

# Lompoc Police Department

Jail Manual

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## **MISSION**

The mission of the Lompoc Police Department is to provide effective and professional police services, in partnership with the citizens we serve, encouraging mutual respect and innovative problem solving, thereby improving the quality of life in our community.

# Lompoc Police Department

Jail Manual

---

## CORE VALUES

### Core values of the Lompoc Police Department

- **QUALITY:** The quality of a police department is reflected in its people, its leadership, its reputation, and its vision. We are dedicated to selecting, developing and retaining a diverse staff of professionals who embrace excellence as their driving force and who continually strive to surpass their previous accomplishments.
- **SERVICE:** The primary function of the Lompoc Police Department is to serve the public. We are committed to delivering responsive, innovative and courteous service in an impartial manner. We encourage community input and participation in our delivery of police services.
- **INTEGRITY:** We recognize that we are employed in positions of trust, responsibility and expectation in our community. We hold ourselves to an elevated standard of conduct and only accept the highest levels of honesty and ethical behavior on the part of all our members. Our citizens deserve nothing less.
- **COMPASSION:** The people we serve are individuals who possess the full range of human strengths, weaknesses and needs. Each member of the Lompoc Police Department places a high value on being in the people business. We realize that every contact is unique and that we do not always see citizens in the most favorable circumstances. We will express concern and empathy for those who need our services.
- **PRIDE:** Police work is a noble undertaking. We believe we make a difference in our community and take great pride in our accomplishments. We will exhibit creativity, confidence and courage in meeting the daily challenges of our profession.

# Lompoc Police Department

Jail Manual

---

## **CODE OF ETHICS**

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

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

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

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

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

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

# Lompoc Police Department

## Jail Manual

---

### Table of Contents

<b>MISSION . . . . .</b>	<b>1</b>
<b>CORE VALUES . . . . .</b>	<b>2</b>
<b>CODE OF ETHICS . . . . .</b>	<b>3</b>
<b>Chapter 1 - Role and Authority . . . . .</b>	<b>7</b>
100 - Jail Manual . . . . .	8
101 - Facility Inspection . . . . .	11
102 - Discriminatory Harassment . . . . .	14
<b>Chapter 2 - Organization and Administration . . . . .</b>	<b>20</b>
200 - Staffing . . . . .	21
201 - Supervision of Inmates - Minimum Requirements . . . . .	23
202 - Disposition of Evidence . . . . .	24
203 - Inmate Records . . . . .	29
204 - Tool, Equipment, Key and Electronic Access Device Controls . . . . .	31
205 - Daily Activity Logs and Reports . . . . .	36
206 - Accessibility - Facility and Equipment . . . . .	40
207 - Community Relations and Public Information . . . . .	42
208 - Victim Notification . . . . .	45
209 - Vehicle Safety . . . . .	47
210 - Fitness for Duty . . . . .	50
211 - Drug- and Alcohol-Free Workplace . . . . .	53
212 - Employee Speech, Expression and Social Networking . . . . .	56
213 - Information Technology Use . . . . .	60
<b>Chapter 3 - Recruitment, Selection and Training . . . . .</b>	<b>63</b>
300 - Employee Orientation . . . . .	64
301 - Jail Facility Training Officer . . . . .	65
302 - Training . . . . .	68
304 - Chemical Agents . . . . .	72
305 - Prison Rape Elimination Act Training . . . . .	74
<b>Chapter 4 - Emergency Planning . . . . .</b>	<b>76</b>
400 - Facility Emergencies . . . . .	77
401 - Fire Safety . . . . .	84
<b>Chapter 5 - Inmate Management . . . . .</b>	<b>88</b>
500 - Population Management . . . . .	89
501 - Inmate Counts . . . . .	91
502 - Inmate Reception and Housing . . . . .	92
503 - Inmate Handbook and Orientation . . . . .	100
504 - Inmate Safety Checks . . . . .	108

# Lompoc Police Department

## Jail Manual

---

505 - Management of Weapons and Control Devices . . . . .	110
506 - Conducted Energy Device . . . . .	112
507 - Control of Inmate Movement . . . . .	118
508 - Use of Force . . . . .	119
509 - Use of Restraints . . . . .	128
510 - Searches . . . . .	132
511 - Reporting In-Custody Deaths . . . . .	140
512 - Staff and Inmate Contact . . . . .	143
513 - Transportation of Inmates Outside the Secure Facility . . . . .	146
514 - Sobering Cells . . . . .	148
515 - Biological Samples . . . . .	150
516 - End of Term Release . . . . .	153
517 - Over-Detention and Inadvertent Releases . . . . .	155
518 - Canines . . . . .	157
<b>Chapter 6 - Inmate Due Process . . . . .</b>	<b>163</b>
600 - Inmates with Disabilities . . . . .	164
601 - Inmate Rights and Protection . . . . .	167
602 - Prison Rape Elimination Act . . . . .	171
603 - Grooming . . . . .	180
604 - Inmate Grievances . . . . .	182
605 - Inmate Discipline . . . . .	185
<b>Chapter 7 - Medical/Mental Health . . . . .</b>	<b>186</b>
700 - Health Authorities . . . . .	187
701 - Inmate Screening and Evaluations . . . . .	191
702 - Suicide Prevention and Intervention . . . . .	193
703 - Aids to Impairment . . . . .	196
704 - Health Care Records and Confidentiality . . . . .	198
705 - Availability and Standards of Care . . . . .	201
706 - Communicable Diseases . . . . .	206
<b>Chapter 8 - Environmental Health . . . . .</b>	<b>213</b>
800 - Sanitation, Maintenance and Safety Inspections . . . . .	214
801 - Inmate Hygiene . . . . .	221
<b>Chapter 9 - Food Services . . . . .</b>	<b>226</b>
900 - Food Services . . . . .	227
901 - Dietary Guidelines . . . . .	231
<b>Chapter 10 - Inmate Programs . . . . .</b>	<b>233</b>
1000 - Inmate Programs and Services . . . . .	234
1001 - Inmate Recreation . . . . .	236
1002 - Inmate Mail . . . . .	237
1003 - Inmate Telephone Access . . . . .	241
1004 - Inmate Visitation . . . . .	243
1006 - Religious Programs . . . . .	246

# Lompoc Police Department

Jail Manual

---

<b>Chapter 11 - Facility Design . . . . .</b>	<b>251</b>
1100 - Space and Environmental Requirements . . . . .	252
1101 - Smoking and Tobacco Use . . . . .	255
<b>Attachments . . . . .</b>	<b>256</b>
CALCULATED USE OF FORCE TO OBTAIN BIOLOGICAL SAMPLE.pdf . . . . .	257

## **Chapter 1 - Role and Authority**

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# Jail Manual

## 100.1 PURPOSE AND SCOPE

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

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

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

### 100.1.1 DEFINITIONS

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

**Adult** - Any person 18 years of age or older.

**Department** -The Department.

**Employee** - Any person employed by the Department.

**Inmate** - Incarcerated person.

**Jail Manual** - The Department Jail Manual.

**Juvenile** - Any person under the age of 18.

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

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

- Full- and part-time employees.
- Sworn jailers.
- Reserve jailers.
- Non-sworn employees.
- Volunteers.

**Jailer** - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as jailers of the Lompoc Police Department.

# Lompoc Police Department

## Jail Manual

### *Jail Manual*

---

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

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

**Rank** - The job classification title held by a jailer.

**Shall or will** - Indicates a mandatory action.

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

### **100.2 POLICY**

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

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

#### 100.2.1 DISCLAIMER

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

### **100.3 RESPONSIBILITIES**

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

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

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

# Lompoc Police Department

## Jail Manual

### *Jail Manual*

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#### 100.3.1 ORGANIZATIONAL CHART

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

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

#### 100.3.2 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

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

#### 100.4 DISTRIBUTION OF MANUAL

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

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

#### 100.5 MANUAL ACCEPTANCE

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

#### 100.6 REVISIONS TO POLICIES

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

Each supervisor will ensure that members under his/her command are familiar with and understand all revisions.

## Facility Inspection

### 101.1 PURPOSE AND SCOPE

Jail 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 jail facility inspection.

### 101.2 POLICY

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

### 101.3 FACILITY MANAGER RESPONSIBILITY

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

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

### 101.4 INSPECTION AREAS

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

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

# Lompoc Police Department

## Jail Manual

### *Facility Inspection*

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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 jail 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 facility assessment. An inspection checklist should be used to guide the inspection process and to ensure consistency. It is important that the jail facility 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 facility system. The completed report and any analysis and documentation required to justify costs, policy revisions or any other administrative requirements should be submitted to the Chief of Police.
- (h) **Monitor progress** - The Jail Manager should ensure that approved recommendations are being instituted by the responsible program providers.

#### **101.5 FOCAL POINTS FOR INSPECTIONS**

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

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

# Lompoc Police Department

## Jail Manual

### *Facility Inspection*

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- Inmates with mental disorders
- Administrative segregation
- Developmentally disabled inmates
- Use of force and restraint devices
- Contraband control
- Perimeter security
- Searches (area and personal)
- Access to telephones
- Access to courts and counsel
- Inmate visiting
- Inmate mail
- Religious access
- Health care services
- Intake medical screening
- Pest control
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food services plan
- Food serving and supervision
- Jail Facility sanitation, safety, maintenance
- Tools, key and lock control
- Use of safety and sobering cells
- Standard bedding and linen use
- Mattresses

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## Discriminatory Harassment

### 102.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department 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.

### 102.2 POLICY

The Lompoc Police Department 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. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department 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 Department 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.

### 102.3 DEFINITIONS

Definitions related to this policy include:

#### 102.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based 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 department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

# Lompoc Police Department

## Jail Manual

### *Discriminatory Harassment*

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#### 102.3.2 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.

#### 102.3.3 SEXUAL HARASSMENT

The Department 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.

#### 102.3.4 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 Fair Employment and Housing Council guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with city or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

### **102.4 RESPONSIBILITIES**

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department 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 Chief of Police, the Director of Human Services, or the City Manager.

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

# Lompoc Police Department

## Jail Manual

### *Discriminatory Harassment*

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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.

#### 102.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Director of Human Services, the City Manager, or the California Department of Fair Employment and Housing (DFEH) for further information, direction, or clarification (Government Code § 12950).

#### 102.4.2 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 Chief of Police or the Director of Human Services in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

#### 102.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department 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.

# Lompoc Police Department

## Jail Manual

### *Discriminatory Harassment*

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#### **102.5 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 Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

##### **102.5.1 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.

##### **102.5.2 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 Chief of Police, the Director of Human Services, or the City Manager.

##### **102.5.3 ALTERNATIVE COMPLAINT PROCESS**

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. 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.

#### **102.6 DOCUMENTATION OF COMPLAINTS**

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

# Lompoc Police Department

## Jail Manual

### *Discriminatory Harassment*

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- (a) Approved by the Chief of Police, the City Manager, or the Director of Human Services, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

#### 102.6.1 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.

#### **102.7 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 Department.

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.

#### 102.7.1 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 DFEH online training courses, the Training Sergeant should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

#### 102.7.2 TRAINING RECORDS

The Training Sergeant 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).

#### 102.7.3 REQUIRED POSTERS

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

# Lompoc Police Department

Jail Manual

## *Discriminatory Harassment*

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### **102.8 WORKING CONDITIONS**

The Chief of Police or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other department employees who are similarly tasked (2 CCR 11034).

## **Chapter 2 - Organization and Administration**

## Staffing

### 200.1 PURPOSE AND SCOPE

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

### 200.2 POLICY

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

### 200.3 STAFFING PLAN REQUIREMENTS

The Jail Manager shall ensure that a staffing plan conforming to the class type and size of this jail 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 a minimum, the staffing plan will include the following:

- Jail Facility administration and supervision
- Jail Facility programs, including exercise and recreation
- Inmate supervision
- Support services including medical, food services, maintenance and clerical
- Other jail-related functions such as escort and transportation of inmates
- The plan shall be available for biennial review by the Board of State and Community Corrections (BSCC).

### 200.4 STAFFING ANALYSIS

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

This analysis shall include information gathered in collaboration with the health care provider regarding staffing requirements and an appraisal of health care services provided. The analysis relating to health care personnel shall be annually reviewed for adequacy and approved by the Health Care Adviser.

The Jail Manager, in conjunction with the Prison Rape Elimination Act of 2003 (PREA) Coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.113). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels

# Lompoc Police Department

## Jail Manual

### Staffing

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will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and department policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

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

#### 200.4.1 DATA COLLECTION FOR ANALYSIS

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

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

#### 200.5 REPORTING

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

## **Supervision of Inmates - Minimum Requirements**

### **201.1 PURPOSE AND SCOPE**

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

### **201.2 POLICY**

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

### **201.3 SUPERVISION OF INMATES**

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

When both male and female inmates are held at this jail facility, a minimum of one male and one female employee, who are custody trained and on-duty, should be immediately accessible for the supervision of the inmates (Penal Code § 4021).

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

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

### **201.4 PROHIBITION OF INMATE CONTROL**

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

## Disposition of Evidence

### 202.1 PURPOSE AND SCOPE

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

### 202.2 POLICY

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

### 202.3 INITIAL SEIZURE OF EVIDENCE

Any member who first comes into possession of any evidence should retain such evidence in his/her possession until it is properly tagged and booked. When handling evidence, staff should observe the following safety precautions:

- (a) Unload any firearm in the approved loading/unloading area outside of the jail facility. If it is a revolver, the cylinder should be left open. If it is a semi-automatic pistol, the magazine shall be removed and the slide locked back in an open position. The cartridges and/or magazine will be packaged separately and booked with the firearm.
- (b) Sheath any knife or other stabbing instrument in its holster (if any), or attach (tape) stiff cardboard to completely cover the blade.
- (c) Place needles, such as syringes, into a hard plastic container that cannot be punctured by the needle.
- (d) If the contraband is a suspected "home brew" alcoholic beverage, the handling jailer shall place a sample of the liquid in a plastic container that can be safely sealed. The remainder of the liquid will be treated as a biohazard and carefully disposed of as recommended by the designated environmental health official.

### 202.4 EVIDENCE BOOKING PROCEDURE

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

- (a) Complete the evidence/property form describing each item of evidence separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method to prevent defacing or damaging the value of the property.
- (c) Complete an evidence/property tag and attach it to each bag or envelope in which the evidence is stored.

# Lompoc Police Department

## Jail Manual

### *Disposition of Evidence*

---

- (d) Place the case number in the upper right corner of the bag and in the appropriate field of the evidence/property tag.
- (e) The original evidence/property form shall be submitted with the case report. A copy shall be placed with the evidence in the temporary property locker or with the property if it is stored somewhere other than a property locker.
- (f) When the evidence is too large to be placed in a locker, the item may be retained in the secure supply room or another area that can be secured from unauthorized entry. Place the completed evidence/property form into a numbered locker indicating the location of the evidence.

#### 202.4.1 CONTROLLED SUBSTANCES

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

#### 202.4.2 EXCEPTIONAL HANDLING

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

#### 202.4.3 RECORDING OF EVIDENCE OR PROPERTY

The property officer receiving custody of evidence or property shall record on the evidence/property control card his/her signature, the date and time the evidence was received and where it will be stored.

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

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

#### 202.4.4 EVIDENCE CONTROL

Every time evidence or property is released or received, an appropriate entry on the evidence package and evidence/property control card shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from a supervisor or the employee who is managing the case.

Jailers desiring evidence for court shall contact the property officer at least one day prior to the court day.

Requests for analysis for items other than controlled substances shall be completed on the appropriate forms and submitted to the property officer. This request may be filled out any time after booking the property or evidence.

# Lompoc Police Department

## Jail Manual

### *Disposition of Evidence*

---

#### **202.4.5 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The transporting employee will check the evidence out of property, indicating the date and time on the evidence/property control card, and complete a request for laboratory analysis.

