_____

_____

4. What was the LAST plea you entered? *(Check one):*

☐ Not guilty ☐ Guilty ☐ Nolo contendere ☐ Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

☐ Jury ☐ Judge without a jury ☐ Submitted on transcript ☐ Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." *(If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.)*

a. Supporting facts:
Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. *If necessary, attach additional pages.* CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, *who* did exactly *what* to violate your rights at what time *(when)* or place *(where)*.

b. Supporting documents:
Attach declarations, relevant records, transcripts, or other documents supporting your claim. (See *People v. Duvall* (1995) 9 Cal. 4th 464, 474.)

c. Supporting cases, rules, or other authority *(optional)*:
(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

7. **Ground 2 or Ground _____** *(if applicable):*

a. Supporting facts:

b. Supporting documents:

c. Supporting cases, rules, or other authority:

8. Did you appeal from the conviction, sentence, or commitment? ☐ Yes ☐ No If yes, give the following information:
   a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"):
   b. Result: c. Date of decision:
   d. Case number or citation of opinion, if known:
   e. Issues raised: (1)
      (2)
      (3)
   f. Were you represented by counsel on appeal? ☐ Yes ☐ No If yes, state the attorney's name and address, if known:
9. Did you seek review in the California Supreme Court? ☐ Yes ☐ No If yes, give the following information:
   a. Result: b. Date of decision:
   c. Case number or citation of opinion, if known:
   d. Issues raised: (1)
      (2)
      (3)
10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal (see *In re Dixon* (1953) 41 Cal.2d 756, 759):
11. Administrative review:
   a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.) Explain what administrative review you sought or explain why you did not seek such review:
   b. Did you seek the highest level of administrative review available? ☐ Yes ☐ No
      Attach documents that show you have exhausted your administrative remedies. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court, including this court? (See *In re Clark* (1993) 5 Cal.4th 750, 767–769 and *In re Miller* (1941) 17 Cal.2d 734, 735.)
    ☐ Yes If yes, continue with number 13. ☐ No If no, skip to number 15.

13 a. (1) Name of court: _____

(2) Nature of proceeding (for example, "habeas corpus petition"): _____

(3) Issues raised: (a) _____

(b) _____

(4) Result (attach order or explain why unavailable): _____

(5) Date of decision: _____

b. (1) Name of court: _____

(2) Nature of proceeding: _____

(3) Issues raised: (a) _____

(b) _____

(4) Result *(attach order or explain why unavailable)*: _____

(5) Date of decision: _____

c. *For additional prior petitions, applications, or motions, provide the same information on a separate page.*

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

_____

_____

_____

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

_____

_____

_____

16. Are you presently represented by counsel? ☐ Yes ☐ No If yes, state the attorney's name and address, if known:

_____

_____

_____

17. Do you have any petition, appeal, or other matter pending in any court? ☐ Yes ☐ No If yes, explain:

_____

_____

_____

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

_____

_____

_____

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: _____

▶ _____

(SIGNATURE OF PETITIONER)

Strip Search Forms (fillable).pdf

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NEVADA COUNTY SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

STRIP SEARCH OR VISUAL BODY CAVITY SEARCH

INVENTORY

CALIFORNIA PENAL CODE SECTION 4030

In accordance with California Penal Code Section 4030, the following information is provided.

Name of Officer(s) Conducting Search: _____

Sex of Officer(s) Conducting Search: _____

Date:_____Time of Search:_____Location of Search: _____

Name and Booking Number of Person Searched: BK#_____Name: _____

Statement of results of search: _____
_____
_____
_____
_____

Property Inventory of Clothing: _____
_____
_____
_____
_____

Inventory of Contraband Found: _____
_____
_____

Disposition of Contraband: _____
_____

Signature of Officer(s): _____

NEVADA COUNTY SHERIFF'S OFFICE



SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

DECLARATION FOR PROBABLE CAUSE SEARCH
VISUAL STRIP SEARCH/VISUAL BODY CAVITY SEARCH

CALIFORNIA PENAL CODE SECTION 4030

Agency:_____ Arrest Date:_____ Arrest Time: _____

Violation(s) _____

Name of Arrestee:_____ D.O.B. _____

Ht:_____ WT:_____ Color Hair:_____ Color Eyes:_____ SSAN: _____

In accordance with California Penal Code Section 4030, strip searches of pre-arraignment detainees arrested for infraction, misdemeanor offenses, misdemeanor warrants, or misdemeanor or felony probation violations, are not subject to a strip or visual body cavity search. If the offense involves weapons, controlled substances, or violence, pre-arraignment detainees are not subject to a strip or visual body search unless a peace officer has determined there is reasonable suspicion based on specific and articulable facts to believe such a person is concealing a weapon or contraband and a strip and visual body cavity search will result in the discovery of the weapon or contraband. This includes any minor detained prior to a detention hearing on the grounds that he or she is a person described in Section 300, 601 or 602 of the Welfare and Institutions Code. The undersigned declares that in his/her opinion there exists reasonable suspicion, which is based on specific and articulable facts, to believe the above named person is concealing a weapon or contraband which will be found as a result of a strip or visual body cavity search.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

(Attach Supplemental Sheets If Necessary)

Executed by: Arresting Officer:_____ Badge #: _____
Date:_____ Time:_____ Place of Execution: _____

After having reviewed the above declaration, I have determined that there is/is not reasonable suspicion, based on the arresting officers above statement, to conduct a strip or visual body cavity search.

Watch Commander:_____ Approve:_____ Disapprove:_____
Date/Time: _____

Reasonable Force Form.pdf

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CALIFORNIA PENAL CODE SECTION 298.1
DATA COLLECTION FORM

Completion and submittal of this report form is necessary to maintain compliance with California Penal Code Section 298.1 and Title 15 Section 1059 regarding the use and report of reasonable force in the collection of DNA samples and specimens from inmates. Completion of this form acknowledges that a refusal has been documented within your institution.

This form is intended to capture the details of refusal by an inmate, to submit the requisite specimen, sample or impression, and the use of reasonable force, if any, to obtain the specimen, sample or impression.

Facility: _____

County: _____

Date of Refusal: _____

What efforts were used to gain compliance prior to the use of force?

Verbal ☐

Written ☐

Other (describe): _____

Did the refusal lead to the use of reasonable force? Yes ☐ No ☐

If force was applied, please indicate the type (check all that apply):

Physical ☐

Diversionary ☐

Chemical ☐

Electronic ☐

Impact ☐

Other (describe): _____

Was medical attention needed as a result of the use of force? Yes ☐ No ☐

If so, for whom?

- Inmate ☐
- Correctional Staff ☐
- Medical Staff ☐
- Other: _____

Advisement for pregnant inmates.pdf

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WAYNE BROWN CORRECTIONAL FACILITY
ADVISEMENT FOR PREGNANT INMATES

Per Penal Code Section 3407:

1. Inmates known to be pregnant **shall not** be restrained by the use of leg irons, waist chains, or handcuffs behind the body.

2. Inmates in recovery after delivery **shall not** be restrained by the use of leg irons, waist restraints, or handcuffs behind the body.

3. A pregnant inmate in labor, during delivery, or in recovery after delivery, **shall not** be restrained by the wrists, ankles, or both, unless deemed necessary for the safety and security of the inmate, staff, or the public.

4. Restraints shall be removed when a professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary.

I, _____, acknowledge that I have received and understand the information provided to me regarding the use of mechanical restraints while pregnant, in labor, during delivery, and in recovery after delivery.

_____ _____
Inmate Signature Date

_____ _____
Officer Signature Date

Use of Force Fillable Template 2020.pdf

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NEVADA COUNTY SHERIFF'S OFFICE
950 MAIDU AVE.
NEVADA CITY, CA 95959
(530) 265-1471

USE OF FORCE REPORT

CASE NUMBER
RELATED REPORTS

INCIDENT TYPE:	DATE OF INCIDENT:	TIME INCIDENT STARTED:	TIME INCIDENT ENDED:

SUSPECT'S NAME (LAST, FIRST, MIDDLE, OR BUSINESS)	RACE	SEX	HGT	WGT	HAIR	EYES	DOB	AGE

SUSPECT WEARING HEAVY CLOTHING:	DESCRIBE SUSPECTS CLOTHING

WAS LETHAL FORCE USED?	MEDICAL EXAM? ER JAIL NONE	ADMITTED TO HOSP. FOR INJURY?	ADMITTED TO HOSP. FOR 5150?	DRUGS/ALCOHOL?

CONTROL HOLDS OR PAIN COMPLIANCE

TYPE USED	AREA (ON BODY)	INJURIES	EFFECTIVENESS

LESS-THAN-LETHAL DEVICES:

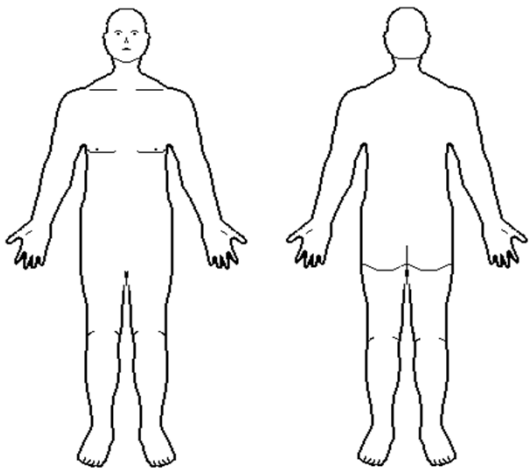
DESCRIPTION OF WEAPON	SERIAL NUMBER OF WEAPON:

TYPE USED	AREA HIT (ON BODY)	HITS / MISSES	DISTANCE	INJURIES	EFFECTIVENESS
			FEET		
			FEET		
			FEET		
			FEET		
			FEET		
			FEET		

NARRATIVE:

PROVIDE BRIEF SYNOPSIS OF EFFECT OF FORCE ON SUSPECT:

INDICATE IMPACT AREAS BELOW



REPORTING OFFICER		OSN	APPROVING SUPERVISOR		
SUPERVISOR VIDEO REVIEW	INITIALS / OSN	DATE	MANAGER VIDEO REVIEW	INITIALS / OSN	DATE

INSTRUCTIONS FOR USE-OF-FORCE FORM

GENERAL INFORMATION

INCIDENT TYPE:

CHOOSE ONE OF THE FOLLOWING: SUICIDAL SUBJECT, BARRICADED SUBJECT, WARRANT SERVICE, HOSTAGE TAKER, RIOT SUSPECT, OTHER (IF OTHER DESCRIBE)

DATE OF INCIDENT, TIME INCIDENT STARTED, TIME INCIDENT ENDED: SELF EXPLANATORY

SUSPECT'S NAME AND INFORMATION: SELF EXPLANATORY

SUSPECT WEARING HEAVY CLOTHING: SELF EXPLANATORY

DESCRIBE SUSPECT'S CLOTHING: THE TYPE OF CLOTHING IS IMPORTANT, NOT COLOR, SUCH AS "HEAVY GORTEX JACKET", OR "T-SHIRT"

WAS LETHAL FORCE USED?: CHECK "YES" IF LETHAL FORCE WAS USED IN ADDITION TO LESS-THAN-LETHAL FORCE, REGARDLESS OF WHETHER THE LETHAL FORCE CAUSED ANY INJURIES

MEDICAL EXAM?: INDICATE WHETHER A MEDICAL EXAM TOOK PLACE AT THE HOSPITAL OR INSIDE THE JAIL

ADMITTED TO HOSPITAL FOR INJURY?: WAS THE SUBJECT ADMITTED TO THE HOSPITAL FOR ANY INJURIES SUSTAINED FOR THE USE-OF-FORCE. DISCOUNT ADMISSION FOR ANY OTHER INJURIES.