The property officer releasing the evidence must complete the required information on the evidence/property control card. The lab forms will be transported with the evidence to the examining laboratory. Upon delivering the item, the jailer will record the delivery time on both copies and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

#### **202.4.6 STATUS OF EVIDENCE**

Each person receiving evidence will make the appropriate entry to document the chain of custody. Temporary release of evidence to a law enforcement authority for investigative purposes or for court shall be noted on the evidence/property control card, stating the date, time and to whom it was released.

The property officer shall obtain the signature of the person to whom the evidence was released and the reason for release. Any employee receiving evidence shall be responsible for such property until it is returned to property or released to another authorized person or entity.

The return of the evidence should be recorded on the evidence/property control card, indicating date, time and the name of the person who returned the evidence.

#### **202.5 RELEASE OR DISPOSITION OF FUNDS AND PROPERTY**

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

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

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

The property supervisor shall ensure that all cash not needed as evidence, or funds that are left unclaimed by an inmate, are transferred as soon as practical to the Finance Department. A record of the transfer shall be kept in the appropriate inmate file.

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

# Lompoc Police Department

## Jail Manual

### *Disposition of Evidence*

---

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

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

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

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

#### **202.6 UNCLAIMED PROPERTY**

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

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

#### **202.7 UNCLAIMED MONEY**

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

# Lompoc Police Department

## Jail Manual

### *Disposition of Evidence*

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amount of money, the fund in which it is held and that the money will become the property of this department on a designated date, between 45 days and 60 days after the first publication of the notice (Government Code § 50051).

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

Any individual item with a value of less than \$15, or any amount of money if the depositor/owner's name is unknown, that remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice in accordance with applicable laws, ordinances and regulations (Government Code § 50055).

## Inmate Records

### 203.1 PURPOSE AND SCOPE

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

### 203.2 POLICY

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

### 203.3 RECORD MAINTENANCE

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

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

# Lompoc Police Department

## Jail Manual

### *Inmate Records*

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

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

#### **203.4 RELEASE OF INMATE RECORDS**

Inmate records are confidential and shall be used for official business only. Any release of inmate 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 inmate (15 CCR 1045). A copy of the release authorization document shall be maintained in the inmate record file.

#### **203.5 ELECTRONIC RECORD MAINTENANCE**

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

#### **203.6 RECORDS RETENTION**

Inmate records shall be maintained consistent with the established records retention schedule.

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# Tool, Equipment, Key and Electronic Access Device Controls

## 204.1 PURPOSE AND SCOPE

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

## 204.2 POLICY

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

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

## 204.3 KEY IDENTIFICATION

All keys that open any doors within the jail 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 codes on keys shall not correspond to numbers/codes on locks.

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

## 204.4 KEY SET CONTENTS

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

## 204.5 KEY CONTROL

All jail facility keys shall be maintained in a locked key box within a secure and designated area. This room shall have controlled access for members only. Each employee assigned to the jail facility shall be issued key tags bearing his/her employee number. Key sets will be exchanged for key tags to maintain a record of which member has which set. At the end of a shift, members shall exchange all keys for their key tags.

# Lompoc Police Department

## Jail Manual

### *Tool, Equipment, Key and Electronic Access Device Controls*

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Under no circumstances shall an employee pass a key or key set to another member. All keys must be checked out through the control process. Members shall not possess any key for which they have not been authorized.

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

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

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

#### **204.6 LOCK POLICY**

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

#### **204.7 TESTING**

Locks to security doors or gates shall be tested for proper function at least weekly to ensure proper operation. This testing shall be documented and a weekly report forwarded to the Jail Manager.

#### **204.8 EXTERIOR DOOR AND ARMORY KEYS**

Keys for exterior doors to the jail facility and the armory shall be kept in a locked cabinet in a secure location, outside of the jail facility's secure perimeter. Supervisors shall, at the beginning and end of their respective shifts, inventory and account for these keys.

#### **204.9 EMERGENCY KEY SET**

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

#### **204.10 MISSING KEYS**

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

# Lompoc Police Department

## Jail Manual

### *Tool, Equipment, Key and Electronic Access Device Controls*

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

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

#### **204.11 DAMAGED KEYS OR LOCKS**

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

#### **204.12 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 designated member on logs and forms and the records retained in accordance with established records retention schedules.

#### **204.13 ELECTRONIC ACCESS DEVICES**

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

#### **204.14 TOOL AND EQUIPMENT CONTROL**

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

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

Any tool that is used within the secure perimeter of the jail facility must be closely monitored and controlled by the member supervising the area so that the tool cannot be used as a weapon (15

# Lompoc Police Department

## Jail Manual

### *Tool, Equipment, Key and Electronic Access Device Controls*

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CCR 1029(a)(6)). Inmates who are assigned tasks that require these tools shall be closely supervised.

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

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

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

#### 204.14.1 KITCHEN EQUIPMENT

Culinary tools are located in the kitchen and include common tools used in the preparation, service and delivery of meals.

All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet. There shall be an outline of the tool's assigned location in the cabinet so that any tool missing from the cabinet can be easily identified. 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 jailer assigned to the kitchen shall inventory all kitchen tools at the beginning of his/her shift and prior to the arrival of inmate workers. Kitchen tools will only be issued to inmates who have been classified as inmate workers. Members will supervise inmates at all times when the inmates are using tools.

Each tool issued will be assigned to an individual inmate and logged. The inmate's name and the tool type will be documented. When an inmate worker is finished with a tool, the tool shall be checked in with the jailer and documented. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of jailer.

All tools will be returned to the kitchen tool cabinet at the end of each shift and all tools must be accounted for prior to any inmate worker being released from the work assignment.

In the event that a kitchen tool is missing, the jailer 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 an incident report shall be completed by the jailer responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Jail Manager.

# Lompoc Police Department

## Jail Manual

### *Tool, Equipment, Key and Electronic Access Device Controls*

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#### 204.14.2 SERVING AND INDIVIDUAL EATING UTENSILS

Serving tools and individual utensils are those culinary tools located outside of the kitchen. Only inmate workers who are assigned to serve food shall be in control of serving tools. These tools shall be assigned to each inmate worker by the kitchen jailer prior to leaving the kitchen. The tool type shall be documented. Upon returning to the kitchen from serving meals, the inmate workers shall individually check their tools in with the kitchen jailer, who shall document each one.

In the event that a serving tool is missing, the kitchen jailer shall notify a supervisor and a search for the tool shall be initiated.

Eating utensils (forks/spoons/sporks) shall be counted by the jailer supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing areas shall be immediately locked down and a supervisor notified. A thorough search of the housing areas shall be initiated to locate the tool.

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## Daily Activity Logs and Reports

### 205.1 PURPOSE AND SCOPE

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

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

### 205.2 POLICY

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

### 205.3 PROCEDURES

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

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

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

### 205.4 SHIFT ACTIVITY LOG

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

- Personnel on-duty
- Bookings and releases
- Formal counts
- Safety checks, security checks and inspections and routine activities
- All searches/shakedowns
- Inmate movement within the facility and inmates received at a housing assignment

# Lompoc Police Department

## Jail Manual

### *Daily Activity Logs and Reports*

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

#### **205.5 REPORT PREPARATION**

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

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

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, as well as the date and time of the occurrence(s). Employees shall not suppress, conceal or distort the facts of any reported

# Lompoc Police Department

## Jail Manual

### *Daily Activity Logs and Reports*

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incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless they are specifically identified as such.

#### **205.5.1 INCIDENT REPORTING**

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

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

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

#### **205.5.2 ELECTRONIC SIGNATURES**

The Department has established an electronic signature procedure for use by all employees. The Jail Manager or the authorized designee shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature. The system use and design shall follow the requirements of Civil Code § 1633 et seq. when applicable.

- (a) Employees may only use their electronic signatures for official reports or other official communications.
- (b) Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

#### **205.6 SUPERVISOR RESPONSIBILITIES**

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

# Lompoc Police Department

## Jail Manual

### *Daily Activity Logs and Reports*

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

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

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

## Accessibility - Facility and Equipment

### 206.1 PURPOSE AND SCOPE

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

#### 206.1.1 DISABILITY DEFINED

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

### 206.2 POLICY

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

### 206.3 ACCOMMODATIONS

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

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

# Lompoc Police Department

## Jail Manual

### *Accessibility - Facility and Equipment*

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#### **206.4 ADA COORDINATOR**

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

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

#### **206.5 DISSEMINATION OF INFORMATION**

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

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

#### **206.6 TRAINING**

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

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

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## Community Relations and Public Information

### 207.1 PURPOSE AND SCOPE

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

### 207.2 POLICY

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

### 207.3 RESPONSIBILITIES

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

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

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

# Lompoc Police Department

## Jail Manual

### *Community Relations and Public Information*

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

#### **207.4 PROHIBITED MATERIALS**

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

#### **207.5 TOURS OF THE JAIL FACILITY**

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

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

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

#### **207.6 SCOPE OF INFORMATION SUBJECT TO RELEASE**

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

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

# Lompoc Police Department

## Jail Manual

### *Community Relations and Public Information*

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

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

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

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

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

#### 207.6.1 RESTRICTED INFORMATION

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

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

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

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## Victim Notification

### 208.1 PURPOSE AND SCOPE

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

### 208.2 POLICY

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

### 208.3 PROCEDURE

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

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

### 208.4 NOTIFICATION

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

Members shall document notification efforts in the inmate's file.

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

#### 208.4.1 REQUIRED NOTIFICATIONS

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

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

# Lompoc Police Department

## Jail Manual

### *Victim Notification*

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

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

## Vehicle Safety

### 209.1 PURPOSE AND SCOPE

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

### 209.2 POLICY

The Lompoc Police Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

### 209.3 USE AND SECURITY OF AGENCY/OFFICE VEHICLES

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

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

#### 209.3.1 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 collision. This policy will apply to all members operating or riding in department vehicles.

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

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

Whenever possible, inmates should be secured in a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts. The inmate 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.

# Lompoc Police Department

## Jail Manual

### *Vehicle Safety*

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

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

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.

#### **209.3.2 VEHICLE SECURITY**

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

Under no circumstances will inmates be allowed to operate a vehicle or have possession of any vehicle keys. Inmate workers who are assigned to clean vehicles must be closely supervised by members.

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

#### **209.4 VEHICLE INSPECTIONS**

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

#### **209.5 VEHICLE SAFETY REPAIRS**

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

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

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

All vehicles owned, leased or used by this department shall be inspected annually by a qualified individual. Inspection reports will be forwarded to and maintained by the Jail Manager.

## *Vehicle Safety*

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### **209.6 USE OF PERSONAL VEHICLES**

The use of personal vehicles for official business must be approved by the Jail Manager. The Jail Manager 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.

### **209.7 COLLISION DAMAGE, ABUSE AND MISUSE**

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

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

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

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

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

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

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## **Fitness for Duty**

### **210.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that all jailers of this department are fit for duty and able to perform their job functions upon hire, and remain fit for duty throughout their employment.

### **210.2 POLICY**

This policy requires all jailers to be free from any physical, emotional or mental condition that might adversely affect their ability to effectively perform their duties throughout their employment.

### **210.3 EMPLOYEE RESPONSIBILITIES**

It shall be the responsibility of each employee of this department to maintain a physical, emotional and mental condition sufficient to safely and properly perform the essential duties of his/her job classification.

- (a) Each employee of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.
- (b) During working hours, all employees are required to be alert, attentive and capable of performing the assigned responsibilities.
- (c) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

### **210.4 SUPERVISOR RESPONSIBILITIES**

A supervisor observing an employee, or receiving a report of an employee, who is perceived as being unable to safely perform his/her duties due to a physical, emotional or mental condition, shall take prompt and appropriate action to resolve the situation.

- (a) 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 his/her duties.
- (b) 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.
- (c) The employee's Watch Commander or the Jail Manager should determine whether the employee should be temporarily relieved of duty.
- (d) The Jail Manager shall be promptly notified in the event that any employee is relieved of duty.

### **210.5 NON-WORK RELATED CONDITIONS**

Any employee suffering from a non-work-related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off to obtain medical treatment or other

## *Fitness for Duty*

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reasonable relief from symptoms. If the condition is a serious health condition of the employee or a qualified family member, the employee's supervisor should facilitate the employee's contact with the appropriate person to initiate the leave process under the Family and Medical Leave Act.

### **210.6 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 Watch Commander or supervisor, and with the concurrence of the Jail Manager, any employee whose actions or use of force in an official capacity 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.

### **210.7 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS**

Whenever circumstances reasonably indicate that the employee may be unfit for duty, the Jail Manager or the authorized designee may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Human Resources Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

The examining physician or therapist will provide the Department 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 his/her ability to perform the job duties. If the employee places his/her 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.

In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

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.

# Lompoc Police Department

Jail Manual

## *Fitness for Duty*

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Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

### **210.8 APPEALS**

An employee whose salary is reduced or withheld due to a fitness-for-duty exam shall be entitled to an administrative appeal.

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## Drug- and Alcohol-Free Workplace

### 211.1 PURPOSE AND SCOPE

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

### 211.2 POLICY

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

### 211.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

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 Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

#### 211.3.1 USE OF MEDICATIONS

Members should avoid taking any medication 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 his/her 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 Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

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

### 211.4 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 department premises or on department time (41 USC § 8103). The lawful 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.

# Lompoc Police Department

## Jail Manual

### *Drug- and Alcohol-Free Workplace*

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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).

#### **211.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program for employees 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 Human Resources Department, 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.

#### **211.6 WORK RESTRICTIONS**

If a member informs a supervisor that he/she 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 his/her 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 he/she is safely transported away from the Department.

#### **211.7 REQUESTING SCREENING TESTS**

A supervisor may request an employee to submit to a screening under any of the following circumstances:

- (a) A supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person or substantial damage to property.

##### **211.7.1 SUPERVISOR RESPONSIBILITY**

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request 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.

# Lompoc Police Department

## Jail Manual

### *Drug- and Alcohol-Free Workplace*

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- (b) The result of the test 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.

#### **211.7.2 DISCIPLINARY ACTION**

An employee may be subject to disciplinary action if he/she:

- (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 he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates any provisions of this policy.

#### **211.8 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 Department will take appropriate disciplinary 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).

#### **211.9 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due to 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 from the employee's other personnel files.

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# Employee Speech, Expression and Social Networking

## 212.1 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 Department.

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, 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.

### 212.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, and use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

## 212.2 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 department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Lompoc Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

## 212.3 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 Lompoc Police Department 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:

# Lompoc Police Department

## Jail Manual

### *Employee Speech, Expression and Social Networking*

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- Disclosing a photograph and name or address of a jailer who is working undercover.
- Disclosing the address of a fellow jailer.
- Otherwise disclosing where another jailer can be located off-duty.

#### **212.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the department'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, 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 Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its employees. Examples may include:
  1. Statements that indicate disregard for the law or the California 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 jail facility. 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 this department's Code of Ethics.
- (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 jail facility for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

# Lompoc Police Department

## Jail Manual

### *Employee Speech, Expression and Social Networking*

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- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
  - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
  - 2. During authorized breaks; however, 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).

#### **212.4.1 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, employees may not represent the Lompoc Police Department or identify themselves in any way that could be reasonably perceived as representing the Lompoc Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (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 his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Department.

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, 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).

#### **212.5 PRIVACY EXPECTATION**

Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace).

# Lompoc Police Department

## Jail Manual

### *Employee Speech, Expression and Social Networking*

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The Department 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 Department, including the department email system, computer network or any information placed into storage on any department system or device.

All messages, pictures and attachments transmitted, accessed or received over department networks are considered department records and, therefore, are the property of the Department. This includes records of all key strokes or Web-browsing history made at any department computer or over any department 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 department computers or networks.

#### **212.6 CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police 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 Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her 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 Department.

#### **212.7 TRAINING**

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the department.

## Information Technology Use

### 213.1 PURPOSE AND SCOPE

This purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

#### 213.1.1 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 Lompoc Police Department 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 Department or department 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.

### 213.2 POLICY

Lompoc Police Department members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

### 213.3 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 department technology system.

The Department 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 Department, including the department email system, computer network or any information placed into storage on any department system or device. This includes records of all key strokes or Web-browsing history made at any department computer or over any department 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 department computers, electronic devices or networks.

# Lompoc Police Department

## Jail Manual

### *Information Technology Use*

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#### **213.4 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 Watch Commander.

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 Watch Commander.

##### **213.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software infection, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer. Any files or software that a member finds necessary to install on department computers or networks shall be installed only with the approval of department information systems technology (IT) members and only after being properly scanned for malicious attachments.

When related to criminal investigations, software program files may be downloaded only with the approval of IT members and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer system or electronic device. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or city-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT members.

##### **213.4.2 HARDWARE**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department 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 department-related purpose to access such data. Any exceptions to this policy must be approved by the Watch Commander.

##### **213.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable

# Lompoc Police Department

## Jail Manual

### *Information Technology Use*

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to department 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 Watch Commander as a function of a member's assignment.

Downloaded information from the Internet shall be limited to messages, mail and data files.

#### **213.4.4 OFF-DUTY USE**

Members shall only use technological resources related to their job while on-duty or in conjunction with specific on-call assignments unless specifically authorized by the Watch Commander. This includes the use of telephones, cell phones, texting, email or any other "off-the-clock" work-related activities.

#### **213.5 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 department 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 Watch Commander and shall be changed at intervals as directed by IT members or the Watch Commander.

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 Watch Commander.

#### **213.6 INSPECTION OR REVIEW**

The Watch Commander 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 his/her 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 Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, request for disclosure of data, or a need to perform or provide a service.

The IT members may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by the Watch Commander or during the course of regular duties that require such information.

## **Chapter 3 - Recruitment, Selection and Training**

## Employee Orientation

### 300.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation. The purpose of the orientation is to provide new employees with basic information about the jail 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.

### 300.2 POLICY

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

### 300.3 NEW EMPLOYEE ORIENTATION

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

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

### 300.4 EMPLOYEE ACKNOWLEDGEMENTS

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

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

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## Jail Facility Training Officer

### 301.1 PURPOSE AND SCOPE

The jail facility training officer (TO) program is intended to provide a standardized program to facilitate the jailer's transition from the academic setting to the actual performance of general corrections duties.

### 301.2 POLICY

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

### 301.3 TRAINING OFFICER

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

#### 301.3.1 SELECTION PROCESS

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

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

#### 301.3.2 TRAINING

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

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

### 301.4 JAIL FACILITY TRAINING PROGRAM PHASES

The jail facility 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 facility training program consists of the five phases described below.

#### 301.4.1 FIRST PHASE - JAIL FACILITY ORIENTATION

The trainee will be assigned to a TO. The TO will, at a minimum:

- (a) Brief the trainee on the purpose, scope and responsibilities expected during the training program.

# Lompoc Police Department

## Jail Manual

### *Jail Facility Training Officer*

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- (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 jail facility and support services with the trainee.
- (e) Introduce the trainee to the Jail Manager and key supervisory, administrative and support personnel.

#### 301.4.2 SECOND PHASE - SHADOWING

In this phase the trainee will be exposed to the many duties at each post, including transportation and special functions, by observing the TO demonstrate how each task is to be performed. The TO should provide instruction to the trainee and encourage the trainee to ask questions.

Time should be allotted during this phase to allow the trainee to study policies and procedures, directives, post orders and any other materials deemed necessary by the TO.

The TO 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 on a daily basis by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

#### 301.4.3 THIRD PHASE - HANDS-ON WITH CLOSE SUPERVISION

During this phase the TO will instruct the trainee in each required activity at each post, including transportation and special functions. Once each task is demonstrated, the trainee will be directed to perform each activity under the close supervision of the TO.

The TO will provide direction as needed to the trainee during the hands-on activities.

The work performance of the trainee will be evaluated and recorded on a daily basis by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

#### 301.4.4 FOURTH PHASE - SOLO WITH MONITORING

During this phase 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 TO and a supervisor.

The work performance of the trainee will be evaluated and recorded by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

#### 301.4.5 FIFTH PHASE - WORKING INDEPENDENTLY WITH SUPERVISION

Provided that there are no concerns about the trainee's ability, the trainee will be assigned to a shift and will be supervised regularly by the supervisor.

# Lompoc Police Department

## Jail Manual

### *Jail Facility Training Officer*

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The supervisor, in consultation with the TO and the Jail Manager, will make a recommendation to pass the trainee on to his/her assignment, to continue training, or to terminate the employee.

#### **301.5 PROBATIONARY PERIOD EVALUATION**

Probationary employees and trainees will receive a written evaluation of their job skills and learning progress at least once a month or at the completion of each phase of training, whichever occurs first. Prior to being permanently appointed, each trainee will receive a final evaluation. These evaluations shall be in writing and discussed with the trainee by his/her supervisor. The final evaluation shall be made a part of the trainee's personnel record.

#### **301.6 TRAINING OFFICER RESPONSIBILITIES**

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

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

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

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

#### **301.7 TRAINING OFFICER PROGRAM SUPERVISOR**

The TO program supervisor will be selected from the rank of sergeant or above by the Jail Manager 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:

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

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## Training

### 302.1 PURPOSE AND SCOPE

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

### 302.2 POLICY

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

### 302.3 MINIMUM TRAINING REQUIREMENTS - TYPE 1 FACILITIES

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

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

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

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

#### 302.3.1 MANAGER AND SUPERVISOR TRAINING - TYPE 1 FACILITIES

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

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

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

#### 302.3.2 CONTINUING EDUCATION TRAINING – TYPE 1 FACILITIES

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

## *Training*

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### **302.4 SPECIALIZED TRAINING**

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

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

### **302.5 BRIEFING TRAINING**

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

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

### **302.6 SUPPORT PERSONNEL TRAINING**

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

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

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

# Lompoc Police Department

## Jail Manual

### *Training*

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- Inmate rules and regulations
- Inmate rights and responsibilities
- CPR and first aid

#### **302.7 VOLUNTEER TRAINING**

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

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

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

#### **302.8 TRAINING RECORDS**

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

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

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

Training records shall contain the following information:

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

# Lompoc Police Department

## Jail Manual

### *Training*

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

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

#### **302.9 MINIMUM TRAINING REQUIREMENTS - TEMPORARY HOLDING FACILITIES**

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

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

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

## Chemical Agents

### 304.1 PURPOSE AND SCOPE

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

### 304.2 POLICY

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

### 304.3 CHEMICAL AGENT TRAINING

Only jailers 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.

The Training Sergeant shall ensure that appropriate training for all chemical agents occurs annually at minimum.

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

Jailers 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 jailer fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the jailer may be subject to discipline.

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.

### 304.4 PROFICIENCY TESTING

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

### 304.5 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 Department:

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

# Lompoc Police Department

Jail Manual

## *Chemical Agents*

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

### **304.6 REVIEW, INSPECTION AND APPROVAL**

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

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## Prison Rape Elimination Act Training

### 305.1 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).

### 305.2 POLICY

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

### 305.3 MEMBER TRAINING

All members, volunteers and contractors who may have contact with inmates shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this jail facility. The Training Sergeant shall ensure that members receive training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and inmates 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 a minimum (28 CFR 115.31; 28 CFR 115.131):

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

## *Prison Rape Elimination Act Training*

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

Training shall be tailored according to the sex of the inmates at the jail facility. Members should receive additional training on security measures and the separation of male and female populations in the same facility if the member has been reassigned from a facility that houses only male or female inmates.

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

### **305.4 SPECIALIZED MEDICAL TRAINING**

All full- and part-time qualified health care and mental health professionals who work regularly in the jail 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 jail facility conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The Training Sergeant shall maintain documentation that the jail facility's health care professionals have received the training referenced above, either from this department or elsewhere.

### **305.5 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; 28 CFR 115.121; 28 CFR 115.134).

## **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 jail facility and to ensure all affected personnel receive timely training regarding emergency response and evacuation. This policy is intended to protect the community, employees, visitors, inmates and all others who enter the jail facility, while allowing the jail facility to fulfill its primary purpose.

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

### 400.2 POLICY

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

### 400.3 PROCEDURE

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

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

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

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

## *Facility Emergencies*

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

The emergency response plan should include procedures for continuing to house inmates in the jail facility, the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies.

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

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

### **400.4 LOCKDOWN**

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

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

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

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

### **400.5 EVACUATION PLAN**

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

- Location of jail facility building and floor plans
- Procedures on how inmates are to be released from locked areas

## *Facility Emergencies*

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- Relocation areas to be used for housing inmates in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for members
- Reporting requirements

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

A current copy of the evacuation plan should be maintained in the Records office and in command areas.

### 400.5.1 EXITS AND EVACUATION ROUTES

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

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

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

When time permits, all inmates will be restrained as deemed necessary by the jailer conducting the evacuation.

### 400.5.2 EMERGENCY HOUSING OF INMATES

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

## **400.6 RESPONSE TO DISTURBANCES**

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

# Lompoc Police Department

## Jail Manual

### *Facility Emergencies*

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

#### **400.7 RIOTS**

Riots occur when an unruly inmate or inmates forcibly or violently take control or attempt to take control of any area within the confines of the jail facility.

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

##### **400.7.1 RESPONSE TO RIOTS**

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

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

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

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

#### **400.8 HOSTAGES**

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

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

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

##### **400.8.1 HOSTAGE RESCUE**

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the members to open doors will not be met. A hostage rescue team

# Lompoc Police Department

## Jail Manual

### *Facility Emergencies*

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should be immediately summoned and the established protocols for resolving the situation implemented. The Jail Manager and Chief of Police should be consulted regarding decisions faced by the hostage rescue team.

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

#### **400.9 ESCAPES**

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

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

##### **400.9.1 INMATE COUNTS**

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

All inmates who are outside of the secure perimeter of the jail facility (e.g., court, work details) should be located and identified. Any missing inmate should have his/her identity disclosed and his/her jail facility record should be accessed by the Jail Manager (15 CCR 1029(a)(6)).

##### **400.9.2 SEARCH**

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

Jailers will develop a flyer with the inmate's name, description, the inmate's latest picture, classification status and charges, and supply it to the members and local law enforcement. Local law enforcement should also be given the inmate's last known address and a list of his/her associates.

##### **400.9.3 REPORTING**

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

#### **400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL**

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

### *Facility Emergencies*

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

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

#### **400.11 REPORTING AND DEBRIEFING**

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

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

#### **400.12 REVIEW OF EMERGENCY PROCEDURES**

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

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

#### **400.13 TRAINING**

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

# Lompoc Police Department

## Jail Manual

### *Facility Emergencies*

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Sergeant is responsible for developing and delivering appropriate initial training and annual refresher training.

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

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

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

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

#### **400.14 INSPECTION AND TESTING**

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

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

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

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

#### **400.15 PREVENTIVE MAINTENANCE**

It is the responsibility of the Chief of Police and Jail Manager to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the jail 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 Manager or Watch Commander should contact the designated maintenance authority or repair company to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source.

## Fire Safety

### 401.1 PURPOSE AND SCOPE

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

### 401.2 POLICY

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

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

#### 401.2.1 FIRE CODES

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

#### 401.2.2 FIRE PREVENTION RESPONSIBILITY

All members, volunteers and contractors who work in the jail 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.

### 401.3 FIRE SUPPRESSION PRE-PLANNING

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

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

## *Fire Safety*

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- (g) The cross-training of responders and jail facility members via drills should occur at least quarterly, if practicable.

### **401.4 FIRE PREVENTION EQUIPMENT**

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

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

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

### **401.5 FIREFIGHTING EQUIPMENT**

The Jail Manager shall ensure that the jail 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 jail facility fire plan (schematic).

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

#### **401.5.1 SELF-CONTAINED BREATHING APPARATUS (SCBA)**

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

### **401.6 FIRE TRAINING**

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

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

### **401.7 INSPECTIONS**

The Department shall be inspected by an appointed member who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained. These inspections will be focused on, but not limited to, fire prevention, member training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment,

# Lompoc Police Department

## Jail Manual

### *Fire Safety*

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and member familiarity with prevention and suppression techniques, suppression pre-planning, SCBA use, emergency response, fire safety equipment use and the evacuation plan.

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

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

#### **401.7.1 FURNISHINGS**

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

#### **401.7.2 FLAMMABLE, TOXIC AND CAUSTIC MATERIALS**

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

#### **401.8 EMERGENCY HOUSING OF INMATES**

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

##### **401.8.1 <STRONG>EMERGENCY HOUSING OF INMATES PLAN</STRONG>**

Both of the jail key rings have a key for the Lompoc Court Sally Port, this will be the temporary housing for the inmates until the situation is resolved.

- (a) In the event of a fire, flood, smell of gas or smoke immediately notify dispatch to have Lompoc Fire Department respond. If there is fire, smoke or gas also notify dispatch to have medics stage in the rear parking lot of the police department.
- (b) If there is more than one inmate in custody call for an officer to assist in emptying the jail. Evacuate one cell at a time securing the inmate with handcuffs and leg irons. Once all the cells are empty and all the inmates are secure, begin movement.
- (c) The evacuation route will be the same used to take inmates to court. You will exit the cell hallway via the west door, and out to the parking lot via the south door. The rolling vehicle gate should be closed while inmates are moved across the parking lot. Another armed officer should also be in place standing in front of the vehicle rolling gate.
- (d) Inmates will be placed in the court sally port with the jailer and one officer standing watch. If the jail is deemed to be safe for inmates to return they may be walked back

# Lompoc Police Department

Jail Manual

## *Fire Safety*

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over and placed back in there assigned cells. If the jail needs to be shut down due to damage, loss of power, or any other reason the jailer should notify the on duty watch commander so arrangements can be made to transport the inmates to the Santa Barbara County Jail.

## **Chapter 5 - Inmate Management**

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## Population Management

### 500.1 PURPOSE AND SCOPE

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

### 500.2 POLICY

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

### 500.3 INMATE POPULATION REPORTS

The Jail Manager or the authorized designee is responsible for ensuring that detailed daily reports of the jail facility's inmate population are completed and maintained by the members. The reports shall reflect the average daily population of sentenced and non-sentenced inmates by categories of adult male and adult female.

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

### 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. Housing
- (b) Average daily population (ADP) for:
  - 1. General housing
  - 2. Administrative segregation
- (c) Highest one-day inmate population
- (d) Number and percentage of:
  - 1. Bookings
  - 2. Male inmates
  - 3. Female inmates

# Lompoc Police Department

## Jail Manual

### *Population Management*

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4. Non-sentenced inmates
  5. Felony inmates
  6. Pretrial inmates released
- (e) Number of inmates enrolled in work release program
- (f) Number of:
1. Inmate-on-inmate assaults
  2. Inmate-on-member assaults
  3. Escapes/attempted escapes
  4. Active misdemeanor warrants
  5. Active gross misdemeanor warrants
  6. Active felony warrants
  7. Inmate grievances and dispositions
  8. Inmate rule violations and dispositions
- (g) Any other demographic information (e.g., gang activity)

## Inmate Counts

### 501.1 PURPOSE AND SCOPE

Inmate counts are vital to the security of the jail facility, the safety of the members and the welfare of the inmates. This policy establishes guidelines for the frequency of inmate counts, which ensures that all inmates and their status can be accounted for at any time.

### 501.2 POLICY

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

### 501.3 PROCEDURE

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

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

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

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

All count sheets shall be signed by the Watch Commander and forwarded to the Records Section. Count sheets shall be maintained for a period of time prescribed by statute, ordinance or policy.

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## Inmate Reception and Housing

### 502.1 PURPOSE AND SCOPE

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

### 502.2 POLICY

This department shall use the following standardized policies when receiving arrestees to be booked into this jail facility. This is to ensure security within the jail facility and that arrestees are properly booked and afforded their applicable rights (15 CCR 1029(a)(5)).

### 502.3 PRE-BOOKING SCREENING

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

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

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

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

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

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

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#### 502.3.1 NON-DETAINABLE INMATE SCREENING

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

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

#### 502.3.2 IMMIGRATION DETAINERS

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

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

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

## *Inmate Reception and Housing*

---

### 502.3.3 SCREENING FOR MEDICAL SYMPTOMS

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

The screening documentation should include the following:

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

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

### 502.3.4 IMMIGRATION INQUIRES PROHIBITED

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

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

## **502.5 CLASSIFICATION**

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

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

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

---

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

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

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

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

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

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

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

Any inmate deemed not appropriate for this jail facility shall be transported to the county jail.