ADMITTED TO HOSPITAL FOR 5150?: SELF EXPLANATORY

DRUGS/ALCOHOL?: INDICATED IF THE SUSPECT WAS UNDER THE INFLUENCE OF EITHER. INDICATE IN THE SYNOPSIS THE SPECIFIC TYPE, IF KNOWN

CONTROL HOLDS OR PAIN COMPLIANCE INFORMATION

TYPE USED: LIST THE TECHNICAL NAME OF THE HOLD USED. IF NECESSARY, EXPLAIN THE HOLD TO A DEPARTMENT DEFENSIVE TACTICS INSTRUCTOR AND HAVE HIM/HER PROVIDE YOU WITH THE NAME. ONLY ONE HOLD PER LINE.

AREA (ON BODY): LIST THE BODY PART INVOLVED IN THE HOLD. ONLY ONE BODY PART PER LINE.

INJURIES: LIST THE TYPE OF INJURY WHICH RESULTED FROM THE HOLD, SUCH AS: BRUISE, BROKEN BONE, ETC. IF ON INJURY OCCURRED, LIST NONE.

EFFECTIVENESS: CHOOSE FROM ONE OF THE FOLLOWING -- NO EFFECT, LITTLE EFFECT, GAINED ATTENTION, GAINED COMPLIANCE.

LESS-THAN-LETHAL INFORMATION

DESCRIPTION OF WEAPON: DESCRIBE THE WEAPON, SUCH AS 12GA. SHOTGUN, PEPPER BALL LAUNCHER, TEC. USE ONE FORM FOR EACH TYPE OF WEAPON USED

SERIAL NUMBER OF WEAPON DESCRIBED ABOVE: SELF EXPLANATORY

TYPE USED: REFER TO THE COLLECTED SPENT MUNITIONS CASINGS FOR EACH TYPE.

AREA HIT (ON BODY): CHOOSE FROM ONE OF THE FOLLOWING: HEAD, NECK, UPPER TORSO, LOWER TORSO, UPPER ARM, LOWER ARM, GROIN, BUTTOCKS, UPPER LEG, LOWER LEG, IF YOU FEEL THE NEED TO BE MORE SPECIFIC, LIST ONE OF THE GENERAL AREAS LISTE

HITS/MISSES: INDICATE THE TOTAL NUMBER OF HITS AND MISSES FOR EACH TYPE OF MUNITIONS PER AREA HIT.

DISTANCE: INDICATE THE APPROXIMATE DISTANCE BETWEEN YOU AND THE TARGET WHEN THE ROUND WAS FIRED.

INJURIES: CHOOSE FROM ONE OF THE FOLLOWING -- NONE VISIBLE, BRUISE, WELT, LACERATION, PENETRATION

EFFECTIVENESS: CHOOSE FROM ONE OF THE FOLLOWING -- NO EFFECT, LITTLE EFFECT, GAINED ATTENTION, GAINED COMPLIANCE.

NARRATIVE INFORMATION

SYNOPSIS: SELF EXPLANATORY

DIAGRAM: CLICK ON AREAS OF THE DIAGRAM WHERE FORCE WAS USED

POLICY ECP-BBP.pdf

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Bloodborne Pathogens Exposure Control Plan

The Nevada County Sheriff's Office Corrections Division is committed to providing a safe and healthful work environment for our entire staff. In pursuit of this goal, the following Exposure Control Plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29 CCR 1910.1030,
“Occupational Exposure to Bloodborne Pathogens.”

The potential for occupational exposure to infectious agents such as hepatitis B virus (HBV), hepatitis C virus (HCV), human immunodeficiency virus (HIV), as well as other potentially infectious material (OPIM) through direct contact with body fluids or other elements exists in many areas throughout the jail.

Important definitions include:

- Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM that may result from the performance of an employee’s duties. (Note: The County considers all identified occupational exposure incidents to be “significant exposures”).
- *Parenteral contact* means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.
- *OPIM* includes various contaminated human body fluids, unfixed human tissues or organs (other than skin), and other materials known or reasonably likely to be infected with human immunodeficiency virus (HIV), hepatitis B virus (HBV), or hepatitis C virus (HCV) through cells, tissues, blood, organs, culture mediums, or solutions.

The ECP has been established to eliminate or minimize the risk of employee exposure to these infectious agents, to prevent infection and disease that might occur as a result of exposure to those agents, and to provide a means by which the County may provide medical attention to employees.

The ECP is a key document to assist our organization in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

- Determination of employee exposure
- Implementation of various methods of exposure control, including:
    - Engineering and work practice controls
    - Universal precautions
    - Handwashing
    - Personal protective equipment (PPE)
    - Housekeeping and laundry
    - Regulated waste
    - Prohibited Practices

- Communication of hazards to employees and training
- Recordkeeping
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Procedures for evaluating circumstances surrounding exposure incidents

Implementation methods for these elements of the standard are discussed in the subsequent pages of this ECP.

Employees covered by the bloodborne pathogens standard will receive an explanation of this ECP during their initial training session. It will also be reviewed in their annual refresher training. All employees can review this plan at any time during their work shifts.

Responsibilities

Managers and Supervisors

- Monitor department to ensure compliance with the ECP, including maintaining an adequate supply of protective equipment.
- Provide ongoing training of employees on department-specific safe work practices relative to exposure to blood or OPIMs.
- Advise new employees of their exposure category and the potential risks.
- Ensure employees attend initial and annual training sessions.
- Assist with identifying new tasks and procedures that may potentially expose employees to bloodborne pathogens.
- Ensure PPE is laundered, repaired, replaced, and disposed of as needed to maintain effectiveness, at no cost to the employee.
- Provides employees access to a copy of 8 CCR, §5193, and an explanation of its content, as required by the training requirement.
- Maintain a sharps injury log and database as appropriate.

Employees

- Assume responsibility for their health and safety.
- Demonstrate an understanding of which tasks they perform that have potential occupational exposure to bloodborne pathogens.
- Observe universal precautions at all times.
- Properly use, clean, maintain and wear personal protective equipment and clothing.
- Decontaminate equipment prior to repair, service, or shipment after contact with blood or other potentially infectious materials.
- Decontaminate their equipment, including vehicles and emergency vehicles after contact with blood or other potentially infectious materials.
- Attend and participate in annual education and training.

- Plan and conduct work tasks in accordance with the engineering and work practice controls.
- Accept or decline the County's offer of pre-exposure hepatitis B vaccination.
- Report all actual or suspected occupational exposure incidents immediately, within 24 hours.
- Follow all procedures for post-exposure evaluation and testing.
- Provide accurate information to appropriate personnel, when necessary.

Program Administration

The Administrative Sergeant is responsible for the implementation of the ECP. The Administrative Sergeant will maintain, review, and update the ECP at least annually, and whenever necessary to include new or modified tasks and procedures. Contact location/phone number: WBCF / (530)265-1291.

Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this ECP.

The Administrative Sergeant will provide and maintain all necessary personal protective equipment (PPE), engineering controls (e.g., sharps containers), labels, and red bags as required by the standard. The Administrative Sergeant will ensure that adequate supplies of the aforementioned equipment are available in the appropriate sizes. Contact location/phone number: WBCF / (530)265-1291.

The Professional Standards Unit will be responsible for ensuring that all medical actions required by the standard are performed and that appropriate employee health and OSHA records are maintained. Contact location/phone number: Professional Standards Unit / (530) 265-1598.

The Administrative Sergeant and Compliance Officer will be responsible for training, documentation of training, and making the written ECP available to employees, OSHA, and NIOSH representatives. Contact location/phone number: WBCF / (530)265-1291.

Employee Exposure Determination

The following is a list of all job classifications at our establishment in which all employees have occupational exposure:

Job Title	Department/Location
Cook	Kitchen / WBCF
Cook Supervisor	Kitchen / WBCF
Correctional Officer	Jail Division / WBCF / Truckee
Correctional Sergeant	Jail Division / WBCF / Truckee

Executive Lieutenant	Jail Division / WBCF / Truckee
Jail Commander	Jail Division / WBCF / Truckee
Maintenance	Maintenance / WBCF / Truckee
Operations Lieutenant	Jail Division / WBCF / Truckee

The following is a list of job classifications in which some employees at our establishment have occupational exposure. Included is a list of tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure may occur for these individuals.

Job Title	Task/Procedure
Compliance Officer	Inmate Control, First Aid Procedures, Property and Cell Searches, Laundry
Cook	Procedures of Cooking, First Aid Procedures
Cook Supervisor	Procedures of Cooking, First Aid Procedures
Correctional Officer	Inmate Control, First Aid Procedures, Property and Cell Searches, Laundry
Correctional Sergeant	Inmate Control, First Aid Procedures, Property and Cell Searches, Laundry
Executive Lieutenant	Inmate Control, First Aid Procedures, Cell Searches
Jail Commander	Inmate Control, First Aid Procedures, Cell Searches
Lobby Officer	First Aid Procedures, Searches of Restrooms / Lobby
Maintenance	Sewer Maintenance, Cleaning Spills
Operations Lieutenant	Inmate Control, First Aid Procedures, Cell Searches
Transportation Officer	Inmate Control, First Aid Procedures, Property, and Cell Searches

Inmate Control includes, but is not limited to:

a. Use of Force
b. Inmate Pat Searches

Methods of Implementation and Control

Engineering Controls

It is the policy of the Nevada County Sheriff's Office Corrections Division to select appropriate and effective engineering controls to prevent or minimize exposure incidents. Engineering controls means controls (e.g., sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection) that isolate or remove the bloodborne pathogens hazard from the workplace.

The Correctional Facilities have procedures for identifying and selecting appropriate and effective engineering controls when appropriate, which may include:

- Setting up a process
- Defining needs
- Gathering information
- Testing and selecting products

- Using new products
- Conducting follow up on the effectiveness of selected controls

Sharps disposal containers are inspected and maintained or replaced by the Jail Medical Provider whenever necessary to prevent overfilling. Sharps containers are located in the Pre-Booking room and the Medical Unit. There are also Sharp collection tubes located in Booking.

Dustpans, mops, and brooms are located in each housing unit, booking, kitchen, medical, and maintenance.

Sanitary napkin containers with plastic liners are located in all women's restrooms.

Work Practice Controls

In conjunction with engineering controls, work practices and procedures are necessary to minimize or eliminate unprotected exposure to bloodborne pathogens. Compliance with these practices and procedures is mandatory. Supervisors are responsible for implementing, evaluating, and monitoring compliance by their subordinates with these work practices. Compliance is mandatory for all employees covered by the ECP.