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

---

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

#### **502.5.1 HOUSING ASSIGNMENTS**

Inmates should be housed based upon the following criteria:

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

#### **502.5.2 SEGREGATION**

Inmates determined to be an escape risk, assaultive, disruptive or who require protection shall be placed in segregated housing separate and secure from other inmates or transferred to the county jail. The segregation shall not deny privileges beyond what is necessary to protect inmates, members or the public (15 CCR 1053).

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

#### **502.6 ADMISSION PROCESS**

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

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

- Identifying information (including name and any known aliases or monikers)
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency and signature of the arresting jailer and transporting jailer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information and court of jurisdiction
- Sex
- Age
- Date and place of birth
- Race
- Height and weight

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

---

- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number and relationship to inmate
- Driver license number and state where issued, state identification number or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state and federal criminal history records
- Photographs, fingerprints and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities or tattoos
- Medical, dental and mental health screening records, including suicide risk
- Inventory of all personal property including clothing, jewelry and money
  - Items of rare or unusual value should be brought to the attention of a supervisor.
  - The inmate's signature should be obtained on the booking record and on any forms used to record money and property
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

#### **502.6.1 LEGAL BASIS FOR DETENTION**

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

#### **502.6.2 INMATE SEPARATION**

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

Male and female inmates shall be housed to ensure visual and physical separation.

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

Civil detainees shall be housed separately from inmates.

#### **502.7 INMATE PROPERTY CONTROL**

All property received from inmates at the time of booking shall be inventoried. A receipt should be signed by the inmate and the booking jailer and referenced to the booking number before the admission is completed. The original copy of the property receipt should be retained and placed in the inmate file and/or with the property. A second copy should be presented to the inmate at the time of booking.

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

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

---

#### 502.7.1 VERIFICATION OF INMATE'S MONEY

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

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

#### 502.7.2 PROPERTY STORAGE

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

### **502.8 INMATE TELEPHONE CALLS**

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

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

#### 502.8.1 TELEPHONE CALL PROCEDURES

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

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

#### 502.8.2 POSTING OF TELEPHONE INFORMATION

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

# Lompoc Police Department

## Jail Manual

### *Inmate Reception and Housing*

---

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

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

#### **502.8.3 ONGOING TELEPHONE ACCESS**

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

#### **502.9 SHOWERING AND CLOTHING EXCHANGE**

Inmates should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an inmate is transferred from the temporary holding area to housing (see the Inmate Hygiene Policy).

#### **502.10 SENTENCED INMATE BOOKINGS**

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

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

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

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## Inmate Handbook and Orientation

### 503.1 PURPOSE AND SCOPE

This policy provides for the orientation of inmates booked into the Lompoc Police Department jail facility. The purpose of the orientation is to inform inmates of the jail facility routine, rules, inmate rights and services.

### 503.2 POLICY

The Jail Manager shall provide an effective method of orienting all incoming inmates that includes orientation materials or an inmate handbook. The orientation should take place within 24 hours of an inmate's admission and in any event prior to the inmate being moved to housing (15 CCR 1069), and should be an ongoing process in the housing area so that the information is available to the inmates throughout their entire time in custody.

#### 503.2.1 **INITIAL ORIENTATION**

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

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

# Lompoc Police Department

## Jail Manual

### *Inmate Handbook and Orientation*

---

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

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

Interpretive services will be provided to inmates 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 inmate's permanent file.

#### 503.2.2 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED AND DEAF OR HARD OF HEARING INMATES

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

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

#### 503.2.3 <STRONG>LOMPOC JAIL - INMATE ORIENTATION - ENGLISH</STRONG>

##### Inmate rules:

- (a) Inmates are to obey all orders and directions of police staff and shall obey all local, state, and federal laws.
- (b) Inmates shall not destroy any jail property and will keep cell areas clean.

# Lompoc Police Department

## Jail Manual

### Inmate Handbook and Orientation

---

- (c) Inmates will not use abusive, assaultive, or aggressive behavior towards staff or other inmates.
- (d) Inmates are to keep the noise level down as to not disturb others.
- (e) Inmates will receive a copy of their charges with identifying information. Inmates must keep this paperwork on them and give it to staff when asked.

FAILURE TO COMPLY WITH RULES MAY RESULT IN LOSS OF PRIVILEGES SUCH AS INMATE VISITS AND LOSS OF PHONE CALLS. INMATES THAT ATTACK STAFF, OTHER INMATES OR DAMAGE PROPERTY WILL HAVE ADDITIONAL CHARGES ADDED.

#### Phone Calls:

Inmates have the right to free telephone calls within the local dialing area at the time of booking. Calls made outside the local dialing area are collect calls at the expense of the person you are calling. Once housed you will not be moved back to the front for more free calls. Free calls must be made at the time of booking and cannot be scheduled for a later time.

Calls may be made to a relative, friend, attorney of your choice, or bail bondsman. A list of bail companies is available upon request.

Each cell has one phone that may be used at any time and uses a collect call system billed at the expense of the person you are calling.

#### Bail Bonds:

##### LOMPOC AREA BAIL BONDS

Aladdin Bail Bonds: 805-928-6500

Chuck Bohls Bail Bonds: 805-588-1919

Kirt Moore Bail Bonds: 805-735-6233

Tim Romero 805-934-3051

Depacco Bail Bonds: 805-698-2978

##### OTHER AREA BAIL BONDS

Anthony's Bail Bonds: 805-680-0754

Bail Central: 805-598-4300

Bail Hotline: 805-335-2464

Gotham Bail Bonds: 951-452-1415

Lompoc Public Defender may be reached during normal business hours at 805-737-7770

#### Meals:

Meal times are 630 am, 1130 am, and 1600 hours. If you require a special diet or have any food allergies let the jail staff know immediately.

#### Supplies and Materials:

Each inmate will be issued a blanket, sheet, towel, toothpaste, and toothbrush. If more hygiene items are needed inform jail staff while on their rounds. Books are available upon request. Inmates may also keep eye glasses needed for reading with them.

#### Inmate Grievance's:

# Lompoc Police Department

Jail Manual

## Inmate Handbook and Orientation

---

You may ask the on duty jail staff for an inmate grievance form. Once filled in and given back to staff the on duty Watch Commander or Jail supervisor will contact you within 4 hours.

### Medical and Mental Health Services:

In case of medical emergency on duty staff will respond and have an ambulance respond to assist you. If you have a non-emergency medical complaint notify on duty staff and they will fill out a medical request form on your behalf. The on duty watch commander or supervisor will arrange transport to the ER for treatment if needed. If the need of Mental Health Services are reported or observed, on duty staff will notify the County CARES responses team and if recommended the inmate will be transported to Santa Barbara County Jail for further evaluation and observations.

### Reporting a Crime:

If at any time you are a victim of a crime committed by another inmate immediately call for help and on duty staff will respond. You will then receive time with an officer to report the crime and be offered victim services.

### Showers:

Inmate showers will be permitted based on staff availability. Minimum of one shower every three days.

### Visiting:

Inmate visiting hours are Monday-Friday from 7:00 a.m. to 7:30 a.m. Each inmate is allowed one visitor over the age of 18 for a ten minute visit. Visitor must not have any felony or drug possession arrests in the last 10 years, must provide valid California ID, have no warrants, and not be on probation or parole.

Attorney and Religious visits are allowed at any time.

### Transport to Court:

Jail staff will advise you what day you are scheduled to appear in court. That day inmates must be ready to go within five minutes of being told by staff. If you are scheduled for court in Santa Maria, a Santa Barbara County van will pick up inmates by 11 a.m. If you are scheduled for Lompoc Court Jail staff will walk you to court when the judge is ready to see you.

### Access to Counsel and Religious Services:

Any public defender or attorney of your choice may come to see in the jail at any time. Lompoc Police Department also has on call chaplains or you may have a religious leader of your choice come to visit you at any time.

### Prison Rape Elimination Act (PREA):

The Lompoc City Jail has a zero-tolerance policy regarding sexual abuse and sexual harassment. Individuals in custody may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

# Lompoc Police Department

## Jail Manual

### *Inmate Handbook and Orientation*

---

- Sexual abuse
- Sexual harassment
- Retaliation by other individuals in custody or department members for reporting sexual abuse or sexual harassment
- Department member neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

Individuals may report such violations either to Lompoc Jail Staff, Santa Barbara County Jail Staff, front desk records staff at the Lompoc Police Department, or completing the Lompoc Police Department on-line complaint form and faxing, mailing, or turning it in at the Lompoc Police Department. Anonymous reports will be accepted.

#### 503.2.4 <STRONG>LOMPOC JAIL - INMATE ORIENTATION - SPANISH</STRONG>

Reglas del interno:

1. Los reclusos deben obedecer todas las órdenes y direcciones del personal policial y deben obedecer todas las leyes locales, estatales y federales.
2. Los reclusos no destruirán ninguna propiedad de la cárcel y mantendrán limpias las áreas de las celdas.
3. Los reclusos no utilizarán comportamientos abusivos, agresivos o agresivos hacia el personal u otros reclusos.
4. Los reclusos deben mantener el nivel de ruido bajo para no molestar a los demás.
5. Los reclusos recibirán una copia de sus cargos con información de identificación. Los reclusos deben guardar estos documentos y entregarlos al personal cuando se les solicite.

NO CUMPLIR CON LAS REGLAS PUEDE RESULTAR EN LA PÉRDIDA DE PRIVILEGIOS, COMO VISITAS INMEDIAS Y PÉRDIDA DE LLAMADAS TELEFÓNICAS. LOS INMATES QUE ATACAN EL PERSONAL, OTROS INMATES O DAÑOS A LA PROPIEDAD TENDRÁN CARGOS ADICIONALES.

Llamadas telefónicas:

Los reclusos tienen derecho a llamadas telefónicas gratuitas dentro del área de marcación local al momento de la reserva. Las llamadas realizadas fuera del área de marcación local son llamadas por cobrar a expensas de la persona a la que llama. Una vez alojado, no volverá al frente para recibir más llamadas gratuitas. Las llamadas gratuitas deben realizarse al momento de la reserva y no pueden programarse para un momento posterior.

Se pueden hacer llamadas a un pariente, amigo, abogado de su elección o agente de fianzas. Una lista de compañías de fianzas está disponible a pedido.

Cada celular tiene un teléfono que puede usarse en cualquier momento y utiliza un sistema de llamadas por cobrar a cargo de la persona a la que llama.

# Lompoc Police Department

Jail Manual

## *Inmate Handbook and Orientation*

---

### Fianzas:

ÁREA DE LOMPOC BONOS DE FIANZA OTRA ÁREA BONOS DE FIANZA

Fianzas de Aladdin: 805-928-6500 Fianzas de Anthonys: 805-680-0754

Chuck Bohls Fianzas: 805-588-1919 Fianza central: 805-598-4300

Kirt Moore Fianzas: 805-735-6233 Línea directa de fianza: 805-335-2464

Tim Romero 805-934-3051 Gotham Fianzas: 951-452-1415

Depacco Fianzas: 805-698-2978

Se puede contactar al Defensor Público de Lompoc durante el horario comercial normal al 805-737-7770

### Comidas:

Los horarios de comidas son 630 a.m., 1130 a.m. y 1600 horas. Si necesita una dieta especial o tiene alguna alergia alimentaria, informe al personal de la cárcel de inmediato.

### Suministros y materiales:

Cada interno recibirá una manta, sábana, toalla, pasta de dientes y cepillo de dientes. Si se necesitan más artículos de higiene, informe al personal de la cárcel durante sus rondas. Los libros están disponibles bajo petición. Los reclusos también pueden tener anteojos necesarios para leer con ellos.

### Queja del recluso:

Puede pedirle al personal de la cárcel de turno un formulario de reclamo de recluso. Una vez rellenado y devuelto al personal, el Comandante de guardia o el supervisor de la cárcel de servicio se comunicará con usted dentro de las 4 horas.

### Servicios médicos y de salud mental:

En caso de emergencia médica en servicio, el personal responderá y una ambulancia responderá para ayudarlo. Si tiene una queja médica que no sea de emergencia, notifique al personal de servicio y ellos completarán un formulario de solicitud médica en su nombre. El comandante o supervisor de guardia de servicio organizará el transporte a la sala de emergencias para recibir tratamiento si es necesario. Si se informa u observa la necesidad de los Servicios de Salud Mental, el personal de turno notificará al equipo de respuesta de CARES del Condado y, si se recomienda, el recluso será transportado a la Cárcel del Condado de Santa Bárbara para una evaluación y observaciones adicionales.

### Reportando un crimen:

# Lompoc Police Department

Jail Manual

## *Inmate Handbook and Orientation*

---

Si en algún momento usted es víctima de un delito cometido por otro recluso, solicite ayuda de inmediato y el personal de turno responderá. Luego recibirá tiempo con un oficial para denunciar el delito y se le ofrecerán servicios para víctimas.

### Duchas

Se permitirán duchas para reclusos según la disponibilidad del personal. Mínimo de una ducha cada tres días.

### Visitando:

El horario de visita de los reclusos es de lunes a viernes de 7:00 a.m. a 7:30 a.m. A cada recluso se le permite un visitante mayor de 18 años para una visita de diez minutos. El visitante no debe tener ningún delito grave o arresto por posesión de drogas en los últimos 10 años, debe proporcionar una identificación válida de California, no tener órdenes de arresto y no estar en libertad condicional o bajo palabra.

Se permiten visitas de abogados y religiosos en cualquier momento.

### Transporte a la corte:

El personal de la cárcel le informará qué día tiene programado comparecer ante el tribunal. Ese día, los reclusos deben estar listos para ir dentro de los cinco minutos de haber sido avisados por el personal. Si está programado para un tribunal en Santa María, una camioneta del condado de Santa Bárbara recogerá a los reclusos antes de las 11 a.m. Si está programado para el personal de la cárcel de Lompoc Court lo llevará a los tribunales cuando el juez esté listo para verlo.

### Acceso a asesoramiento y servicios religiosos:

Cualquier defensor público o abogado de su elección puede venir a ver a la cárcel en cualquier momento. El Departamento de Policía de Lompoc también tiene capellanes de guardia o puede pedirle que un líder religioso de su elección lo visite en cualquier momento.

### Ley de eliminación de violación en prisión (PREA):

La cárcel de la ciudad de Lompoc tiene una política de tolerancia cero con respecto al abuso sexual y el acoso sexual.

Las personas bajo custodia pueden presentar informes a cualquier miembro del personal verbalmente, por escrito, de forma privada o anónima de cualquiera de los siguientes (28 CFR 115.151; 15 CCR 1029):

- abuso sexual
- Acoso sexual
- Represalias por parte de otras personas bajo custodia o miembros del departamento por denunciar abuso sexual o acoso sexual.
- Descuido o violación de los miembros del departamento de responsabilidades que pueden haber contribuido al abuso o acoso sexual.

# Lompoc Police Department

Jail Manual

## *Inmate Handbook and Orientation*

---

Las personas pueden reportar tales violaciones al personal de la cárcel de Lompoc, al personal de la cárcel del condado de Santa Bárbara, al personal de registros de la recepción en el Departamento de Policía de Lompoc, o completando el formulario de queja en línea del Departamento de Policía de Lompoc y enviando por fax, correo postal, o entregarlo en el Departamento de Policía de Lompoc. Se aceptarán informes anónimos.

## Inmate Safety Checks

### 504.1 PURPOSE AND SCOPE

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

### 504.2 POLICY

It is the policy of the Lompoc that all members should conduct safety checks a minimum of twice every 60 minutes on all inmates, or more frequently as determined by inmate custody status.

Safety checks should be conducted at random and varied times, a minimum of twice every 60 minutes. Safety checks shall be made through direct visual observation. Cameras and monitors may supplement the required visual observation safety checks but they shall not replace the need for direct visual observation. Safety checks will be clearly documented on permanent logs in accordance with the Lompoc Police Department Daily Activity Logs and Reports Policy (15 CCR 1027; 15 CCR 1027.5).

### 504.3 SAFETY CHECKS

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

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

# Lompoc Police Department

Jail Manual

## *Inmate Safety Checks*

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### **504.4 SPECIAL MANAGEMENT INMATES**

While awaiting transfer to an appropriate facility, inmates who are suicidal, violent, have mental health problems or who demonstrate behavior that is easily identified as out of the ordinary or bizarre should be personally observed by a member every 15 minutes on an irregular schedule.

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## Management of Weapons and Control Devices

### 505.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

### 505.2 POLICY

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

### 505.3 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 jail facility's secure perimeter to facilitate the safe loading and unloading of firearms.

Firearms shall only be allowed in the secure perimeter of the jail facility when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public.

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Manager or authorized designee and under the direct supervision of a supervisor.

### 505.4 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

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

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

### 505.5 STORAGE OF WEAPONS, CHEMICAL AGENTS AND CONTROL DEVICES

The armory shall be located in a secure and readily accessible repository outside of inmate housing and activity areas. It shall be secured at all times. Access to the armory shall be limited by the Jail Manager or the authorized designee. Only personnel who have received department-approved training in the maintenance of the stored equipment and who have been designated by the Jail Manager are authorized to be inside the armory.

The following equipment shall be stored and secured in the armory:

- (a) All department-approved weapons.

# Lompoc Police Department

## Jail Manual

### *Management of Weapons and Control Devices*

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- (b) All department-approved control devices and associated supplies, with the exception of the TASER device.
- (c) All security equipment, such as helmets, face shields, stab or protective vests and handheld shields.
- (d) All department-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.

#### 505.5.1 WEAPONS LOCKER

There should be a secure weapons locker located outside of the secure perimeter of the jail facility.

#### 505.5.2 INVENTORY

The Jail Manager should designate one or more properly trained members 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 jail facility's weapons and control devices on a monthly basis.

To facilitate the inventory, all weapons, chemical agents and control devices shall be stored in assigned locations inside the armory. A log sheet shall be maintained within the armory at all times, detailing the exact location of each item. The removal of any weapon, chemical agents or control device shall 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 shall be made indicating the date and time of the item's return.

The Watch Commander and the Jail Manager shall be immediately notified in the event that any weapon or control device is determined to be missing. An immediate and thorough search of the jail facility shall take place in order to locate the item.

#### 505.5.3 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 to ensure replacement of outdated or unserviceable items.

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## Conducted Energy Device

### 506.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the TASER® device.

### 506.2 POLICY

The TASER device is intended to control a violent or potentially violent inmate, while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device should result in fewer serious injuries to members and inmates.

Members who have completed department-approved training may be issued a TASER device for use during the current assignment. Members who have been issued a TASER device shall only use the device consistent with this policy and the Use of Force Policy.

Members shall only use the TASER device and cartridges that have been issued by the Department. The device may be carried as part of a uniformed jailer's equipment.

- (a) The TASER device shall be maintained in a secure storage location (see the Management of Weapons and Control Devices Policy).
- (b) Each TASER device shall be clearly and uniquely numbered.
- (c) Upon arriving for work jailers shall sign out their devices.
- (d) Upon finishing the shift, each jailer shall turn in the device to the approved secure storage area.
- (e) Jailers shall not pass on the devices to oncoming shift members without signing in and signing out the devices on the TASER device inventory log.
- (f) At the beginning of each shift, the oncoming Watch Commander shall inventory all TASER devices.
- (g) Whenever practicable, jailers should carry two or more TASER device cartridges on their persons at all times when carrying a TASER device.
- (h) Jailers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times. Jailers carrying a TASER device should perform a spark test on the unit prior to every shift.
- (i) Jailers should not hold both a firearm and the TASER device at the same time.
- (j) The TASER device should be marked with a distinctive color or marking to distinguish it from firearms or any other device.

### 506.3 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of jailers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the inmate with a reasonable opportunity to voluntarily comply.

## *Conducted Energy Device*

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- (b) Provide other jailers and inmates with a warning that a TASER device may be deployed.

If, after a verbal warning, an inmate is unwilling to voluntarily comply with a jailer's lawful orders and it appears both reasonable and feasible under the circumstances, the jailer may, but is not required to, display the electrical arc (provided that a cartridge is loaded into the device) or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another person as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or the reasons it was not given shall be documented by the jailer deploying the device in the related report.

### **506.4 USE OF THE TASER DEVICE**

As with any correctional equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device.

Although the TASER device is generally effective in controlling most individuals, jailers should be aware that the device may not achieve the intended results and be prepared with other options.

#### **506.4.1 APPLICATION OF THE TASER DEVICE**

Authorized personnel may use the TASER device when circumstances perceived by the jailer at the time indicate that such application is reasonably necessary to control an inmate in any of the following circumstances:

- (a) The inmate is violent or physically resisting.
- (b) The inmate has demonstrated an intention to be violent or to physically resist and reasonably appears to have the potential to harm jailers, him/herself or others.

#### **506.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the TASER device 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 jailer, the subject or others, and the jailer reasonably believes that the need to control the individual outweighs the risk of using the device. Such individuals include:

- (a) Inmates who are known to be pregnant.
- (b) Elderly inmates.
- (c) Inmates with obviously low body mass.
- (d) Inmates who are handcuffed or otherwise restrained.
- (e) Inmates who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Inmates whose position or activity may result in collateral injury (e.g., falls from height).

## *Conducted Energy Device*

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Because the application of the TASER device 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 the jailers and the subject, thereby giving jailers time and distance to consider force options or actions.

The TASER device shall not be used to torture, psychologically torment, elicit statements or punish any inmate.

### 506.4.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid intentionally targeting the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the jailer to limit the application of the TASER device probes to a precise target area, jailers should monitor the condition of the inmate if one or more probes strikes the head, neck, chest or groin until the inmate is evaluated by qualified medical personnel.

### 506.4.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Jailers should apply a TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the jailer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an inmate and if circumstances allow, the jailer should consider certain factors before additional applications of the device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the inmate 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.

Jailers should generally not intentionally apply more than one TASER device at a time against a single subject.

### 506.4.5 DOCUMENTATION

All TASER device discharges shall be documented in the related incident report and on the TASER device report form. Notification shall be made to a supervisor in compliance with the department Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing of a TASER device will also be documented on the TASER device report form. Any report documenting the discharge of a TASER device will include an explanation of the circumstances surrounding the discharge.

Following the discharge, the onboard TASER device memory will be downloaded through the data port by a supervisor or Rangemaster and saved with the related incident report. Photographs

# Lompoc Police Department

## Jail Manual

### *Conducted Energy Device*

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of the probe and contact sites should be taken after the inmate has been seen by qualified medical personnel. 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 jailer 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 inmate's skin.

At a minimum the following should be documented:

- (a) Identification of all personnel firing TASER devices
- (b) Cartridge serial number
- (c) Identification of all witnesses
- (d) Medical care provided to the inmate
- (e) Observations of the inmate's physical and physiological actions
- (f) Any known or suspected drug use, intoxication or other medical problems

The department should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

#### 506.4.6 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 jailer 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 department 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.

#### **506.5 MEDICAL TREATMENT**

Absent extenuating circumstances or unavailability, only qualified medical personnel should remove TASER device probes from an inmate's body. Used TASER device probes shall be considered a sharps biohazard, similar to a used hypodermic needle, and handled properly. Universal precautions should be taken accordingly.

All inmates who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to continued processing or housing. Any inmate 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.

# Lompoc Police Department

## Jail Manual

### *Conducted Energy Device*

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- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple jailers to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared.

Any inmate exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be promptly examined by qualified medical personnel or medically evaluated.

If any individual refuses medical attention, such a refusal should be witnessed by another jailer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

#### **506.6 TRAINING**

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried a TASER device as a part of their assignment for a period of six months or more shall be recertified by an department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of a jailer’s knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant.

Command staff and supervisors should receive TASER device training as appropriate for the investigations they conduct and review.

Jailers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with jailers who use the device.

The Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

All training and proficiency for TASER devices will be documented in the jailer’s training file.

The Training Sergeant should ensure that all training includes:

# Lompoc Police Department

## Jail Manual

### *Conducted Energy Device*

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- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (d) Handcuffing a subject during the application of a TASER device and transitioning to other force options.
- (e) Restraint techniques that do not impair respiration following the application of a TASER device.
- (f) De-escalation techniques.

#### 506.6.1 TESTING

All training delivered to a member should include testing to document that the employee understands the subject matter presented.

## Control of Inmate Movement

### 507.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of inmates between areas within the jail facility and transportation from the facility to court, medical appointments or other jurisdictions.

### 507.2 POLICY

Members shall be vigilant in the control and movement of inmates between areas within the jail facility and when transporting inmates outside the secure confines of the facility (15 CCR 1029(a)(6)). Control may be by direct or indirect visual observation. Members should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

### 507.3 MOVEMENT OF INMATES

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

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

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

## Use of Force

### 508.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines governing application of force, limitations on the use of force, supervisor's responsibilities, and reporting requirements for incidents involving the application of force (15 CCR 1029).

#### 508.1.1 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).

**Excessive force** - The use of more force than is objectively reasonable under the circumstances to accomplish a lawful purpose.

**Use of force** - Any application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when the inmate allows him/herself to be searched, escorted, handcuffed, or restrained.

### 508.2 POLICY

It is the policy of this department to accomplish the department functions with minimal reliance on the use of force and generally as the last alternative.

### 508.3 USE OF FORCE

Members may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Members must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the inmate; to protect and ensure the safety of inmates, members, and others; prevent serious property damage; prevent escape; obtain compliance with jail facility rules and staff orders; or to ensure the institution's security and good order, or for other lawful purposes.

The Department has provided a number of tools, weapons, and training on techniques to use when responding to resistance and violent encounters. While various degrees of force exist, each jailer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy.

Circumstances may arise in which members may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Department. Members may find it more effective or practical to improvise their response to rapidly unfolding conditions 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 reasonably necessary to accomplish a legitimate government purpose.

# Lompoc Police Department

## Jail Manual

### *Use of Force*

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In any review of an incident to determine whether a particular use of force conforms to this policy, the Department will evaluate the apparent need for an application of force, the relationship between that need and the amount of force used, the threat reasonably perceived, any efforts made to temper the severity of a forceful response, and the extent of any injury to the inmate.

Prior to resorting to the use of force, members should, when practicable, attempt verbal persuasion, orders, or other tactics to avoid or mitigate the need for forceful action.

Force shall never be used as punishment or retaliation.

Medical checks will be performed by a qualified health care professional on all inmates who have been subjected to force as soon as practicable regardless of apparent injury.

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 circumstances to accomplish a lawful objective.

#### 508.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a jailer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. 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.
- (c) Jailer/inmate factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of jailers available vs. inmates).
- (d) The conduct of the involved members (Penal Code § 835a).
- (e) The effects of drugs or alcohol.
- (f) The inmate's apparent mental state or capacity (Penal Code § 835a).
- (g) The inmate's apparent ability to understand and comply with jailer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the inmate has been effectively restrained and his/her 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 inmate.
- (l) Training and experience of the member.
- (m) Potential for injury to members, inmates, and others.
- (n) Whether the inmate appears to be resisting or is attacking others.

# Lompoc Police Department

## Jail Manual

### *Use of Force*

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- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the inmate or a prompt resolution of the situation to maintain or restore order.
- (q) Whether the conduct of the inmate being confronted no longer reasonably appears to pose an imminent threat to the members or others.
- (r) Awareness of the inmate's propensity for violence.
- (s) Any other exigent circumstances.

#### 508.3.2 DUTY TO INTERCEDE

Any member present and observing another member using force that is clearly not within this policy is expected, when reasonable to do so, to intercede to prevent the use of such force and in all cases report the use promptly to a supervisor.

### **508.4 USE OF OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS**

#### 508.4.1 NOISE/FLASH DISTRACTION DEVICES

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

#### 508.4.2 ELECTRONIC CONTROL DEVICES

The use of TASER® devices shall be in accordance with the department Conducted Energy Device Policy.

#### 508.4.3 CHEMICAL AGENTS

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

Department-approved OC spray or foam may be possessed and used only by members who have received department-authorized training in its use.

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

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

- (a) Jail Custody Personnel advising the inmate how to decontaminate in the cell.
- (b) Clean clothing if the inmate's clothing was contaminated.

# Lompoc Police Department

## Jail Manual

### *Use of Force*

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- (c) Monitoring of the in-cell inmate at least every 15 minutes, for a period of not less than 45 minutes, by the Jail Custody Personnel.

#### 508.4.4 IMPACT WEAPONS

The need to immediately incapacitate the inmate 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, except when the jailer reasonably believes the inmate may cause serious bodily injury or death to the jailer or others.

#### 508.4.5 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.

### **508.5 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 members to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates. The destruction of government property may require the immediate use of force by members 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 inmate's presence or conduct poses a threat to safety or security and the inmate 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 staff (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

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

#### 508.5.1 CONFRONTATION AVOIDANCE PROCEDURES

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

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

- (a) Mental health specialist

# Lompoc Police Department

## Jail Manual

### *Use of Force*

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- (b) Qualified medical personnel
- (c) Chaplain
- (d) Department Records Section
- (e) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the inmate's medical/mental history (e.g., hypoglycemia, diabetes), any recent incident reports, or situations that may be contributing to the inmate'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 inmate's background or present status. This may provide insight into the cause of the inmate's immediate agitation. It also may identify other members who have a rapport with the inmate and could possibly resolve the incident peacefully, without the use of force.

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

#### **508.6 REPORTING THE USE OF FORCE**

Every use of force is an incident that shall be reported on the appropriate report form. Any member who uses force and any member directly observing the incident shall make a verbal report to a supervisor as soon as practicable and shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor.

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

The report should include (15 CCR 1044):

- (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., inmates, members, others).
- (c) The specific reasons for the application of force.
- (d) The threat as perceived by the member involved.
- (e) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.
- (f) 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 the introduction of all members participating in the process. The recording and documentation will be part of the investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Jail Manager within three working days.

## *Use of Force*

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### **508.7 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) 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.
- (b) 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 jail facility or public safety.
- (c) Take appropriate measures to address public safety concerns, document the essence of the oral statement in writing and submit it to the Watch Commander.
- (d) Ensure that the appropriate investigation authority is notified, if needed.
- (e) Ensure that any parties involved in a use of force situation are examined by qualified medical personnel, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.
- (f) Separately obtain a recorded interview with all inmates upon whom force was used. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the supervisor should ensure the following in the event a report is submitted to a prosecuting authority:
  - 1. The fact that a recorded interview was conducted by a supervisor and retained for the use of force review should be clearly documented.
  - 2. The content of the interview should not be summarized or included in any related reports submitted to the prosecuting authority.
- (g) The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (h) 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 pain as well as overall photographs of uninjured areas. These photographs should be retained until all potential civil litigation has expired.
- (i) Identify any witnesses not already included in related reports.
- (j) 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 report. If there is an injury or complaint of an injury, the supervisor should also prepare a risk management report and should submit all reports to the Watch Commander.

In the event that the supervisor believes the incident may give rise to civil litigation, a separate claim form should be completed and routed to the appropriate channels.

# Lompoc Police Department

## Jail Manual

### *Use of Force*

---

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 inmate 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.

#### **508.8 USE OF DEADLY FORCE**

If an objectively reasonable jailer would consider it safe and feasible to do so under the totality of the circumstances, jailers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

- (a) A jailer 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 jailer or another person.
- (b) A jailer may use deadly force to stop an escaping inmate when the jailer has probable cause to believe that the inmate has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the jailer reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the inmate is not immediately apprehended. Under such circumstances, and when feasible, prior to the use of force, the jailer shall identify themselves and warn that deadly force may be used, if the jailer objectively believes the inmate is not aware of those facts.