Universal Precautions

All employees will utilize universal precautions. Universal Precautions incorporates a range of operational and engineering controls designed to eliminate or minimize employee exposure to bloodborne pathogens. Since there is no way to know if an arrestee, inmate, or injured person is infected, Universal Precautions must be consistently used for all activities potentially involving exposure to blood, tissue, and body fluids or equipment or materials which may have been contaminated by these substances. The following body fluids are always treated as if infectious for HBV, HCV, or HIV:

- Human blood, blood components, and products made from human blood
- Other Potentially Infectious Materials (OPIM)

In circumstances where it is difficult or impossible to differentiate between body fluid types, those fluids are assumed to be potentially infectious. **The basic Universal Precaution is to handle all human blood, blood components, and OPIM as if they are infectious under all circumstances and for all individuals.**

Handwashing

Handwashing is the single most important means of preventing the spread of infection. The principle of good handwashing is that of using friction to mechanically remove microorganisms.

Wash hands and any other contacted skin surfaces thoroughly for 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with a disposable paper towel or electric dryer. Use a paper towel to turn off the

faucet. All manually controlled faucets are considered contaminated. Dispose of single-use or linen towels in appropriate containers. When running water is not available, use an antiseptic hand cleanser and clean towels or antiseptic towelettes.

When to wash hands:

- Immediately after any accidental skin contact with blood, body fluids, drainage from wounds, or other soiled garments, objects, or surfaces;
- Immediately after removing gloves, gowns or smocks, or other PPE;
- Immediately after decontaminating the worksite;
- Before eating, drinking, feeding, or smoking;
- Before handling food, cooking utensils, or kitchen equipment;
- Before and after using the toilet or diapering; and
- Prior to leaving the facility.

The hand-washing supplies are available to those exposed to blood or OPIM. If hand-washing facilities are not feasible, an antiseptic cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes to remove the blood or OPIM will be provided. If these alternatives are used, wash hands with soap and running water as soon as feasible.

Handwashing supplies are located in all restrooms, kitchen, medical, staff briefing, and booking. Replacement supplies are located in the property storage room.

Hand sanitizer is also located at A, B, and N section pod control, booking, medical, lobby, and in the kitchen.

In addition to handwashing supplies, there are showers in the staff locker rooms and an eyewash station in the kitchen.

Personal Protective Equipment (PPE)

PPE is provided to our employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by Target Solutions, during First Aid Training, and training is given to staff by the jail medical provider. PPE is considered appropriate if it does not permit blood or OPIM to pass through to the employee's work clothes, street clothes, or undergarments; skin; eyes, or other mucous membranes under normal working conditions and for the duration of time that PPE is used.

The types of PPE available to employees are as follows:

- Gloves: Non-Latex and Utility Gloves
- Eye Protection
- Face Protection
- Disposable Gowns
- Shoe Covers

- Disposable CPR Devices
- Face Spit Hoods (for inmates)

PPE is strategically located with ease of access within each pod, booking, medical unit, prebooking, kitchen, and maintenance where exposure may exist. Replacements are located in the property room. The Administrative Sergeant is responsible for ensuring that there is an adequate amount of PPE supplies available for all employees. The Sergeant or Officer in Charge is responsible for ensuring PPE is available to all employees.

All employees using PPE must observe the following precautions:

a. Wash hands immediately or as soon as feasible after removing gloves or other PPE.
b. Remove PPE after it becomes contaminated and before leaving the work area.
c. Used PPE may be disposed of in the appropriate storage containers, laundry, decontamination container, or disposal area.
d. Use disposable, single-use nitrile or latex gloves whenever it is reasonably anticipated that there may be hand contact with blood or OPIM, and when handling or touching contaminated items or surfaces; replace gloves if torn, punctured, or contaminated, or if their ability to function as a barrier is compromised.
e. Utility gloves may be decontaminated for reuse if their integrity is not compromised; discard utility gloves if they show signs of cracking, peeling, tearing, puncturing, or deterioration.
f. Never wash or decontaminate disposable gloves for reuse.
g. Leather gloves may be decontaminated for reuse provided the integrity of the glove is not compromised. Leather gloves are to be discarded if they are cracked, peeling, torn, punctured, or exhibits other signs of deterioration or when their ability to function as a barrier is compromised. Note: Discard leather gloves if grossly contaminated. They are not to be used as PPE against bloodborne pathogens. Therefore, if exposure is possible, latex or nitrile gloves should be worn under the leather gloves.
h. Wear appropriate face and eye protection when splashes, sprays, spatters, or droplets of blood or OPIM pose a hazard to the eye, nose, or mouth.
i. Remove immediately or as soon as feasible any garment contaminated by blood or OPIM, in such a way as to avoid contact with the outer surface.

Housekeeping

Any surface soiled by blood or other potentially infectious materials will be cleaned and decontaminated as soon as possible after such contact with an approved disinfectant, effective for eliminating causative agents of communicable

and infectious diseases, and at the end of the work shift if the surface may have become contaminated since the last cleaning. Cleaning procedures shall be conducted in such a manner that does not unnecessarily cause splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.

Commercial germicides with an Environmental Protection Agency (EPA) registration number(s) capable of killing hepatitis B, hepatitis C, HIV, and methicillin-resistant staphylococcal aureus (MRSA) on surfaces, tuberculosis on surfaces, or 1-part household bleach to 10-parts water is used to clean and disinfect.

The following procedures will be used to clean up blood or OPIM:

a. Put on gloves and other personal protective equipment as appropriate.
b. Follow the instructions in the Bloodborne Pathogens spill clean-up kit (if available).
c. If a spill kit is unavailable, place paper towels or rags over the spill. Using an approved disinfectant or a 1:10 water and bleach solution, gently pour the solution over the spill area and allow 10 to 15 minutes to decontaminate the spill. Try to avoid splattering or splashing the disinfectant. Follow waste disposal procedure for paper towels/rags used in clean-up.
    1. After disposal of soaked materials, wipe spill surface area with disinfectant.
    2. If the spill area is a fabric-covered surface (for example, a chair or carpet), contact Facilities Management so that further measures can be taken.
    3. Soak mops or other non-disposable items in the disinfectant.

All bins, pails, cans, and similar receptacles which are intended for re-use will be cleaned as soon as possible after contamination by blood or other potentially infectious material with an approved disinfectant effective for eliminating causative agents of communicable and infectious diseases These containers will be cleaned preventatively with an approved disinfectant, effective for eliminating causative agents of communicable and infectious diseases, at least one time per week.

a. Correctional Officers are responsible for inspecting such containers to ensure there are no leaks. Defective containers will be replaced immediately. Inspections will be documented, and this documentation retained by the Compliance Officer.

Broken glassware which may be contaminated shall not be picked up directly with the hands. It shall be cleaned up using mechanical means such as a brush and a dustpan or a similar method.

Contaminated sharps are discarded immediately or as soon as possible in closable containers, puncture-resistant, leak-proof on sides and bottoms, and

appropriately labeled or color-coded. Sharps disposal containers are available in Pre-Booking and Medical. Sharps containers are always easily accessible and close to the immediate area of need where sharps of any kind are used.

Laundry

All contaminated laundry shall be collected in a water-soluble bag or leak-proof red bio-hazard bags and placed in leak-proof labeled red containers. Red plastic bags shall be marked with the word BIOHAZARD and display the international symbol for biohazardous material (Figure 1)

Laundering of inmate jail-issued laundry items, rags, mop heads, or dust mop heads will be performed by the inmate laundry orderly(s) at WBCF.

Employees and inmates who handle contaminated laundry shall wear protective gloves and other appropriate protective equipment. All contaminated laundry shall be collected using the following procedures.

Jail issued laundry items, rags, mop heads, or dust mop heads:

a. The items shall be placed in a water-soluble bag or red biohazard bag, if the item is wet or saturated, and tied closed.
b. The water-soluble bag or red bio-hazard bag shall be taken immediately to the laundry room for cleaning.

Correctional Officer and Cook uniforms:

a. Contaminated clothing should be removed as soon as reasonably feasible. The items shall be placed in a water-soluble bag or red bio-hazard bag and tied closed.
b. Any Correctional Officer or Cook's uniform that is salvageable should be washed in soap and hot water as soon as reasonably possible. Dry cleaning may be necessary. The cost of dry cleaning shall be paid according to labor contract agreements.
c. Any Correctional Officer or Cook's uniform that is unsalvageable will be inventoried, discarded, and replaced. The cost of the replacement shall be paid according to the labor contract agreements.
d. Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of the replacement shall be paid according to the labor contract agreements.

Any wet or saturated laundry items:

a. A red bio-hazard bag will be used in substitution of the water-soluble bag when handling wet or saturated laundry items. Whenever a large amount of fluid blood is present, an absorbent powder should be used to gelatinize the fluid, which should assist in clean up.

Regulated (Infectious) Waste

Regulated waste includes:

a. Liquid or semi-liquid blood or other potentially infectious materials.
b. Contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed.
c. Items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling.
d. Contaminated sharps (needles, glass, etc.).
e. Pathological and microbiological wastes containing blood or other potentially infectious materials.

Handling

a. Any of the substances in sections “a” through “d” above must be placed in closable containers, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport, and shipping.
b. Regulated waste is not to be disposed of in the same manner as normal waste. Regulated waste must be disposed of in accordance with local, state, and federal regulations.
c. A regulated waste bin is located in the Medical Unit.
d. Urine, vomit, or feces will be disposed of using the sanitary sewer system.

Prohibited Practices

a. In work areas where there is a reasonable likelihood of exposure to a bloodborne pathogen or OPIM, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses.
b. Food and beverages are not to be kept in refrigerators, freezers, shelves, or cabinets or on countertops or benchtops where a bloodborne pathogen or OPIM is present.
c. All procedures are to be conducted in a manner that will minimize splashing, spraying, splattering, and generation of droplets of blood or OPIM.
d. Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared, or purposely broken. If needles or syringes are found, they should be handled with caution and placed in a biohazard sharps container.
e. Needle clippers and other devices that shear, bend, or break contaminated needles are prohibited from use.
f. Reusable sharps that are contaminated with blood or OPIM will not be stored or processed in a manner that will require an employee to reach by hand into the container where these sharps have been placed.

g. Broken glassware that may be contaminated will not be directly handled with a gloved or bare hand. It will be handled by mechanical means (tongs, dustpan, and broom). Contaminated broken glass is to be placed in puncture-resistant containers and disposed of as biohazardous waste.

Hazard Communication

Warning labels with the legend BIOHAZARD or the international biohazard symbol are required to be affixed to refrigerators and freezers containing blood or OPIM, and all other containers used to store, transport, or ship blood or OPIM (Figure 1).

a. The labels are fluorescent orange or orange-red or predominantly so, with lettering and symbols in a contrasting color.
b. Labels are either an integral part of the container or are affixed as close as feasible to the container by string, wire, adhesive, or other methods that prevents their loss or unintentional removal.
c. Red bags or red containers may be substituted for labels except for sharp containers or regulated waste red bags. The following items do not require hazard labels/signs:
    1. Individual containers, tubes, and specimen cups of blood or OPIM are placed in biohazard labeled bags or containers for storage, transport, shipment, or disposal.
    2. Primary specimen containers, as all staff is trained to use Universal Precautions when obtaining and handling blood or OPIM specimens.
d. Employee training will include training on the hazard communication system.

Training

The Professional Standards Unit, Wayne Brown Correctional Facility, and the jail medical provider will provide training to all employees who are at risk for exposure to bloodborne pathogens or OPIM. This training is provided at no cost to the employee and during work hours. Training is given as follows:

a. At the time of initial assignment to tasks where occupational exposure may take place as soon as possible for currently employed workers.
b. At least annually after the initial training.
c. When there is the introduction of new engineering, administrative, or work practice controls and whenever modifications of current tasks may affect the potential occupational exposure to bloodborne pathogens.

Information and training of individuals who are not Nevada County Sheriff's Office employees (contract workers, etc.) will be provided by the affected outside agency or as specified in the contract. The County of Nevada monitors the outside agency for compliance with the information and training requirement.

Training is appropriate in content and vocabulary to the educational level, literacy, and language of employees. The training program includes information and explanations of at least the following:

- Epidemiology, symptoms, and modes of transmission of bloodborne diseases
- BBPECP and how to obtain a copy of the written plan
- Appropriate methods for recognizing tasks and activities that may involve exposure to blood or OPIM
- Use and limitations of methods that will prevent or reduce exposures, including appropriate engineering, administrative or work practice controls, and PPE
- The basis for the selection of PPE
- Types, proper use, location, removal, handling, decontamination, and disposal of PPE
- HBV vaccination series, including its efficacy, safety, method of administration, benefits, and the fact that the vaccination will be offered to employees free of charge
- Appropriate actions to take and persons to contact in an emergency involving blood or OPIM
- Procedure to follow if an exposure incident occurs, including the:
    - Method of reporting the incident
    - Medical follow-up that will be made available
    - Procedure for recording the incident in the sharp's injury log
- Post-exposure evaluation and follow-up that will be made available to employees
- Signs, labels, and/or color-coding that is used

In addition to the above-mentioned information, supervisors provide employees access to a copy of 8 CCR, §5193, and an explanation of its content, as required by the training requirement.

The person conducting the training is knowledgeable of the standard, the County's BBPECP and HBV, HCV, and HIV and is able to relate the requirements to employee exposures and concerns.

Recordkeeping

Bloodborne Pathogens Medical Records

Medical records pertaining to exposure incidents are maintained by the Professional Standards Unit, separate from regular personnel/employment files unless otherwise directed by the County Executive Officer (CEO). Each medical record includes:

- The name of the employee and identification number (e.g., social security number)

- A copy of the employee's HBV vaccination status including the dates of all HBV vaccinations, declination statements, and medical records relative to the employee's ability to receive vaccinations
- A copy of all results of examinations, medical testing, evaluation, and follow up of exposure incidents
- A copy of the health care professional's written opinion as required following an exposure incident

The Nevada County Sheriff's Office ensures employee medical records are kept confidential and are not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by this program and by law.

The Nevada County Sheriff's Office maintains employee health records, as required by this section, for at least the duration of employment plus 30 years, meaning during the entire employment period and 30 years after the last date of work.

Employee medical records are provided upon request of the employee or to anyone having written consent of the employee within 15 working days. Such requests should be sent to the Professional Standards Unit.

Bloodborne Pathogens Exposure Records

The Professional Standards Unit maintains employee exposure records, as required by this section, for 30 years as required by 8 CCR, §3204, Access to Medical and Exposure Records.

Exposure records include the Sharps Injury Log, Cal/OSHA Form 300, Cal/OSHA Form 300 Privacy Concern Cases List (Confidential Form 300), and the First Aid and Exposure Incident Investigation Report providing details of the exposure incident.

Training Records

Bloodborne pathogens training records are maintained by the Professional Standards Unit for a minimum of three years as required by 8 CCR, §5193. (It is a best practice to maintain them as part of the permanent personnel file). At a minimum, training records include:

a. Dates of the training session
b. Contents or a summary of the training session
c. Names and qualifications of persons conducting the training sessions
d. Names and job titles of persons attending the training

Employee training records are provided upon request to the employee or the employee's authorized representative within 15 working days. Such requests should be addressed to the Professional Standards Unit.

First Aid and Exposure Incident Report

Staff is to report all exposure incidents as soon as possible (and in no case later than the end of the work shift during which they occurred) regardless of whether first aid was rendered. Supervisors will investigate and document all incidents involving the exposure of blood or OPIM on the *Bloodborne Pathogen Exposure Incident Investigation Report*.

A *first aid* incident means an incident in which an employee performs first-aid where blood, body fluids, or OPIMs are involved. (A first-aid incident may or may not be an exposure incident depending on the nature of the exposure while providing first aid. First aid includes CPR).

An *exposure event* means a specific eye, mouth, other mucous membranes, non-intact skin, or parenteral contact with blood or OPIM that results from the performance of an employee's duties. All employees (including designated first aid providers who provide first aid regularly and those who render first aid only as collateral duty) receive training about this policy.

During normal working hours, the following individuals are designated by the County of Nevada to receive reports of exposure incidents:

a. Managers
b. Supervisors
c. Risk Manager

Investigations include the following information:

a. A description of the exposure or first aid incident involving blood or body fluids, including:
    1. The time and date
    2. A determination of whether an exposure incident occurred. This determination is necessary to ensure the proper post-exposure evaluation is conducted and prophylaxis and follow-up are made available immediately if an exposure incident has occurred.
    3. Work Practices followed
    4. Engineering controls
    5. Procedure performed when the incident occurred.
    6. The person receiving the report
    7. Contact number
b. Offer by the Professional Standards Unit of HBV to all unvaccinated first aid providers who rendered assistance within 24-hours of the incident.

Sharps Injury Log

All parenteral (piercing or lacerations) contacts that occur in the workplace are reported on the sharps injury log and recorded within 14 days of the incident by the supervisor

(Form #1). The data recorded includes the following information, if known or reasonably available:

a. Date and time of the exposure incident;
b. Type and brand of the sharp involved;
c. The procedure the exposed employee was performing at the time of the incident;
d. How the incident occurred;
e. The body part involved in the incident;
f. If the sharp had engineered sharps injury protection, whether the mechanism was activated and whether the injury occurred before the protective mechanism was activated, during activation of the mechanism, or after activation of the mechanism, if applicable;
g. If the sharp had no engineered sharps injury protection, the employee's opinion as to whether and how such a mechanism could have prevented the injury and the employee's opinion about whether any other engineering, administrative, or work practice control could have prevented the injury;
h. The employee's opinion about whether any other engineering, administrative, or work practice control could have prevented the injury; and
i. The required information is recorded by the supervisor in accordance with the requirements of the Employer Records of Occupational Injury or Illness regulation, known as the California record keeping standard. Supervisors complete the following forms:

    1. Sharps Injury Log for all exposure incidents involving sharps
    2. Log of Work-Related Injuries and Illnesses, Cal/OSHA Form 300 for all sharp's injuries a required by 8 CCR, §14300
    3. Log of Work-Related Injuries and Illnesses, Cal/OSHA Form 300 marked Confidential Privacy Concern Case List as required by 8 CCR, §14300

Public Health makes periodic determinations on the frequency of use and the types, models, or brands of sharps involved in the exposure incidents documented on the sharp's injury log.

This log is reviewed as part of the annual program evaluation and maintained for at least five years following the end of the calendar year covered. If a copy is requested by anyone, personal identifiers will be removed from the report.

Medical Surveillance Program

Hepatitis B Vaccination

A safe and effective vaccine is available to protect employees from HBV. The vaccine is generally well tolerated and has not been associated with serious side effects. Immunization requires three injections of vaccine into the muscle of the upper arm over a six-month period.

The Nevada County Sheriff's Office strongly encourages pre-exposure HBV vaccination and makes the vaccination series available to all employees who have occupational exposure to blood or OPIM without regard to the use of PPE.

The Nevada County Sheriff's Office offers the HBV vaccine to all employees who are at risk of occupational exposure to bloodborne pathogens and within 10 working days of hire or reassignment to a job or tasks that place the employee at risk.

Post-exposure vaccination series is offered to collateral first aid providers by the employee's department as soon as possible but no later than 24 hours after the employee has rendered assistance.

If the employee initially declines the HBV vaccination but at a later date while still covered under the standard decides to accept the vaccination, the vaccination is provided to the employee at that time and at no cost to the employee.

Any employee who declines the HBV vaccination must sign the mandatory declination statement as required by Cal/OSHA. The Professional Standard unit maintains the declination statements unless otherwise directed by the CEO. The Nevada County Sheriff's Office encourages employees that accept the offer to sign an acceptance statement.

Vaccinations are offered and:

a. Provided at no cost to the employee; the cost is absorbed by the department.
b. Made available at reasonable times during normal work hours and in an accessible location.
c. Performed by or under the supervision of a licensed physician or by another licensed health care professional.
d. Provided according to current recommendations of the U.S. Public Health Service.

Vaccinations are provided by:

a. Yuba Docs Urgent Care; or
b. Tahoe Forest Occupational Health Services.

There is no current recommendation for booster doses. Should booster doses be recommended in the future, they will be offered to the employee based on the medical determination of need.

All employee blood drawn for serological testing is sent to an accredited laboratory for testing at the expense of the Nevada County Sheriff's Office. Blood is collected for testing by:

a. Yuba Docs Urgent Care;

b. Tahoe WoRz Health Services Clinic; or
c. The local emergency room after hours.

Screening

Pre-screening before receiving the HBV vaccination is not mandatory and is not routinely performed.

Category I employees (and Category II employees at the department head's discretion) are tested within two months of completion of the three-dose vaccination series for anti-HBVs. Employees who do not respond to the primary vaccine series are evaluated to determine if they are HBVsAg positive. Employees who prove to be HBVsAg-positive are counseled by the vaccine provider regarding how to prevent HBV transmission to others and regarding the need for medical evaluation. Employees who are negative HBVsAg and anti-HBVs are provided a second vaccination series. Revaccinated employees are retested for anti-HBVs at the completion of the second series.

Post-Exposure Evaluation and Follow-Up

In the event of an exposure incident, supervisors are to offer the employee a confidential medical evaluation and follow-up immediately, or as soon as possible following knowledge of the exposure incident. All post-exposure evaluation and follow-up are performed at one of the designated medical providers/clinics.

Yuba Docs Medical Group, Inc.
(Yuba Docs Urgent Care)
2090 Nevada County Highway
Grass Valley, CA
(530) 274-5020

Tahoe WoRz –
Health Services Clinic
10956 Donner Pass Rd, #230
Truckee, CA
(530) 582-3277

Following an exposure incident and when permissible, the supervisor and employee will complete the following paperwork:

a. *Workers' Compensation (WC) Claim* Packet
https://nevcounty.sharepoint.com/:f:/r/sites/sfprivate/Documents/Workers%20Compensation?csf=1&web=1&e=K5xc8K

1. *DWC-1*
2. *Medical Treatment Authorization*
3. *WC Temporary Prescription ID Card*
4. The *Report of Industrial Injury* form
5. The *Accident/Incident Investigation* form
6. *Receipt of the DWC-1* form
7. *WC Checklist*

The supervisor will also give the employee a copy of the job description, the *Medical Status Report,* and the *Physical Capabilities to Perform Duties of a Correctional Officer* (Correctional Staff Only).