Jailers shall not use deadly force against an inmate based on the danger that inmate poses to him/herself, if an objectively reasonable jailer would believe the inmate does not pose an imminent threat of death or serious bodily injury to the jailer 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 jailer in the same situation would believe that an inmate has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the jailer or another person. A jailer’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).

##### **508.8.1 USE OF DEADLY FORCE - REPORTING**

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

### *Use of Force*

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#### **508.9 USE OF FORCE REVIEW**

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

##### **508.9.1 USE OF FORCE REVIEW COMMITTEE**

The review committee shall meet and review all use of force cases within 30 days of the incident. It is the responsibility of the Watch Commander to ensure these meetings occur. The committee will be comprised of the following members:

- (a) The Jail Manager
- (b) One supervisor assigned on a rotational basis
- (c) Professional Standards Unit
- (d) One qualified medical professional
- (e) A jailer with advanced use of force training
- (f) Other members as selected by the Chief of Police

The committee should render a single finding as to whether the use of force was within policy. Any recommendations for areas identified as needing training, changes in policy or further investigation into incidents that may lead to employee discipline shall be addressed in a separate memorandum to the Training Sergeant and/or the Professional Standards Section, as appropriate.

#### **508.10 TRAINING**

The Jail Manager shall work with the Training Sergeant to ensure legal and jail 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 the mentally ill
  - 4. Application of restraints
- (e) Forced cell extraction techniques
- (f) Use of force techniques
- (g) General restraint training (soft and hard restraints)
- (h) Reporting procedures

# Lompoc Police Department

## Jail Manual

### *Use of Force*

---

#### 508.10.1 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.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of this department'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 department's Use of Force Policy after remedial training, the member may be subject to discipline.

#### 508.10.2 PERIODIC TRAINING

Supervisors should conduct and document regular periodic briefings concerning this policy and the storage and use of weapons and control devices. Any test sheets or documentation of performance should be forwarded to the Training Sergeant to be included in the member's training record.

## Use of Restraints

### 509.1 PURPOSE AND SCOPE

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

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

### 509.2 POLICY

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

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the inmate. Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an inmate have failed or appear likely to fail (15 CCR 1029(a)(4); 15 CCR 1058). Each incident where restraints are used shall be documented by the handling member and the documents placed in the appropriate file prior to the end of the member's shift.

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

### 509.3 USE OF RESTRAINTS - CONTROL

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

Restraint devices shall only be used on an inmate when it reasonably appears necessary to overcome resistance, prevent escape, or bring an incident under control, thereby preventing injury to the inmate or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals, but no longer than two hours. If the above goals cannot be achieved by applying the restraints set forth in this policy, the inmate should be transferred to the designated facility.

The use of restraints for purposes other than for the controlled movement or transportation of an inmate shall be documented on appropriate logs to include, at a minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed, and when it was removed (15 CCR 1058).

# Lompoc Police Department

## Jail Manual

### *Use of Restraints*

---

The following provisions shall be followed when utilizing restraints to control an inmate (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 inmates shall not be placed face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.
- (d) Inmates in restraints shall be housed either alone or in an area designated for restrained inmates.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the inmate or others from harm.
- (f) Members shall conduct direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the inmate'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 inmate's behavior. Any actions taken should also be noted in the log.
- (g) The specific reasons for the continued need for restraints shall be reviewed, documented and approved by the Jail Manager or the Watch Commander at least every hour.
- (h) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.
- (i) As soon as practicable, but within four hours of placement in restraints, the inmate shall be medically assessed to determine whether he/she 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.
- (j) As soon as practicable, but within eight hours of placement in restraints, the inmate must be evaluated by a mental health professional to assess whether the inmate needs immediate and/or long-term mental health treatment. If the Jail Manager, or the authorized designee, in consultation with responsible health care staff determines that an inmate cannot be safely removed from restraints after eight hours, the inmate shall be taken to a medical facility for further evaluation.

#### 509.3.1 COURT APPROVAL

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

# Lompoc Police Department

## Jail Manual

### *Use of Restraints*

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#### **509.4 RANGE OF MOTION**

Inmates placed in restraints for longer than two hours should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (e.g., right arm and left leg) for a minimum of 10 minutes every two hours (15 CCR 1058).

#### **509.5 FOOD, HYDRATION AND SANITATION**

Inmates 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 inmate.

Offering food and hydration to inmates will be documented to include the time, the name of the person offering the food or water/juices, and the inmate's response (receptive, rejected). Inmates shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints (15 CCR 1058).

#### **509.6 AVAILABILITY OF CPR EQUIPMENT**

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

#### **509.7 RESTRAINED INMATE HOLDING**

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

#### **509.8 PREGNANT INMATES**

Restraints will not be used on inmates 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 inmate, the members, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

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

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

##### **509.8.1 INMATES IN LABOR**

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

# Lompoc Police Department

## Jail Manual

### *Use of Restraints*

---

- (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 inmate, the members, or the medical facility staff.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.
- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

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

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

## Searches

### 510.1 PURPOSE AND SCOPE

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

The introduction of contraband, intoxicants or weapons into the Lompoc Police Department jail facility poses a serious risk to the safety and security of members, inmates, volunteers, contractors and the public. Any item that is not available to all inmates 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 inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself seriously jeopardizes the safety and security of this jail facility. Carefully restricting the flow of contraband into this facility can only be achieved by thorough searches of inmates and their environment.

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

#### 510.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

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

**Strip search** - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring member.

# Lompoc Police Department

## Jail Manual

### Searches

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#### **510.2 POLICY**

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

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

#### **510.3 PAT-DOWN SEARCHES**

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

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

Except in emergencies, male members may not pat down female inmates and female members may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches shall be documented (28 CFR 115.115).

#### **510.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES**

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

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

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

# Lompoc Police Department

## Jail Manual

### Searches

---

#### 510.4.1 MODIFIED STRIP SEARCHES AND STRIP SEARCHES PRIOR TO PLACEMENT IN HOUSING

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

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

# Lompoc Police Department

## Jail Manual

### Searches

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#### 510.4.2 SEARCHES OF INMATES IN HOUSING

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

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

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

The member conducting a modified strip or strip search shall:

- Document in writing the facts that led to the decision to perform a strip search of the inmate.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date and location of the search.
- Document the names of members present, their sex and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the department's current evidence procedures.
- If appropriate, complete a crime report and/or incident report.
- Ensure the completed documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

#### 510.4.3 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

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

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

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

# Lompoc Police Department

## Jail Manual

### Searches

---

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

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

#### 510.4.4 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

- (a) No person shall be subjected to a physical body cavity search without approval of the Jail Manager or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched (Penal Code § 4030). Only the necessary members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  1. The facts that led to the decision to perform a physical body cavity search of the inmate.
  2. The reasons less intrusive methods of searching were not used or were insufficient.

# Lompoc Police Department

## Jail Manual

### Searches

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3. The Jail Manager's approval.
  4. A copy of the search warrant.
  5. The time, date, and location of the search.
  6. The medical personnel present.
  7. The names, sex, and roles of any member present.
  8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the department's current evidence procedures.
- (h) If appropriate, the member shall complete a crime report.

#### **510.5 TRANSGENDER SEARCHES**

Members shall not search or physically examine a transgender or intersex inmate 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 inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.115).

#### **510.6 HOUSING AREA SEARCHES**

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

- (a) All inmates shall vacate their living areas and be searched by members.
- (b) Inmates should be escorted to a separate holding area.
- (c) Members shall search living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) Members shall attempt to identify the inmate who possessed the contraband and file appropriate incident and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate incident and/or criminal charges should be filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

# Lompoc Police Department

## Jail Manual

### Searches

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

#### **510.7 PHYSICAL PLANT SEARCHES**

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

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

##### **510.7.1 CANINE-ASSISTED SEARCHES**

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

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

#### **510.8 CRIMINAL EVIDENCE SEARCHES**

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

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

#### **510.9 TRAINING**

The Training Sergeant shall provide training for members in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with jail facility security needs. This training shall include cross-

# Lompoc Police Department

Jail Manual

## *Searches*

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gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.115).

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## Reporting In-Custody Deaths

### 511.1 PURPOSE AND SCOPE

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

#### 511.1.1 DEFINITIONS

Definitions related to this policy include:

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

### 511.2 POLICY

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

### 511.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required.

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

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

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

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

Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

### 511.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this department, the Watch Commander is responsible for ensuring that the Chief of Police and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

# Lompoc Police Department

## Jail Manual

### *Reporting In-Custody Deaths*

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

The Department shall establish policies and procedures for the investigation of any in-custody death. See 511.4.1

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. Jailers shall not make a public comment.

#### **511.4.1 INVESTIGATION PROCEDURES**

Upon notification of any in-custody death, Lompoc Custody Personnel will immediately notify the Lompoc Police Watch Commander. Notifications will be made to Police Captain, Police Detective Sergeant and the Chief of Police.

Based upon the circumstances, a determination will be made by Police Management if the Lompoc Police Investigations personnel will conduct the investigation or if the Santa Barbara County Sheriff's Department Investigations Personnel will conduct the investigation. Ultimately the Santa Barbara County Sheriff's Department Coroner will inquire and determine the cause of death, per Government Code § 27491 and Health & Safety Code § 102850.

The in-custody death review should be conducted no later than 72 hours after the incident with the following personnel.

- Chief of Police
- City Attorney
- Deputy District Attorney
- Investigative Personnel or other personnel who have information regarding the in-custody Death.

Upon the completion of the in-custody death investigation, an administrative review will be conducted.

#### **511.5 IN-CUSTODY DEATH REVIEW**

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

- (a) Chief of Police and/or the Jail Manager
- (b) City Attorney

# Lompoc Police Department

## Jail Manual

### *Reporting In-Custody Deaths*

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- (c) District Attorney
- (d) Investigative staff
- (e) Responsible Physician, qualified health care professionals, supervisors, or other members who are relevant to the incident

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

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## Staff and Inmate Contact

### 512.1 PURPOSE AND SCOPE

Interaction with inmates allows for continual assessment of the safety and security of the jail facility and the health and welfare of the inmates. 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 inmates, 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.

### 512.2 POLICY

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

### 512.3 GENERAL CONTACT GUIDELINES

Members are encouraged to interact with the inmates 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 inmates. Members shall address inmates in a civil manner. The use of profanity, and derogatory or discriminatory comments is strictly prohibited.

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

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

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

### 512.4 ANTI-FRATERNIZATION

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

# Lompoc Police Department

## Jail Manual

### *Staff and Inmate Contact*

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

Prohibited interactions include but are not limited to:

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

#### **512.4.1 EXCEPTIONS**

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

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

#### **512.5 REPORTING**

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

Members shall report all attempts by inmates 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.

# Lompoc Police Department

## Jail Manual

### *Staff and Inmate Contact*

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

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# Transportation of Inmates Outside the Secure Facility

## 513.1 PURPOSE AND SCOPE

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

## 513.2 POLICY

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

Inmates shall be transported from this jail facility in accordance with all laws relating to the transfer of inmates and costs related to transfers to facilities and jurisdictions.

## 513.3 PROCEDURES

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

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

- (a) Verifying the inmate's identity and obtaining all necessary paperwork for the inmate being transported.
- (b) Submitting a completed transportation plan to the supervisor. Items that should be addressed in the plan include:
  1. Type of restraints to be used on the inmates being transported.
  2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security for the community in mind.
  3. Emergency response procedures in the event of a collision, the breakdown of a transportation vehicle, or some other unforeseen event.
  4. Site verification, unloading and reloading instructions, and parking rules at the destination.
- (c) Ensuring that all inmates are thoroughly searched and appropriate restraints are properly applied.
  1. Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in leg restraints/irons or waist restraints while being transported (see the Use of Restraints Policy).
  2. Inmates 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

# Lompoc Police Department

## Jail Manual

### *Transportation of Inmates Outside the Secure Facility*

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Code § 3407. The inmate shall not be shackled to anyone else during transport (see the Use of Restraints Policy) (Penal Code § 4023.8(l)).

- (d) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (e) Thoroughly searching the transporting vehicle for contraband before any inmate is placed inside, and again after removing the inmate from the transporting vehicle.
- (f) Ensuring that any known threat or danger the inmate may pose, such as escape risk, suicide potential, or medical condition, is recorded on the inmate's booking documentation and transported with the inmate to the next facility. The transporting member shall ensure that the threat or danger is communicated to intake personnel at the facility.

#### 513.3.1 TRANSPORTATION LOGS

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

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

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

#### 513.4 TRAINING

The Training Sergeant shall ensure that all employees charged with inmate 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.

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## Sobering Cells

### 514.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing inmates into and the continued placement of inmates in sobering cells.

#### 514.1.1 DEFINITIONS

Definitions related to this policy include:

**Sobering cell** - A holding cell designed to minimize the risk of injury by falling or dangerous behavior. It is used as an initial sobering place for arrestees or inmates 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 inmates.

### 514.2 POLICY

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

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

### 514.3 SOBERING CELL PROCEDURES

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

- (a) A sobering cell log shall be initiated every time an inmate is placed into a sobering cell. The log shall be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with established department records retention schedules.
- (b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least once every 30 minutes. Each visual observation of the inmate by members shall be documented. Supervisors shall check the logs for completeness every two hours and document this action on the sobering cell log.
- (c) Under no circumstances shall an inmate be held in a sobering cell for more than six hours without being evaluated by qualified medical personnel to ensure that the inmate does not have an urgent medical issue and every six after the initial six hour confinement time.
- (d) Inmates 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) Females and males will be detained in separate sobering cells
- (f) Inmates will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers and the inmates will be monitored while eating the

# Lompoc Police Department

Jail Manual

## *Sobering Cells*

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meals. Inmates shall be given ample time to complete their meals prior to the plate or container being removed.

## Biological Samples

### 515.1 PURPOSE AND SCOPE

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

### 515.2 POLICY

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

### 515.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following inmates must submit a biological sample (Penal Code § 296):

- (a) A person, including a juvenile, upon conviction or other adjudication of any felony offense
- (b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record
- (c) An adult arrested or charged with any felony

### 515.4 PROCEDURE

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

#### 515.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the inmate is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by California DOJ to perform the collection and take steps to avoid cross contamination.

### 515.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

If an inmate refuses to cooperate with the sample collection process, jailers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force.

# Lompoc Police Department

## Jail Manual

### *Biological Samples*

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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 Watch Commander. Methods to consider when seeking voluntary compliance include contacting:

- (a) The inmate's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the inmate for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the inmate's next court appearance.
- (d) The inmate's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where the inmate can be transferred to better facilitate sample collection.

For the purpose of this regulation, the "use of reasonable force" shall be defined as the force that an objective, trained and competent correctional employee, faced with similar facts and circumstances, would consider necessary and reasonable to gain compliance with this regulation,

The use of reasonable force shall be preceded by efforts to secure voluntary compliance. Efforts to secure voluntary compliance shall be documented and include an advisement of the legal obligation to provide the requisite specimen, sample or impression and the consequences of refusal.

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

The force shall not be used without the prior written authorization of the facility Watch Commander or on duty Jail Supervisor. The authorization shall include information that reflects the fact that the offender was asked to provide the requisite specimen, sample, or impression and refused.

#### **515.5.1 VIDEO RECORDING**

A video recording shall be made anytime force is used to obtain a biological sample. The recording should document all members participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's established records retention schedule (15 CCR 1059).

If the use of force includes a cell extraction, the extraction shall also be video and audio recorded. The video recording shall be retained by the jail 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).

#### **515.6 LEGAL MANDATES AND RELEVANT LAWS**

California law provides for the following:

# Lompoc Police Department

## Jail Manual

### *Biological Samples*

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#### 515.6.1 DOCUMENTATION RELATED TO FORCE

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

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

#### 515.6.2 BLOOD SAMPLES

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

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

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

#### 515.6.3 LITIGATION

The Chief of Police or the authorized designee should notify the California DOJ's DNA Legal Unit in the event this jail facility is named in a lawsuit involving the DNA data bank.

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## End of Term Release

### 516.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of inmates to ensure that inmates are not released in error.