If the exposure is determined to be "Significant", the supervisor will complete the following paperwork, along with the paperwork required above:

a. *CDPH form 8479* and submit it to the address on the form. https://www.cdph.ca.gov/Programs/PSB/Pages/AIDS.aspx
   Bloodborne Pathogen Exposure Incident Investigation Report https://nevcounty.sharepoint.com/:f:/r/sites/sfprivate/Documents/Workers%20Compensation?csf=1&web=1&e=K5xc8K
b. If a sharp is involved, *Document Sharps Injuries* (Form #1)

All paperwork is submitted to the Operations or Executive Lieutenant, Professional Standards Unit, Human Resources, and Risk Management.

If the source individual is an inmate, the following procedure will be followed:

a. Fill out BBP Exposure packet, work comp paperwork and refer exposed personnel for urgent consultation with the Occupational Health provider (Yuba Docs, Tahoe WoRx). Occupational Health to determine the need for PEP or not.
b. Notify Health Officer.
c. Notify Occupational Health of the need for testing and the name of exposed personnel. If Occupational Health is closed, exposed personnel to go to SNMH or TFH for treatment.
d. Arrange a meeting (remotely if needed) between the Health Officer and source inmate.
    1. Health Officer to ask source inmate if he/she will voluntarily consent for a blood draw for HIV, Hepatitis B, and Hepatitis C testing and if they want the test results.
    2. If the source inmate agrees to the blood draw, have the source inmate sign consent form Jail HS 121060 https://nevcounty.sharepoint.com/:f:/r/sites/sfprivate/Documents/Workers%20Compensation?csf=1&web=1&e=K5xc8K. Fax or scan signed consent form to Health Officer for their signature. Once signed by all parties, scan into source inmate's multimedia in the jail management system.
    3. If the source inmate declines to sign, notify command staff so a Court Order can be obtained.
e. Obtain signed standing blood test order from the Health Officer for HIV Ab (rapid if available), HBsAg, and Hep C antibody. Results will go to NCPHD confidential CD fax at 530-271-0836 with a note for results to go Attn: Health Officer.
f. Source inmate to be transported to Occupational Health. If the source inmate cannot be transported to Occupational Health, call Dispatch and request a phlebotomist.
g. The phlebotomist will use two "tiger top" vials.

h. The jail medical provider personnel will spin the vials within one (1) hour.
    1. Vials to be taken to Occupational Health immediately after or placed in bio-hazard fridge in the front lobby until business hours resume.

Once the results have been obtained, the Health Officer will call or fax the results to Occupational Health and, if requested, will notify the source inmate of the results. Occupational Health will determine the continued care of the exposed personnel.

If the source individual is not an inmate, the following procedure will be followed:

a. Discussion with County Counsel for any legal advice needed in obtaining the source individual's consent. When a source is identifiable, that individual's blood is tested as soon as feasible and after consent is obtained, (Form #6), to determine HIV, HBV, and HCV infectivity. If consent is not obtained, the County establishes that consent cannot be legally obtained.
b. When the source individual's consent is not required by law, that individual's blood, if available, may be tested and the results documented.
c. Consultation and testing of the source individual will be done at the request of the exposed employee through the source's private physician.
d. If the source individual is known to be infected with HIV, HBV, or HCV, testing to determine such status need not be repeated.
e. Results of the source individual's testing will be made available to the exposed employee and the employee will be informed of laws/regulations regarding the privacy rights of the source individual. The results of the source individual's blood test and employee's blood test are confidential and will be known only to the health care provider and the exposed employee.

Employee Testing and Treatment

Counseling and other features of post-exposure evaluation are offered whether or not the employee elects to have baseline HIV/HBV/HCV serological testing. If the employee consents to baseline blood collection but does not give consent to HIV serological testing, the sample is preserved for at least 90 days as required by law. If within 90 days of the exposure incident, the employee gives written consent to have serologic testing performed on the baseline sample, testing is ordered by the health care provider as soon as it is feasible.

Post-exposure prophylaxis (hepatitis B immune globulin for hepatitis B) is provided by one of the medical providers/clinics when medically indicated according to the recommendations of the U.S. Public Health Service current at the time prophylaxis is administered.

The costs of tests, treatment, and prophylaxis of employees are covered by the County's Workers' Compensation coverage administrator. Cost of tests, treatment, and prophylaxis of individuals who are not County employees (contract worker, registry, student, etc.) is the responsibility of the affected outside agency or as specified in the

contract between the County and the outside agency. The outside agency/individual is responsible for compliance with the post-exposure evaluation and follow-up treatment of its employees.

Additional collection and testing are made available as recommended by the U. S. Public Health Service.

Information Provided to the Licensed Health Care Professional

The Nevada County Sheriff's Office will provide the licensed health care professional (LCHP) responsible for the County's HBV vaccination program and/or post-exposure evaluation with the following information:

a. A copy of Cal/OSHA's Bloodborne Pathogens Standard (8 CCR, §5193)
b. A written description of the exposed employee's duties as they relate to the exposure incident
c. Written documentation of the route of exposure and circumstances under which exposure occurred
d. Results of the source individual's blood testing, if available; and
e. All medical records relevant to the appropriate treatment of the employee including vaccination status

Licensed Health Care Professional's Written Opinion

The employee's department obtains and provides the employee with a copy of the evaluating LHCPs written opinion within 15 days of the completion of the evaluation.

The LHCPs written opinion for HBV vaccination is limited to whether HBV vaccination is indicated for an employee and if the employee has received such vaccination.

The LHCPs written opinion for post-exposure follow-up is limited to the following information:

a. A statement that the employee has been informed of the results of the evaluation
b. A statement that the employee has been told about any medical conditions resulting from exposure to blood or OPIM that require further evaluation or treatment.

Note: All other findings or diagnoses remain confidential and are not included in the written report.

Access to Records and Transfer of Records

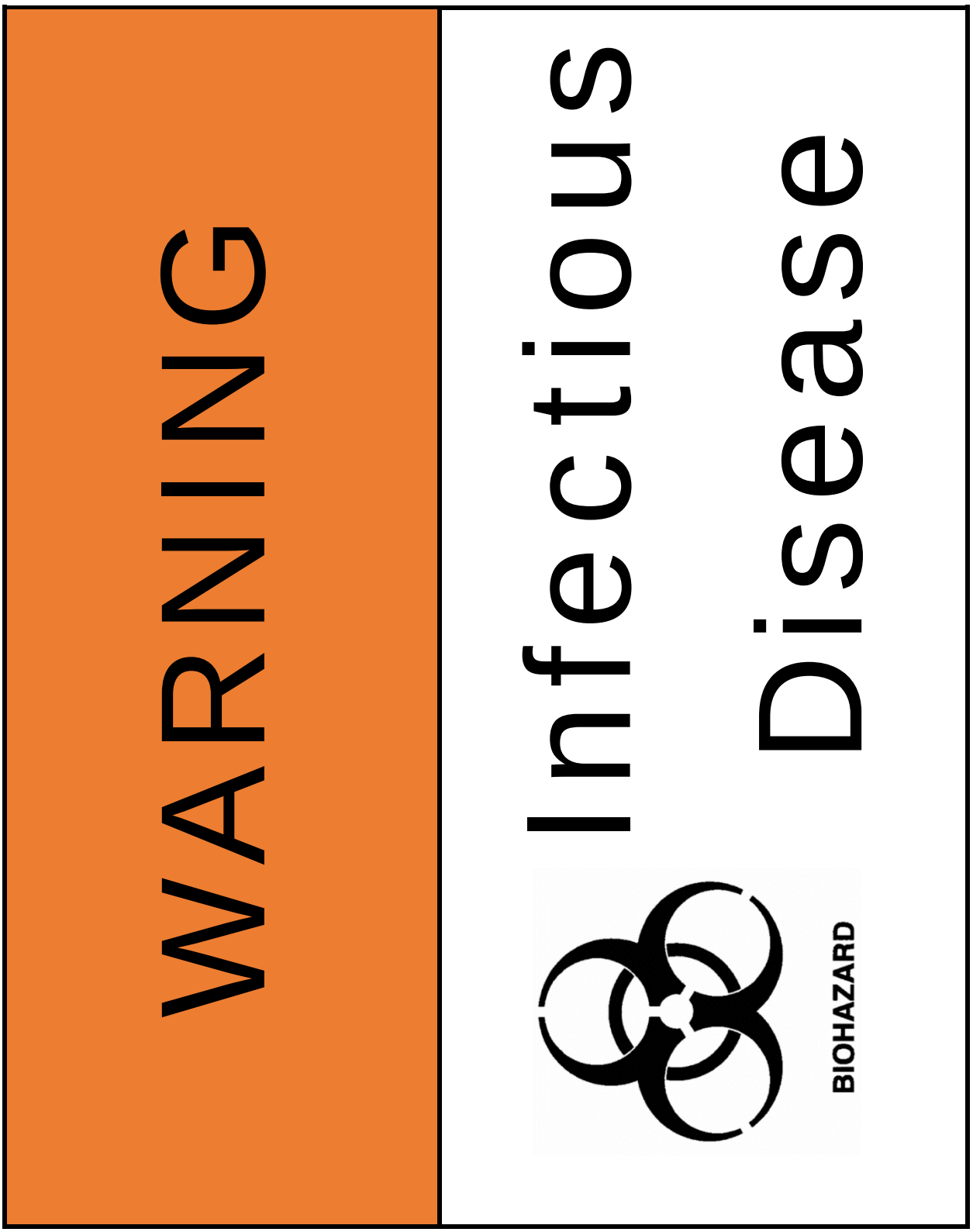
All relevant exposure and confidential medical records to the Assistant Secretary of Labor for the Occupational Safety and Health Administration, the Director of Cal/OSHA or designee, and the Director of the National Institute for Occupational Safety and Health (NIOSH) will be provided upon request.

All personal employee medical records and exposure records are available in accordance with Title 8, California Code of Regulations, §5193, and §3204, Access to Medical and Exposure Records. Exposure records include but may not be limited to the ECP and Cal/OSHA Forms 300 and 301, a separate Form 300 for “privacy” cases, First Aid Bloodborne Pathogens Incident Report, and the Sharps Injury Log.

Record	May Include These and Others	Provide When Requested
All Training, Medical, and Exposure Records	• Exposure Control Plan (ECP) • Injury and Illness Prevention Plan (IIPP)	• Director of Cal/OSHA • Director of the National Institute for Occupational Safety and Health (NIOSH
Training	• BBPECP • IIPP	• Employee • Employee Representative
Medical Records	• Blood Test Results • Medical Examinations	• Employee • Designated Representatives
Exposure Records	• Cal/OSHA Form 300 • Cal/OSHA Form 301 • Sharps Injury Log • Incident Investigation	• Employee/Former Employee • Designated Representatives

If the County ceases to exist and there is no successor employer to receive and retain the records for the prescribed period, the Risk Manager will contact the director of NIOSH for final disposition.

Figure 1:



Form #1

Sharps Injury Log

Facility Name:	Year:

Date	**Incident Report #**	**Type of Device** [e.g., syringe, needle, etc.]	**Brand Name of Device**	**Work Area where injury occurred** [e.g., booking, cell, etc.]	**Brief description of how the incident occurred** [i.e., procedure being done, action being performed (pat-down, search), and body part injured]

29 CCR 1910.1030, OSHA's Bloodborne Pathogens Standard, in paragraph (h)(5), requires an employer to establish and maintain a Sharps Injury Log for recording all percutaneous injuries in a facility occurring from *contaminated* sharps. The purpose of the Log is to aid in the evaluation of devices being used in healthcare and other facilities and to identify problem devices or procedures requiring additional attention or review. This log must be kept in addition to the injury and illness log required by 29 CCR 1904. The Sharps Injury Log should include all sharps injuries occurring in a calendar year. The log must be retained for five years following the end of the year to which it relates. The Log must be kept in a manner that preserves the confidentiality of the affected employee.

NCSO SAMPLE MEMO.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Date: June 30, 2020

To: Sheriff Shannan Moon

From: Undersheriff Alicia Burget

Subject: Employee Recognition

The following employees have been nominated to receive an employee recognition award. Please let me know if you have any additions to add to the list or any reservations regarding those currently on the list.

John Doe

Jane Doe

The awards ceremony is scheduled for July 31, 2020.

NCSO SAMPLE LETTER WITH TWO PAGES.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

January 29, 2019

Addressee
Addressee's Address
City, State 99999

Re: Employee kudo

Dear Addressee:

Today your employee, Jane Doe, participated as a panelist for oral board interviews conducted in order to fill a vacancy in our Communication's Center. Ms. Doe's assistance was much appreciated. Her presence added another perspective, aiding us in selecting the best dispatcher candidate. She represented your department (agency) admirably.

I appreciate your authorization to Ms. Doe to leave her post and assist us with our search for a new employee. We are at the ready to return the favor should you need it.
More talking to fill up the page, more and more and more and more and more and more……
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More talking to fill up the page, more and more and more and more and more and more……
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…….(the end).
Sincerely,

Shannan Moon
Sheriff-Coroner

_____
Alicia Burget
Administrative Captain

Medical Form of Physical Capabilities of Correctional Officer.pdf

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NEVADA COUNTY SHERIFF'S DEPARTMENT - CORRECTIONS DIVISION
PHYSICAL CAPABILITIES TO PERFORM DUTIES OF CORRECTIONAL OFFICER

NAME: _____

Attending Physician: Please complete the following form, listing percentages of duties the Officer is capable of performing for each Job Dimension. (Full duty would be 100%)

1. Able to lift and carry with a partner 165 lb. weight on a stretcher for a distance of 75 ft or more.

   _____

2. Ability to quickly drag a 165 lb. bag or dummy by the handle or strap for a distance of 20 feet or more, over a rough surface.

   _____

3. The ability to walk briskly 15 feet or more while carrying a 30 lb. air pack on their back.

   _____

4. Ability to walk briskly or jog 150 feet through a course which includes climbing up and down a flight of stairs.

   _____

5. The ability to sprint a distance of 50 yards.

   _____

6. The ability to kneel for an extended period of time to perform CPR/First Aid.

   _____

7. The use of arms and shoulders to perform repeatedly the pushing and pulling of doors which require the exertion of 25-35 lbs.

   _____

8. The ability to restrain inmates during altercations and perform weaponless self-defense maneuvers.

   _____

9. Be mentally alert and capable of performing the full duties of a Correctional Officer.

   _____

PER NEVADA COUNTY PERSONNEL CODE SECTION 18.4(B)1, WE ARE A DRUG-FREE WORKPLACE. ANY PRESCRIPTION DRUGS AUTHORIZED BY THE TREATING PHYSICIAN MUST ONLY BE USED AS SPECIFIED BY THE PRESCRIPTION AND THE IMMEDIATE SUPERVISOR SHALL BE INFORMED BY THE EMPLOYEE WHENEVER IMPAIRMENT MIGHT RESULT.

PLEASE LIST ALL MEDICATIONS EMPLOYEE WILL BE TAKING AND ANY EFFECT SAID MEDICATION WOULD HAVE ON DUTY TO PERFORM:

_____
_____
_____
_____

_____ _____

Physician's signature Date

medco.97

_____

Print Physician Name

NEVADA COUNTY SHERIFF'S DEPARTMENT - CORRECTIONS DIVISION
PHYSICAL CAPABILITIES TO PERFORM DUTIES OF CORRECTIONAL OFFICER

NAME: _____

Attending Physician: Please complete the following form, listing percentages of duties the Officer is capable of performing for each Job Dimension. (Full duty would be 100%)

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   _____

2. Ability to quickly drag a 165 lb. bag or dummy by the handle or strap for a distance of 20 feet or more, over a rough surface.

   _____

3. The ability to walk briskly 15 feet or more while carrying a 30 lb. air pack on their back.

   _____

4. Ability to walk briskly or jog 150 feet through a course which includes climbing up and down a flight of stairs.

   _____

5. The ability to sprint a distance of 50 yards.

   _____

6. The ability to kneel for an extended period of time to perform CPR/First Aid.

   _____

7. The use of arms and shoulders to perform repeatedly the pushing and pulling of doors which require the exertion of 25-35 lbs.

   _____

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   _____

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PLEASE LIST ALL MEDICATIONS EMPLOYEE WILL BE TAKING AND ANY EFFECT SAID MEDICATION WOULD HAVE ON DUTY TO PERFORM:

_____

_____

_____

_____ _____

Physician's signature Date

_____

Print Physician Name

Medical Status Report.pdf

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Medical Status Report – Return to Work

Employee Name: _____ **Title**:_____

Attending Physician: Please complete the following form to assist the department in placing the above-name employee in a modified duty assignment that is not to last more than a 90 day period.

PLEASE COMPLETE THE FOLLOWING:

	None	1-2hr	3-5hr	6-8hr	8-10hr	10-12hr
1. sit						
2. stand						
3. walk						
4. bend/stoop						
5. push/pull						
6. climb/squat						
7. reach above						
8. grasping						
9. inmate contact						
10. operate auto						

	None	Up to 10lbs	11-24lbs	25-34lbs	35-50lbs	51-74lbs	75-100lbs	100-175lbs
11. lift/carry								

List any other restrictions or accommodations that need to be met in order to bring this employee back to a modified duty position:

_____

_____

_____

_____

_____ _____

Physician's signature Date

_____ _____

Print Physician Name Phone Number

Medical Status Report – Return to Work

Employee Name: _____ **Title**:_____

Attending Physician: Please complete the following form to assist the department in placing the above-name employee in a modified duty assignment that is not to last more than a 90 day period.

PLEASE COMPLETE THE FOLLOWING:

	None	1-2hr	3-5hr	6-8hr	8-10hr	10-12hr
1. sit						
2. stand						
3. walk						
4. bend/stoop						
5. push/pull						
6. climb/squat						
7. reach above						
8. grasping						
9. inmate contact						
10. operate auto						

	None	Up to 10lbs	11-24lbs	25-34lbs	35-50lbs	51-74lbs	75-100lbs	100-175lbs
11. lift/carry								

List any other restrictions or accommodations that need to be met in order to bring this employee back to a modified duty position:

_____

_____

_____

_____

_____ _____

Physician's signature Date

_____ _____

Print Physician Name Phone Number

Notice Of Administrative Investigation and Interview.pdf

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NEVADA COUNTY SHERIFF'S OFFICE



SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

RE: NOTICE OF ADMINISTRATIVE INVESTIGATION AND INTERVIEW

DATE: _____

FROM: _____

SUBJECT: Notice of Administrative Investigation and Interview.

An investigation of suspected misconduct by an employee or member of this department is being conducted. You have been identified as:

( ) The employee suspected of misconduct. Employees accused or suspected of misconduct should be aware that subsequent investigation/testimony may be used against them in administrative proceedings and may be discoverable pursuant to the Evidence Code. Employees so accused or suspected are entitled to specific procedural rights under Government Code Section 3300 et seq., or pursuant to labor agreements between their bargaining unit and the county. These rights include a right to representation by a person of their choosing who is not involved in the same investigation either as a witness or suspect. If desired, it is the employee's responsibility to secure representation prior to the date and time of the scheduled interrogation.

( ) A witness to the incident. Personnel interviewed as witnesses are neither the subject of the investigation nor is a punitive action proposed or contemplated against the employee as a result of the alleged incident at this time. As this is an administrative inquiry, you are being ordered by the Sheriff to cooperate and answer all questions asked of you truthfully. Failure to cooperate or answer questions truthfully will be deemed as insubordination, and punitive action will be taken. If during the investigation information is discovered wherein punitive action is possible or contemplated, you will be advised of that fact and offered all of those rights afforded to an employee suspected of misconduct. As a witness, you do have the right to representation by a person of your choosing who is not involved in the same investigation either as a witness or suspect. If desired, it is the employee's responsibility to secure representation prior to the date and time of the scheduled interview.

In order to complete this investigation, you are required to furnish a detailed account of your action and/or observations as soon as possible. You are hereby instructed not to discuss the substance of the investigation with anyone with the exception of your attorney or representative.

The Investigator assigned to this investigation will contact you and/or your representative to schedule the date and time of your interview.

Personnel Complaint Form.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE



SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

PERSONNEL COMPLAINT FORM

You have the right to make a complaint against Sheriff's Office personnel for any improper conduct. California law requires this agency to have a procedure to investigate personnel complaints. You have a right to a written description of this procedure. This agency may find after investigation, that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint, and have it investigated if you believe our employee behaved improperly. Personnel complaints and any reports or finding relating to complaints must be retained by this agency for at least five (5) years. (Penal Code 832.5)

REPORTING PARTY'S FULL NAME:_____

MAILING ADDRESS:_____

TELEPHONE NUMBER/S:_____

SUBJECT OF COMPLAINT: If known, include: name, badge number, description, classification, or any identifiers that might help identify the employee) _____

_____

DATE AND TIME OF EVENT/S:_____

LOCATION OF EVENT/S: _____

WITNESSES: (Include full name, address, phone numbers)

_____

_____

DETAILS OF COMPLAINT: (Please be as factually complete as possible.)

_____

_____

_____

Continue on next page

DETAILS OF REPORT CONTINUED

_____

_____

_____

_____

_____

_____

_____

_____

_____I

IF RACIAL OR IDENTITY PROFILING IS PART OF YOUR COMPLAINT, PLEASE CHECK ALL THAT APPLY:

- ____RACE OR ETHNICITY
- ____NATIONALITY
- ____GENDER
- ____AGE
- ____RELIGION
- ____GENDER IDENTITY OR EXPRESSION
- ____SEXUAL ORIENTATION
- ____MENTAL DISABILITY
- ____PHYSICAL DISABILITY

_____

Printed name of Complainant

_____

Signature of Complainant **Date**

##

For Office Use Only

_____

Receiving Employee **Date**

Nevada County Sheriff's Office Personnel Complaint Process

Although not required, it is desirable that you come to the Sheriff's Office to complete a complaint form. Complaints may be made via telephone, mail, email, or any other format. You will be asked to complete as much information as possible to assist us in the investigation of your complaint.