### 516.2 POLICY

It will be the policy of the Lompoc Police Department to provide for the timely, efficient and legal release of inmates.

### 516.3 RELEASE PROCEDURE

Inmates who have reached the end of their sentenced terms or who are ordered released by the courts will be scheduled for release at staggered times on their out-dates to avoid congestion in the release area. Inmates scheduled for release shall be escorted by a member to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release times.

The Watch Commander or member shall sign and date the release paperwork on the same day the inmate is to be released.

Inmates shall not be released or moved during inmate count, change of shift or at any time that would pose a potential safety threat or disrupt the orderly operation of the jail facility.

All inmates must be positively identified by a member prior to being released from the jail facility. Inmate identities should be verified using intake records bearing the inmate's name, photograph and jail facility identification number.

Before any inmate may be released, the following conditions must be met:

- (a) The identity of the inmate has been verified.
- (b) All required paperwork for release is present. The member shall review the active inmate 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. Unresolved grievances, damage claims or lost property.
- (c) Releasing members must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders. If any agency has outstanding charges against the inmate, the members shall notify the agency that the inmate is available for release.
- (d) All personal property shall be returned to the inmate during the release process. The inmate must acknowledge receiving his/her property by signed receipt. Any discrepancies shall be promptly reported to the Watch Commander.

# Lompoc Police Department

## Jail Manual

### *End of Term Release*

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- (e) All jail facility property must be returned by the inmate. Any missing or damaged jail facility property should be documented and promptly reported to the Watch Commander. The inmate shall remain in custody until the Watch Commander reviews the damage and authorizes the release.
- (f) A forwarding address for the inmate should be on file and verified with the inmate for return of mail.
- (g) Inmates on probation or parole should be directed by the member to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the inmate's release, if required.
- (h) If needed, inmates may be allowed to make a reasonable number of phone calls to arrange for transportation.
- (i) The housing cell should be inspected for damage prior to the release or transportation of any inmate. Any damages should be noted and, if necessary, an additional crime report completed. Photographic evidence should be obtained and documented to support additional charges.

The housing sheet, release log and daily census log shall be updated accordingly after the inmate's release. The Watch Commander shall ensure all release documents are complete and properly signed by the inmate and the member where required.

At no time will a released inmate be allowed in any secure area of the jail facility without personal supervision by a member.

#### 516.3.1 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 Facility shall display the required signage that complies with Penal Code § 851.91 advising an arrestee of the right to obtain the Judicial Council forms.

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## Over-Detention and Inadvertent Releases

### 517.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to members and management in the event of over-detention or inadvertent release.

#### 517.1.1 DEFINITIONS

Definitions related to this policy include:

**Inadvertent release** - Any instance of an inmate being mistakenly released.

**Over-detention** - Any instance of an inmate being mistakenly detained beyond his/her scheduled release date.

### 517.2 POLICY

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

### 517.3 OVER-DETENTION

Any member who discovers or receives information of an over-detention, or a complaint from an inmate regarding over-detention (which could be discovered through a grievance), should immediately notify the Watch Commander (see the Inmate Grievances Policy).

The Watch Commander should direct the Records Section to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Watch Commander.

Inmates who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Watch Commander shall ensure that the Jail Manager is notified, an entry is made to the daily activity log and that a report is completed.

#### 517.3.1 OVER-DETENTION GRIEVANCES

Any member who receives information or a complaint from an inmate regarding over-detention should assist the inmate with completing a grievance form and forward the form directly to the Watch Commander as soon as practicable.

The Watch Commander receiving a grievance regarding an over-detention should direct the Records Section to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Watch Commander.

If the Watch Commander decides not to release the inmate, the Watch Commander should ensure the inmate receives a grievance hearing within 24 hours of the grievance submission. The hearing documentation should reflect efforts made to investigate the allegation (see the Inmate Grievances Policy).

# Lompoc Police Department

## Jail Manual

### *Over-Detention and Inadvertent Releases*

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#### **517.4 INADVERTENT RELEASE**

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

##### **517.4.1 INADVERTENT RELEASE INVESTIGATION**

The Watch Commander should direct the Records Section to immediately conduct an investigation to determine the cause of the inadvertent release.

The Watch Commander will coordinate a response based upon the seriousness of the threat the inmate may pose to the community. The threat assessment should be based upon the inmate's criminal history and the reason he/she is currently in custody, among other factors.

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

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

##### **517.4.2 RETURNING THE INMATE TO CUSTODY**

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

## Canines

### 518.1 PURPOSE AND SCOPE

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

### 518.2 POLICY

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

### 518.3 GUIDELINES FOR THE USE OF CANINES

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

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

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

#### 518.3.1 WARNINGS AND ANNOUNCEMENTS

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

#### 518.3.2 REPORTING CANINE USE, BITES AND INJURIES

Whenever the canine is deployed, a canine use report shall be completed by the handler and turned in to the Jail Manager before going off-duty.

# Lompoc Police Department

## Jail Manual

### *Canines*

---

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

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

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

#### **518.4 SELECTING AND TRAINING CANINES**

A selection committee consisting of the canine handler, a supervisor and an outside subject matter expert (in canine programs) shall select any canine to be used in the canine program.

The committee shall consider the prospective canine's ability to detect contraband and its ability to work effectively in a custody environment.

##### **518.4.1 TRAINING**

Before assignment in this jail facility, each canine team shall be trained and certified to meet the certification standards established by an department-approved and recognized canine association.

The Training Sergeant or the authorized designee shall be responsible for scheduling periodic training for all jail facility members on how to conduct themselves in the presence of department canines.

##### **518.4.2 CONTINUED TRAINING**

Each canine team shall be recertified to current standards or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams shall receive training as defined in the current contract with the department's canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with the approval of the canine program supervisor.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is contrary to the policies of the Lompoc Police Department.
- (d) All canine training shall be conducted while on-duty unless otherwise approved by the canine program supervisor.

##### **518.4.3 FAILURE TO SUCCESSFULLY COMPLETE TRAINING**

Any canine team failing certification shall not be deployed in this jail facility until certification is achieved. Any canine team failing annual recertification shall be immediately removed from service. When practicable, pending successful recertification, the canine handler shall be temporarily reassigned to other duties.

## *Canines*

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### 518.4.4 TRAINING RECORDS

A training record for each canine will be created and maintained in the canine handler's training file. The record shall be reviewed and initialed monthly by the supervisor in charge of the canine program. A copy of all training shall be forwarded to the Training Sergeant and retained pursuant to the Lompoc Police Department's established records retention schedules.

### **518.5 SELECTION AND TRAINING FOR CANINE HANDLERS**

The position of canine handler is a special assignment that requires a specific set of skills, experience, training and temperament, in addition to those of a line staff member. A canine handler shall:

- (a) Have three years of experience as a jailer in the Lompoc Police Department.
- (b) Have performance evaluations of satisfactory or better.
- (c) Demonstrate the ability to communicate well with inmates.
- (d) Demonstrate the ability to perform ancillary tasks with minimum supervision.
- (e) Reside in an adequately fenced, single-family residence (e.g., minimum 5-foot high fence with locking gates).
- (f) Have a garage that can be secured and will accommodate a canine unit.
- (g) Live within 30 minutes travel time from the jail facility.
- (h) Agree to be assigned to the position for a minimum of three years.

The canine handler shall be chosen from applicants via an oral board. If possible, the oral board shall be comprised of one person who is a member of an outside organization that has a canine program and two members who shall be chosen by the Jail Manager.

The canine handler shall receive all necessary training with his/her canine before being utilized in this jail facility. All training records for canine handlers will be maintained by the Training Sergeant.

### **518.6 MEDICAL CARE OF THE CANINE**

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in this policy.

#### 518.6.1 NON-EMERGENCY MEDICAL CARE

Non-emergency medical care will be coordinated through the canine program supervisor.

Any indication that a canine is not in good physical condition shall be reported to the canine program supervisor as soon as practicable.

All records of medical treatment shall be maintained in the canine handler's personnel file.

#### 518.6.2 EMERGENCY MEDICAL CARE

The handler shall notify the canine program supervisor as soon as reasonably practicable when emergency medical care for the canine is required. Depending on the severity of the injury or illness, the canine shall either be treated by the designated veterinarian or transported to a

# Lompoc Police Department

## Jail Manual

### *Canines*

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designated emergency medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

#### 518.6.3 REPORTING CANINE INJURIES

In the event that a canine is injured, the injury will be immediately reported to the canine program supervisor. The injury will be documented on the appropriate report form.

#### 518.7 REQUESTS FOR ASSISTANCE FROM OTHER AGENCIES

The canine program supervisor or the on-duty supervisor must approve all requests for canine assistance from outside agencies, subject to the following provisions:

- (a) Canine teams shall not be used to perform any assignment that is not consistent with this policy.
- (b) The handler has the ultimate authority to decide whether the canine will be used for any specific assignment.
- (c) Canine teams should not be called into service when off-duty or used outside the jurisdiction of the department, unless authorized by the canine program supervisor.
- (d) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

#### 518.8 REQUESTS FOR PUBLIC DEMONSTRATIONS

All public requests for a canine team appearance shall be approved by the canine program supervisor or the authorized designee prior to making any commitment.

Handlers shall not demonstrate any canine activities to the public unless authorized to do so by the canine program supervisor or the authorized designee.

#### 518.9 CANINE HANDLER RESPONSIBILITIES

##### 518.9.1 AVAILABILITY

The handler shall be available for call-out under conditions specified by the canine program supervisor.

##### 518.9.2 CARE FOR THE CANINE AND EQUIPMENT

The canine handler shall be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, attention and living conditions. In addition, the handler will be responsible for:

- (a) Ensuring the canine is not exposed to any foreseeable and unreasonable risk of harm, unless required by a particular application.
- (b) Maintaining all department equipment under his/her control in a clean and serviceable condition.
- (c) Permitting the canine program supervisor to conduct spontaneous on-site inspections of any area of the residence that is used for the canine.

# Lompoc Police Department

## Jail Manual

### Canines

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- (d) Reporting any changes in the living status of the handler that may affect the lodging or environment of the canine to the handler's supervisor as soon as possible.
- (e) Keeping the canine in a kennel provided by the Department when off-duty and at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, canines may be let out of the kennels while under the direct control of the handler.
- (f) Permitting the canine to socialize in the home with the handler's family under the direct supervision of the handler.
- (g) Ensuring that under no circumstances will the canine be lodged at another location unless approved by the canine program supervisor.
- (h) Involving their canines in any activity or conduct when off-duty only with approval in advance by the canine program supervisor.
- (i) Notifying the canine program supervisor whenever the canine handler anticipates taking a vacation or an extended number of days off and it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to his/her supervisor so that appropriate arrangements can be made.
- (j) Maintaining a daily record that contains the training, care of the dog and significant events, such as public appearances, and when the canine is utilized for searches.

#### 518.9.3 CANINES IN PUBLIC AREAS

All canines shall be kept on a leash when in areas that allow access to the public. Exceptions would include specific operations for which the canines are trained.

If a canine unit is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that an unattended unit remains habitable for the canine.

#### 518.9.4 HANDLER COMPENSATION

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the dog, as provided in the Fair Labor Standards Act. The compensation shall be prescribed in the employee labor agreement.

#### 518.10 CONTROLLED SUBSTANCE TRAINING AIDS

Controlled substance training aids are required to effectively train and maintain drug-detecting dogs. Further, controlled substances can be an effective training aid during training sessions for jail facility members and the public. Only approved training aids provided by the canine program supervisor may be used to train the dog. The canine handler shall maintain accurate records of controlled substances provided for training purposes and shall promptly report any loss or destruction of controlled substance training aids to the canine program supervisor.

When not in use as training aids, the controlled substances shall be secured in storage that is only accessible by the canine handler and the program supervisor.

## *Canines*

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### **518.11 CANINE PROGRAM SUPERVISOR RESPONSIBILITIES**

The canine program supervisor shall be selected according to policy. The canine program supervisor's responsibilities include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with administrative staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records documenting canine activities.
- (f) Maintaining secure storage of all controlled substance training aids.
- (g) Maintaining an effective audit trail of all controlled substance training aids.
- (h) Recommending and overseeing the procurement of equipment and services for the unit.
- (i) Scheduling all canine-related activities.
- (j) Ensuring the canine teams are scheduled for continuous training to maximize the capabilities of the teams.

## **Chapter 6 - Inmate Due Process**

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## Inmates with Disabilities

### 600.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of inmates detained by this department in accordance with the Americans with Disabilities Act (ADA).

#### 600.1.1 DEFINITIONS

Definitions related to this policy include:

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

### 600.2 POLICY

This department will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. This department prohibits all forms of discrimination based on disability.

### 600.3 JAIL MANAGER RESPONSIBILITIES

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

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

# Lompoc Police Department

## Jail Manual

### *Inmates with Disabilities*

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- (i) Identification and evaluation of all developmentally disabled inmates, including contacting the regional center for the developmentally disabled to assist with diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends (15 CCR 1057).

The Jail Manager is responsible for ensuring the Lompoc Police Department Jail Facility is designed or adapted to reasonably accommodate inmates with disabilities. At a minimum this includes:

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

#### **600.4 JAILER'S RESPONSIBILITIES**

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

Members should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate's disability. If there are no current guidelines in place, members receiving an inmate request for accommodation of a disability should direct the inmate to provide the request in writing or assist the inmate in doing so, as needed. The written request should be brought to the on-duty supervisor as soon as practicable but during the member's current shift. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the jail facility.

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

#### **600.5 ACCOMMODATION REQUESTS**

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

Requests for accommodation after initial entry into the jail facility should be made through the standard facility request process and should be reviewed by a supervisor within 24 hours of the request being made. The reviewing supervisor should evaluate the request and, if approved, notify the Jail Manager, ADA Coordinator (see the Accessibility - Facility and Equipment Policy) and any

# Lompoc Police Department

## Jail Manual

### *Inmates with Disabilities*

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other member as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the inmate's file.

A supervisor who does not grant the accommodation, either in part or in full, should forward the request to the Jail Manager and the ADA Coordinator within 48 hours of the request being made. The Jail Manager, with the assistance of the ADA Coordinator and/or legal counsel, should make a determination regarding the request within five days of the request being made.

#### **600.6 TRAINING**

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

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

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## Inmate Rights and Protection

### 601.1 PURPOSE AND SCOPE

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

### 601.2 POLICY

It is the policy of this department that all inmates' rights shall be protected. Members shall make every reasonable effort to protect inmates from abuse, physical punishment, injury, harassment, intimidation or loss or damage to personal property by other inmates or members. These protections extend to administrative decisions, (e.g., classification, access to programs, the availability of services).

### 601.3 RESPONSIBILITY

It shall be the responsibility of all members to adhere to policies, procedures and practices to protect inmates and to ensure reasonable and comparable access to services and programs. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate 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 inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting required safety checks of all inmate housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Manager.
- Referring sick or injured inmates to a Jail Personnel without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail facility.
- Documenting all abuse protection efforts in jail facility logs and incident reports as applicable.

### 601.4 INMATE ACCESS TO COURTS AND COUNSEL

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

# Lompoc Police Department

## Jail Manual

### *Inmate Rights and Protection*

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

- Confidential attorney visiting areas that include the means by which the attorney and the inmate 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 inmates and those who cannot speak or read English, or who have disabilities that would impair their ability to access courts or counsel.

The Jail Manager shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the orientation material that is provided during inmate orientation.

#### 601.4.1 CONFIDENTIALITY

All communication between an inmate and his/her attorney is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Outgoing and incoming legal correspondence shall be routed through members 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 in the presence of the recipient inmate.

Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts, when needed, subject to the security and safety needs of the inmates, members and the jail facility.

#### 601.4.2 INMATE REQUEST FOR ASSISTANCE

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

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

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

#### 601.4.3 VISITATION RELATED TO LEGAL DEFENSE

Visits with inmates 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

# Lompoc Police Department

## Jail Manual

### *Inmate Rights and Protection*

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visitation to ensure confidentiality (15 CCR 1068(b)). Contact visits may be approved by the Jail Manager for special circumstances.