Personnel Complaint

Generally, the supervisor of the employee/s who is the subject of the complaint will investigate the matter and report to the Undersheriff. The Undersheriff will then prepare a written response outlining our findings. We make every effort to send you a written response within 30 days of the date we receive your complaint.

Administrative Investigation

There may be times when the seriousness of the matter brought to our attention leads us to assign your complaint to one of our Administrative Investigators. All information received will be treated confidentially by the Sheriff's Office. After completing the investigation, a complaint disposition shall be made, based on each alleged act of formal misconduct. You will be notified of the results of the investigation, however, you may not be allowed information contained within the investigation—only the disposition.

When complaints are found to be sustained, the Sheriff shall administer the appropriate corrective and/or disciplinary action.

Ride Along Program Agreement Form doc.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

SHANNAN MOON
Sheriff/Coroner
Public Administrator

Ride-Along Program Agreement

ASSUMING RISK OF INJURY OR DAMAGE WAIVER AND RELEASE OF CLAIMS

I, the undersigned, not being a member, employee, or agent of any law enforcement department, have made a voluntary request for permission to ride as an observer in a law enforcement vehicle at a time when such vehicle is operated and manned by members of the Nevada County Sheriff's Office, and have further requested permission to accompany a member or members of said law enforcement department during the active performance of their official duties.

By signing this Agreement, I understand and acknowledge that the work and activities of said law enforcement department are inherently dangerous, involving possible risk of death or injury, damage, expense, or loss of personal property.
By signing this Agreement, I understand and acknowledge that during the ride-along I may be subjected to high speed pursuits, intentional or unintentional collisions, and random acts of violence by criminals; and circumstances may require that I exit the vehicle and end the ride-along at any time so that law enforcement activities may be pursued.

I, on behalf of myself, heirs, executors, administrators, successors, and assigns, do hereby release, acquit and forever discharge and covenant to hold harmless the County of Nevada and its officers, officials, employees, agents and volunteers, including the Nevada County Sheriff's Office and its officers, employees, agents and volunteers, and each of them, from any and all claims, demands, actions, causes of action, rights, damages, costs, fees, expenses, and any other compensation, whatsoever, including but not limited to property damage, bodily injury and wrongful death, under any circumstances whatsoever incurred as a result of my participation in the Ride-Along Program, including but not limited to riding as an observer in any Nevada County Sheriff's Office vehicle, or while accompanying a member of said department during the active performance of his or her official duties as a peace officer.

In amplification of this waiver and release of liability, to the extent that the Ride-Along Program participant is a minor, I/we as the parent(s) or legal guardian(s) of said minor do hereby release, acquit and forever discharge and covenant to hold harmless the County of Nevada and its officers, officials, employees, agents and volunteers, including the Nevada County Sheriff's Office and its officers, employees, agents and volunteers from all claims, demands, actions, causes of action, rights, damages, costs, fees, expenses, and any other compensation, whatsoever, including but not limited to property damage, bodily injury and wrongful death, which we may hereafter have for ourselves as the parents and/or guardians of said minor, and also all claims or rights of action for damages which said minor may hereafter have, either before or after said minor has reached his or her age of majority, or which may hereafter accrue against the County of Nevada and its employees, agents, servants, successors, administrators, independent contractors and representatives, arising out of the minor's participation in the Ride-Along Program.

BY SIGNING BELOW, I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS RIDE-ALONG PROGRAM AGREEMENT AND RELEASE OF LIABILITY.

_____ _____ Date:_____
(Rider's Printed Name) (Rider's Signature)

Preferred Day(s) of Week: _____ Watch Desired: Day ☐ Night ☐

Address: _____

Phone Number: (___)_____ Date of Birth: _____ ID #_____
Driver's license, etc.

Have you ever been arrested Yes ☐ No ☐

Reason for Ride-Along _____

Parent/Guardian Signature is required if Rider is under 18 years of age

_____ _____ Date:_____
(Parent/Guardian Printed Name) (Parent/Guardian Signature)

FOR DEPARTMENT USE ONLY
Date and Time ___/___/___/ _____ Deputy _____

Approved by _____ Printed Name _____

WBCF Tour Waiver.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

WAYNE BROWN CORRECTIONAL FACILITY TOUR
ASSUMING RISK OF INJURY OR DAMAGE WAIVER AND RELEASE OF CLAIMS

1. The undersigned, not being a member, employee, or agent of any law enforcement department, has made a voluntary request for permission to tour the Wayne Brown Correctional Facility as an observer, and has further requested permission to accompany a member or members of said law enforcement department during the active performance of official duties.
2. The undersigned acknowledges that the work and activities of said law enforcement department are inherently dangerous, involving possible risk of death or injury, damage, expense or loss of personal property, and further agrees that said undersigned assumes any such risk.
3. The undersigned understands Nevada County has a no hostage negotiation policy.
4. The undersigned hereby agrees that the County of Nevada, the Nevada County Sheriff's Office, any member of the Nevada County Sheriff's Office, the driver or owner of any automobile owned or operated by or in service of the County of Nevada, their sureties, and each of them shall not be held liable or responsible under any circumstances whatsoever by the undersigned, his or her estate or heirs, for any injury, damage, expense, or loss to the person or property the undersigned incurred while touring any Nevada County facility, or while accompanying a member of said department during the active performance of his or her official duties as a peace officer.
5. The undersigned hereby agrees to abide by all policies, rules and restrictions of the correctional facility; i.e. no communication with inmates, no contraband, wearing proper attire, and other restrictions as informed.
6. The undersigned agrees to provide the Nevada County Sheriff's Officer, if request, all necessary personal information to confirm identification and/or warrant status.

ANY PERSON WITH OUTSTANDING WARRANTS SHALL BE PROHIBITED FROM ATTENDING THE TOUR AND MAY BE SUBJECT TO ARREST.

READ THIS DOCUMENT COMPLETELY BEFORE SIGNING

Date: _____ Probation: Informal ☐ Formal ☐ N/A☐

County _____ P.O._____

Visitor's Name: _____ Signature: _____

Address: _____ Phone #: (___)_____ DOB: _____

Parent/Guardian Signature is required if Participant is under 18 years of age

_____ _____

(Parent/Guardian Printed Name) (Parent/Guardian Signature)

FOR DEPARTMENT USE ONLY

Date:_____ Time:_____ Approved by: _____

Officer _____

Facility Tour Waiver.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

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ASSUMING RISK OF INJURY OR DAMAGE WAIVER AND RELEASE OF CLAIMS

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3. The undersigned understands Nevada County has a no hostage negotiation policy.
4. The undersigned hereby agrees that the County of Nevada, the Nevada County Sheriff's Office, any member of the Nevada County Sheriff's Office, the driver or owner of any automobile owned or operated by or in service of the County of Nevada, their sureties, and each of them shall not be held liable or responsible under any circumstances whatsoever by the undersigned, his or her estate or heirs, for any injury, damage, expense, or loss to the person or property the undersigned incurred while touring any Nevada County facility, or while accompanying a member of said department during the active performance of his or her official duties as a peace officer.
5. The undersigned hereby agrees to abide by all policies, rules and restrictions of the correctional facility; i.e. no communication with inmates, no contraband, wearing proper attire, and other restrictions as informed.
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Date: _____ Probation: Informal ☐ Formal ☐ N/A☐

County _____ P.O._____

Visitor's Name: _____ Signature: _____

Address: _____ Phone #: (___)_____ DOB: _____

Parent/Guardian Signature is required if Participant is under 18 years of age

_____ _____

(Parent/Guardian Printed Name) (Parent/Guardian Signature)

FOR DEPARTMENT USE ONLY

Date:_____ Time:_____ Approved by: _____

Officer _____

Administrative Admonishment.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

ADMINISTRATIVE ADMONISHMENT

Investigation Number: _____

You are hereby advised that:

An Administrative Investigation is in progress within this office in which it has become necessary to obtain a statement from you. If you cooperate fully at this time, your statement and any evidence arising therefrom may be used in any and all proceedings arising out of this Administrative Investigation. As a citizen and employee of this office, you are hereby advised that if prior to or during the taking of your statement this office determines that you may be charged with a criminal offense, you will be advised of your constitutional rights before questioning proceeds or continues.

If you decide not to give a statement at this time, you are now ordered, as an employee of this office, to answer all questions asked by investigators and to give a full, detailed, and complete statement regarding your knowledge of or involvement in the matter now under investigation. Having been so ordered, any statements that you made cannot be used against you in any criminal proceedings. Your fitness to remain employed by this office is the object of this portion of the investigation, and you are hereby directed to cooperate fully with investigators so that a decision on your job status may be made as soon as possible. If you fail to comply with this order, you may be dismissed from employment with this agency on the grounds of willful disobedience and insubordination.

Assuming that you now comply with this order and cooperate fully in this investigation, your statements and any evidence obtained through such statements will be used, as to you, solely to determine whether disciplinary action is necessary. False statements, of course, will result in severe disciplinary action, up to and including termination.

If you have any questions about your rights, you may ask them now.

I have read the above admonishment and order, and I fully understand my rights and duties in this investigation.

_____ _____
Date Time

_____ _____ _____
Employee Signature Witness Signature Witness Signature

NCSO LETTER OTHER THAN SHERIFF.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

January 29, 2019

Addressee
Addressee's Address
City, State 99999

Re: Employee kudo

Dear Addressee:

Today your employee, Jane Doe, participated as a panelist for oral board interviews conducted in order to fill a vacancy in our Communication's Center. Ms. Doe's assistance was much appreciated. Her presence added another perspective, aiding us in selecting the best dispatcher candidate. She represented your department (agency) admirably.

I appreciate your authorization to Ms. Doe to leave her post and assist us with our search for a new employee. We are at the ready to return the favor should you need it.

Sincerely,

Shannan Moon
Sheriff-Coroner

_____
Alicia Burget
Administrative Captain

Health Care Staff Orientation.pdf

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NEVADA COUNTY
SHERIFF'S OFFICE

SHANNAN MOON
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Wayne Brown Correctional Facility
Health Care Staff Orientation Acknowledgement Form

SIGNED STATEMENT OF UNDERSTANDING

I, _____ (print name), have received new health care staff orientation. I was provided a "ten-code" card to reference. I understand that I should be included in training exercises relative to facility safety and security during emergencies. The officer and I will initial below indicating a basic understand of the following items that were explained to me and that I was given the opportunity to ask any follow up questions.

Medical	Officer	
_____	_____	A general understanding of the purpose, goals, policies and procedures for the Nevada County Sheriff's Office.
_____	_____	Security and contraband regulations
_____	_____	Access control to include the use of keys
_____	_____	Appropriate conduct with inmates
_____	_____	Responsibilities and rights of facility employees/contractors
_____	_____	Overview of the correctional field as it relates to custody functions and medical needs
_____	_____	Use of radio / ten codes

Additionally, I acknowledge that I previously received initial PREA education.

_____ _____
Health Care Staff Signature Date

_____ _____
Nevada County Staff Signature Date

Naloxone Utilization Report.pdf

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S-SV EMS Law Enforcement Naloxone Utilization Patient Care Report

Law Enforcement Agency Information			
Agency Name:			
Incident Date:	**Event/Report #:**		
Dispatch Time:	**On Scene Time:**		
Incident Location (including city):			
Patient Information			
Patient Name:	☐ Male ☐ Female	**Age:**	**DOB:**
Indication/Presenting Patient Condition:			
Naloxone Administration Detail			
Time:	**Dose:**		
Time:	**Dose:**		
Patient Response To Naloxone Administration: ☐ **Improved** ☐ **Unchanged** ☐ **Worse**			
Additional Notes/Comments/Complications:			
EMS Provider/Agency Assuming Patient Care:			
Treating Officer Name:	**Badge/Unit #**		

Please submit a copy of the completed report to the S-SV EMS Agency

Email: john.poland@ssvems.com or Fax: (916) 625-1720

Transport Plan.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

TRANSPORTATION PLAN

Date of Transport:	Time of Transport:	Vehicle:
Form Completed by:		ID#:
Transport Officer #1:		Contact #:
Transport Officer #2:		Contact #:
Transport Location from:		
Transport Location to: Round Trip:	1. 3.	2. 4.

Inmate Name(s), Classification, and Type of Restraint(s):	
L1.	C1.
L2.	C2.
L3.	R1.
L4.	R2.
L5.	R3.
L6.	R4.

Special Considerations:

Opposite Sex High-Risk Medical Concerns Pregnant Other

Specify:

Narrative of Primary / Secondary Travel Routes (Include anticipated stops, i.e. bathroom breaks, emergency, etc.):

Post Transportation Notes:

Pre-Planned Emergency Response Procedures

Vehicle Collision:

Check for injuries, render first aid as necessary. If safe to do so, move transport vehicle off the roadway. Contact local authorities for assistance and a report. Contact supervisor. If needed, make arrangements for a tow truck and alternative transportation for the inmate(s). Upon returning to the jail, complete the appropriate vehicle collision paperwork. Complete an incident report listing the inmate(s) and correctional officer(s) involved in the collision, and whether first aid was given or refused.

Escape:

If no other inmates are present, chase inmate on foot and attempt to apprehend. If other inmates are present, officers need to stay with the remaining inmates. Notify local authorities of the escape, provide your location and description of incident. Provide inmate description and direction of travel. Notify your supervisor.

Medical Emergency:

Provide medical aid as needed and consistent with your training. Contact local authorities, notify them who you are and the type of emergency. Request medical response. Continue to monitor the inmate and/or provide medical aid until relieved by someone with higher medical training.

Vehicle Breakdown:

If possible, move vehicle to a safe location. Contact local authorities and request their assistance if necessary. Contact your supervisor. Request a tow truck. Arrange for alternative transportation if inmates are present.

Tranport Plan Local-Truckee.pdf

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Local Court Transportation Plan

All inmates will be transported in accordance with their classification and appropriate restraint conditions. Dispatch will be notified of the location and reason for any stop outside of this plan.

Nevada City Court

When transporting inmates from the Wayne Brown Correctional Facility (WBCF) to the Nevada County Courthouse in Nevada City, one of the following routes will be taken:

1. Leaving 925 Maidu Avenue, transportation units will take State Route 49 to the intersection of East Broad Street and State Route 49. Transportation units will turn right on East Broad Street and progress to the intersection of East Broad Street and turn left onto Main Street. Transportation units will enter the secured garage under the courthouse.

2. Leaving 925 Maidu Avenue, transportation units will take State Route 49 to the intersection of State Route 49 and Coyote Street and turn right on Coyote Street and progress to the intersection of Coyote Street and Church Street. Units will then take Church Street to Main Street and then enter the secured garage under the courthouse.

When transporting from the Nevada County Courthouse in Nevada City to Wayne Brown Correctional Facility, one of the following return routes will be taken:

1. Transportation units will leave the secured garage under the courthouse, turn left up Main Street and progress to the intersection of Main Street and East Broad Street. East Broad Street will be followed to State Route 49 where units will turn left and proceed to Cement Hill Road. From Cement Hill Road, transportation units will enter the County Campus and proceed to the sally port entrance door.

2. Transportation units will leave the secured garage under the courthouse, turn right onto Main Street and proceed downhill to Union Alley. Units will proceed on Union Alley to Broad Street and turn right. Units will continue up Broad Street to West Broad Street and then cross State Route 49 onto Cement Hill Road. From Cement Hill Road, transportation units will enter the County Campus and proceed to the sally port entrance door.

Truckee Jail / Court

When transporting inmates from the Wayne Brown Correctional Facility (WBCF) to the Nevada County Jail/Courthouse in Truckee, one of the following routes will be taken. Transportation units will advise the shift supervisor of the intended route.

1. Leaving 925 Maidu Avenue, units will take State Route 49 to State Route 20 eastbound. Units will follow Eastbound State Route 20 and merge onto Eastbound Interstate 80. Units will continue eastbound on Interstate 80 and exit onto northbound State Route 89 where they will turn right on to Donner Pass Road. Units will progress to the intersection of Levon Street and enter the county campus.

2. Leaving 925 Maidu Avenue, units will take southbound 49 to Brunswick Road. Units will exit onto eastbound Brunswick Road and continue to State Route 174. Units will take State Route 174 eastbound to eastbound Interstate 80. Units will continue eastbound on Interstate 80 and exit onto northbound State Route 89 where they will turn right on to Donner Pass Road. Units will progress to the intersection of Levon Street and enter the county campus.

After navigating to westbound Interstate 80, the return route will be the above routes in reverse, exiting State Route 49 onto Cement Hill Road and entering the sallyport. Officers will advise the shift supervisor if they are returning via 174.

Pre-Planned Emergency Response Procedures

Vehicle Collision:

Check for injuries, render first aid as necessary. If safe to do so, move transport vehicle off the roadway. Contact local authorities for assistance and a report. Contact supervisor. If needed, make arrangements for a tow truck and alternative transportation for the inmate(s). Upon returning to the jail, complete the appropriate vehicle collision paperwork. Complete an incident report listing the inmate(s) and correctional officer(s) involved in the collision, and whether first aid was given or refused.

Escape:

If no other inmates are present, chase inmate on foot and attempt to apprehend. If other inmates are present officers are to stay with the remaining inmates. Notify local authorities of the escape, provide your location and description of incident. Provide inmate description and direction of travel. Notify your supervisor.

Medical Emergency:

Provide medical aid as needed and consistent with your training. Contact local authorities, notify them who you are and the type of emergency. Request medical response. Continue to monitor the inmate and/or provide medical aid until relieved by someone with higher medical training.

Vehicle Breakdown:

If possible, move vehicle to a safe location. Contact local authorities and request their assistance if necessary. Contact your supervisor. Request a tow truck. Arrange for alternative transportation if inmates are present.

Restraint Log.pdf

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NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____ PAGE 1 OF 8

BOOKING NUMBER:_____ DATE:_____

START HOUR 1

(List reasons for placement & Medical Evaluation)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:	**OSN:**	Medical Assessment	Yes	No
Date:	**Time:**			
		Circulation Check	Yes	No
		Breathing Check	Yes	No
		Offered Water	Yes	No
Medical Personnel Name:	**ID#:**			
Date:	**Time:**	Drank Water	Yes	No
		Exercise Extremities	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

***** Supervisor/ Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 *****

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____

BOOKING NUMBER:_____ DATE:_____

START HOUR 2

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

*** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 ***

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____ PAGE 3 OF 8

BOOKING NUMBER:_____ DATE:_____

START HOUR 3

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

***** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 *****

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____ PAGE 4 OF 8

BOOKING NUMBER:_____ DATE:_____

START HOUR 4

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

***** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 *****

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____

BOOKING NUMBER:_____ DATE:_____

START HOUR 5

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

*** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 ***

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____ PAGE 6 OF 8

BOOKING NUMBER:_____ DATE:_____

START HOUR 6

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

***** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 *****

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____ PAGE 7 OF 8

BOOKING NUMBER:_____ DATE:_____

START HOUR 7

(List reasons for continued retention)

CONTINUED RESTRAINT JUSTIFICATION & CONDITION OF INCARCERATED PERSON

Supervisor/Officer in Charge:		**OSN:**	Medical Assessment	Yes	No
Date:		**Time:**			
			Circulation Check	Yes	No
			Breathing Check	Yes	No
			Result of Attempt to Exercise Extremities	List results on table	
Medical Personnel Name:		**ID#:**			
Date:		**Time:**	Response to Offer of Water	Accept	
				Decline	
			Drank Water	Yes	No
			Used Toilet	Yes	No
Length of Time: **10 min minimum**	Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities	Left Leg:	Right Leg:			

15 minute checks

15 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

30 minutes: Supervisor or OIC and Medical to Check

Supervisor/Officer in Charge:	**OSN:**	Circulation Check	Yes	No
Date:	**Tme:**			
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#**	Used Toilet	Yes	No
Date:	**Time:**			
		Spit Mask	Yes	No

45 Minutes

Officer Name:	**OSN:**	Circulation Check	Yes	No
Date:	**Time:**			
		Breathing Check	Yes	No
		Used Toilet	Yes	No
		Spit Mask	Yes	No

*** Supervisor/Officer in Charge: Upon incarcerated persons removal from restraints complete page 8 ***

NEVADA COUNTY SHERIFF'S OFFICE

RESTRAINT LOG

CORRECTIONS DIVISION

INCARCERATED PERSONS NAME:_____

BOOKING NUMBER:_____ DATE:_____

Hour 8: Transfer Information/ Removal Information
Water/Exercise needs to be addressed

STOP!

RETENTION IN THE CHAIR IS NOT ALLOWED UNLESS THE INCARCERATED PERSON IS BEING TRANSPORTED TO THE HOSPITAL OR A MENTAL HEALTH FACILITY.

Supervisor/Officer in Charge:	**OSN:**	Medical Assessment	Yes	No
Date:	**Time:**			
		Circulation Check	Yes	No
		Breathing Check	Yes	No
Medical Personnel Name:	**ID#:**	Result of Attempt to Exercise Extremities	List results on table	
Date:	**Time:**			
		Response to Offer of Water	Accept	
			Decline	
		Drank Water	Yes	No
Results of Attempt to Exercise Extremities:		Used Toilet	Yes	No
Length of Time: **10 min minimum** Right Arm:	Left Arm:	Spit Mask	Yes	No
Alternate extremities Left Leg:	Right Leg:			

Supervisor or Officer in Charge:		**OSN:**		
Removed From Restraints	**Date**	**Time**	Yes	No
Transported to a Mental Health Facility	**Date**	**Time**	Yes	No
Transported to Sierra Nevada Memorial Hospital	**Date**	**Time**	Yes	No
Lieutenant(s) Notified	**Date**	**Time**	Yes	No
Jail Commander Notified	**Date**	**Time**	Yes	No

Supervisor or Officer in Charge Checklist:

Total Time In Restraints:	
Jail incident report, crime report (if available) and monitoring logs distributed to:	
	Jail Commander
	Lieutenant(s)
	Classification
	Incarcerated persons Hard Card
	Original video recording and body cam to evidence storage

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