- (a) Visits shall be of a reasonable length of time to discourage any allegation that the inmate's defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. The length of these visits should not interfere with the security, order and discipline of this jail facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as meal service or other required activities.
- (b) Only materials brought to this jail facility by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by members and shall be routed through the Watch Commander for logging and distribution.

#### 601.4.4 MAIL

Legal mail shall be handled in accordance with the Inmate Mail Policy.

#### **601.5 VOTING RIGHTS**

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right.

Because inmates are unable to access public voting polls, the Jail Manager or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

Inmates should be advised of voting methods during the inmate orientation.

#### 601.5.1 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they are:

- A citizen of the United States.
- A resident of the county.
- At least 18 years of age at the time of the next election.
- Not been declared mentally incompetent by a court.
- Awaiting or on trial for a criminal offense.
- Serving time for a traffic or misdemeanor offense or as a condition of probation.
- Not convicted of a felony offense and sentenced to serve time in a state prison.
- Not on parole as a result of a felony conviction.

# Lompoc Police Department

## Jail Manual

### *Inmate Rights and Protection*

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#### 601.5.2 PROCEDURES

Prior to each election, the Jail Manager will designate a member to be a liaison between the Department and the local registrar of voters. The designated member will be responsible for assisting inmates who have requested to vote.

#### 601.5.3 REGISTERING TO VOTE

An inmate who is eligible to vote and requests to register should complete a voter application. The application should be submitted to the liaison member, who will forward the application to the local election official.

#### 601.5.4 REQUESTING AN ABSENTEE BALLOT

An inmate who will be in custody during an election and requests to vote by absentee ballot should complete an application. The completed application should be submitted to the liaison member, who will forward the application to the local election official.

#### 601.5.5 VOTING

All ballots received shall be delivered to inmates in a timely manner to ensure compliance with the inmate's right to vote. Once the ballot has been delivered to the inmate, it shall be the responsibility of the inmate to mail his/her ballot in accordance with the state's voting requirements. If the inmate is indigent, the jail facility will mail the ballot; if not, the inmate is responsible for the postage.

### **601.6 FOREIGN NATIONALS AND DIPLOMATS**

The Lompoc Police Department Jail Facility will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Department will investigate all claims of immunity and accept custody of the person when appropriate.

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

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

### **601.7 TRAINING**

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

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## Prison Rape Elimination Act

### 602.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.111; 15 CCR 1029).

#### 602.1.1 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 individual in custody 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):

- 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
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- 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 member of the Department or a contractor, with or without consent of the individual in custody, as follows:

- 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 department member or contractor 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 department member or contractor 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 member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by the department member or contractor to engage in the activities described above

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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- Any display by the department member or contractor of his/her uncovered genitalia, buttocks, or breast in the presence of an individual in custody
- Voyeurism by the department member or contractor

**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 individual in custody that are directed toward another; repeated verbal comments or gestures of a sexual nature to an individual in custody by a member of the Department or contractor, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

**Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

#### **602.2 POLICY**

The Lompoc Police Department has zero tolerance with regard to all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment, or who cooperates with a sexual abuse or sexual harassment investigation.

The Lompoc Police Department will take immediate action to protect those in its custody who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

#### **602.3 PREA COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a PREA coordinator. The coordinator shall be an upper-level manager. The coordinator must have sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards (28 CFR 115.111).

The responsibilities of the coordinator shall include but are not limited to:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of individuals in custody includes the requirement to adopt and comply with applicable provisions in PREA and the implementing regulations, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect those in custody from sexual abuse (28 CFR 115.113; 15 CCR 1029).
  1. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for department members to privately report sexual abuse and sexual harassment of individuals in custody (28 CFR 115.151).

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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- (e) Developing a written plan to coordinate response among department members, medical and mental health practitioners, investigators, command staff, and other first responders to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
  1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
  2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
  3. A process to document all referrals to other law enforcement agencies.
  4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
  5. In accordance with security needs, provisions to give, to the extent available, individuals in custody access to victim advocacy services if the individual is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that individuals with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect, and respond to sexual abuse and sexual harassment. This includes access to appropriate interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills; intellectual, hearing, speech, or vision disabilities) (28 CFR 115.116).
  1. The Department shall not rely on other individuals in custody for assistance except in limited circumstances where an extended delay in obtaining an appropriate interpreter could compromise the individual's safety, the performance of first-response duties under this policy, or the investigation of an individual's allegations of sexual abuse, harassment, or retaliation.
- (h) Publishing on the department website:
  1. Information on how to report sexual abuse and sexual harassment on behalf of an individual in custody (28 CFR 115.154).
  2. A protocol describing the responsibilities of the Department and any other investigating agency responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

---

abuse at facilities under the direct control of this department (28 CFR 115.187; 34 USC § 30303; 15 CCR 1041).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
  2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all department facilities used to house individuals in custody overnight (28 CFR 115.193).
- (k) Ensuring those who work in department facilities where individuals are held in custody are informed of the department zero-tolerance policy regarding sexual abuse and sexual harassment of individuals in custody (28 CFR 115.132).
- (l) Ensuring that information for uninvolved individuals in custody, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

#### **602.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION**

Any employee, agency representative, volunteer, or contractor who becomes aware of an incident of sexual abuse, sexual harassment, or retaliation against an individual in custody or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.161). Staff may also privately report sexual abuse and sexual harassment of an individual in custody (e.g., report to the Jail Manager) (28 CFR 115.151; 15 CCR 1029).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member (28 CFR 115.154; 15 CCR 1029).

Individuals in custody may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all requests by individuals in custody to report allegations of sexual abuse, sexual harassment, or retaliation. Staff shall accept reports made verbally, in writing, anonymously, or from third parties, and shall promptly document all verbal reports (28 CFR 115.151; 15 CCR 1029).

Threats or allegations of sexual abuse, sexual harassment, or retaliation, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.161).

##### **602.4.1 MEMBER RESPONSIBILITIES**

Department members shall accept reports from individuals in custody and third parties, and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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All members shall report immediately to the Watch Commander any knowledge, suspicion, or information regarding:

- (a) An incident of sexual abuse or sexual harassment.
- (b) Retaliation against the individual or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

#### **602.4.2 WATCH COMMANDER RESPONSIBILITIES**

The Watch Commander shall report to Lompoc Police Department designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a dependent adult, the Watch Commander shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that an individual in custody was sexually abused while confined at another facility, the Watch Commander shall notify the head of that facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander shall document such notification (28 CFR 115.163).

If an alleged victim is transferred from the Department to a jail, prison or medical facility, the Watch Commander shall, as permitted by law, inform the receiving facility of the incident and the individual's potential need for medical or social services, unless the individual requests otherwise (28 CFR 115.165).

#### **602.5 INVESTIGATIONS**

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

##### **602.5.1 FIRST RESPONDER RESPONSIBILITIES**

The responsibilities of the first jailer to respond to a report of sexual abuse or sexual assault shall include, but not be limited to (28 CFR 115.164):

- (a) Separating the parties.
- (b) Establishing a crime scene to preserve and protect any evidence.
- (c) Identifying and securing witnesses until steps can be taken to collect any evidence.
- (d) Requesting that the alleged victim and suspect not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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clothes, urinating, defecating, smoking, drinking or eating if the abuse occurred within a time period that still allows for the collection of physical evidence.

If the first responder is not a jailer, he/she shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a jailer (28 CFR 115.164).

#### 602.5.2 INVESTIGATOR RESPONSIBILITIES

The responsibilities of investigators shall include, but not be limited to (28 CFR 115.171):

- (a) Gathering and preserving direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interviewing alleged victims, suspects and witnesses.
- (c) Reviewing any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conducting compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assessing the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as an individual in custody or a member of the Lompoc Police Department.
- (f) Documenting in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Referring allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe an individual in custody sexually abused another individual in custody at the department facility (28 CFR 115.178).
- (h) Cooperating with outside investigators and remaining informed about the progress of any outside investigation.

#### 602.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether department member actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

#### 602.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No individual in custody who alleges sexual abuse shall 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 115.171(e)).

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. 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 115.182).

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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#### **602.5.5 CONCLUSIONS AND FINDINGS**

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All department members shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal, and reported to any relevant licensing body (28 CFR 115.176).

Any contractor who engages in sexual abuse shall be prohibited from contact with individuals in custody and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with individuals in custody by a contractor.

#### **602.6 RETALIATION PROHIBITED**

All individuals in custody and department members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other person who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that person.

The Watch Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for individuals in custody or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

A member of the Department shall be identified by the Watch Commander or the authorized designee to monitor the conduct and treatment of individuals in custody or members who have reported sexual abuse, and of those who were reported to have suffered sexual abuse. The member shall act promptly to remedy any such retaliation. In the case of individuals in custody, such monitoring shall also include periodic safety checks.

#### **602.7 REVIEWS AND AUDITS**

##### **602.7.1 INCIDENT REVIEWS**

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of

# Lompoc Police Department

## Jail Manual

### *Prison Rape Elimination Act*

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the conclusion of the investigation. The review team shall include command staff and seek input from supervisors and investigators.

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the department facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by department members.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

#### 602.7.2 DATA REVIEWS

The PREA coordinator shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files, and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department 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.

All aggregated sexual abuse data from Lompoc Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually. Before making

# Lompoc Police Department

Jail Manual

## *Prison Rape Elimination Act*

---

aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

### **602.8 RECORDS**

The Lompoc Police Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is in custody or is a member of the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

### **602.9 TRAINING**

All department members and contractors who may have contact with individuals in custody shall receive Department-approved training on the prevention and detection of sexual abuse and sexual harassment within the department facility.

The Training Sergeant shall be responsible for developing and administering this training as appropriate, covering at a minimum what is required to substantiate a case for administrative action or prosecution referral (see the Prison Rape Elimination Act Training Policy) (28 CFR 115.131; 28 CFR 115.134).

The Training Sergeant shall maintain documentation that department members, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current department members who may have contact with individuals in custody shall be trained within one year of the effective date of the PREA standards. The Department shall provide annual refresher information to all such members to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

## Grooming

### 603.1 PURPOSE AND SCOPE

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

### 603.2 POLICY

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

### 603.3 HAIRCUTS

Inmates will be provided haircuts and hair-cutting tools subject to established jail facility rules. If hair length, style or condition presents a security or sanitation concern, haircuts may be mandatory. Inmates who significantly alter their appearance may be required to submit to additional booking photos.

Inmates shall not cut names, numbers or other designs into their hair. Inmates shall not manipulate their hair into any style, including, but not limited to, braids, ponytails, cornrows or twists, that could facilitate the concealment and movement of contraband and weapons.

Inmates shall generally be permitted to receive hair care services once per month after being in custody for at least 30 days.

### 603.4 SHAVING

Inmates may shave daily. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Inmates with facial hair who work around food shall wear appropriate facial coverings.

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

### 603.5 NAILS

Nail clippers will be kept at the Main Control and will be issued to inmates upon request. Inmate workers are required to keep their nails clean and trimmed. Inmates with long nails may be required to trim their nails if there is a security concern and the inmate is admitted to housing.

## *Grooming*

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### **603.6 GROOMING EQUIPMENT**

Grooming equipment is to be inventoried and inspected by the member at the beginning of each shift and prior to being issued to inmates. The member 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.

### **603.7 PERSONAL CARE ITEMS**

Inmates are expected to maintain their hygiene using approved personal care items.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, members should not allow personal care items to be shared.

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## Inmate Grievances

### 604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

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

### 604.2 POLICY

It is the policy of this Department that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, recreation opportunities, classification actions, rule violations, program participation, and telephone, mail and visiting procedures (15 CCR 1073).

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

### 604.3 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with a grievance process for resolving complaints arising from jail facility matters with at least one level of appeal.

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the orientation materials. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include (15 CCR 1073):

- A grievance form or instructions for registering a grievance.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.
- A provision of required timeframes for responses.
- A provision for resolving questions of jurisdiction within the jail facility.
- Consequences for abusing the grievance system.

### 604.4 INMATE 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 inmate's file. If there is no resolution at this level, the inmate may request a grievance form.

# Lompoc Police Department

## Jail Manual

### *Inmate Grievances*

---

The inmate should be advised to complete the form and return it to any member. A grievance should be filed by an inmate within 14 days of the complaint or issue.

Inmates cannot file a grievance on behalf of another inmate but an inmate may assist another inmate in the preparation of a grievance. Members may take reasonable steps to assist the inmate in the preparation of a grievance if requested.

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

#### 604.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Inmates may request to submit the grievance directly to a supervisor or mail it directly to the Jail Manager if they reasonably believe the issues to be grieved are sensitive or that their safety would be in jeopardy if the contents of the grievance were to become known to other inmates.

Inmates with limited access to mail privileges, who are in segregation or are indigent, may deposit their grievances in the locked grievance box within their housing area or place their grievance in a sealed envelope labeled "Grievance" and deposit it in the regular mail boxes. These envelopes will be delivered directly to the Jail Manager and not forwarded to the United States Postal Service.

#### 604.4.2 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a completed inmate grievance form, the supervisor shall ensure that the grievance is investigated and resolved or denied in a timely manner, as established by the Jail Manager. The supervisor shall assign the investigation of the grievance to the manager in charge of the department the inmate is grieving.

Grievances related to medical care should be investigated by the Responsible Physician or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the Watch Commander. Any appeals of the findings of the medical staff shall be forward to the Jail Manager as the final level of appeal.

Grievances about food-related matters should be investigated by the Watch Commander and the findings forwarded to the Jail Manager, along with any recommendations. Any appeals shall be forward to the Jail Manager as the final level of appeal.

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

#### 604.4.3 APPEALS TO GRIEVANCE FINDINGS

Inmates may appeal the finding of a grievance to the Jail Manager within five days of receiving the findings of the original grievance. The Jail Manager will review the grievance and either confirm or deny it. If the Jail Manager confirms the grievance, he/she will initiate corrective actions. In either case, the inmate shall receive a written response to the appeal.

# Lompoc Police Department

## Jail Manual

### *Inmate Grievances*

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#### **604.4.4 RECORDING GRIEVANCES**

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

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

#### **604.4.5 FRIVOLOUS GRIEVANCES**

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in a transfer to the county jail.

#### **604.5 GRIEVANCE AUDITS**

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

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

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

#### **604.6 TRAINING**

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

## **Inmate Discipline**

### **605.1 PURPOSE AND SCOPE**

This policy addresses the discipline process within the jail facility.

### **605.2 POLICY**

Minor Acts of non-Conformance or Minor Violations:

For minor acts of non-conformance or minor violations of facility rules, staff may impose a temporary loss of privileges, such as access to telephones, board games, playing cards, visitation, or movement to isolation cell for less than 24 hours, provided there is written documentation and supervisory approval.

Major violations of facility rules or repetitive minor acts of non-conformance or repetitive minor violations of facility rules:

All major violations of facility rules or repetitive minor acts of non-conformance or repetitive minor violations of facility rules shall be reported in writing by the staff member observing the act and submitted to the Jail Supervisor or Watch Commander. The consequences of such violations will be to transport the inmate directly to the Santa Barbara County Jail.

A facility administrator may administratively segregate any inmate from the general population or program for reasons of personal, mental, or physical health, or under any circumstance in which the safety of the inmates, staff, program, or community is endangered, pending disciplinary action or a review as required by Section 1053 of these regulations.

Nothing in this section precludes the imposition of conditions or restrictions that reasonably relate to a legitimate, non-punitive administrative purpose.

Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Sections 4019.5 and 6030, Penal Code.

## **Chapter 7 - Medical/Mental Health**

## Health Authorities

### 700.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing collaboration between the Jail Manager, Health Care Adviser and Responsible Physician in order to maintain adequate health care for inmates (15 CCR 1200).

### 700.2 POLICY

The Chief of Police has designated that the Health Care Adviser for the Lompoc Jail for any immediate medical emergency is the on-duty Emergency Room Doctor at the Lompoc Hospital.

Any inmate who requires continued medical care will be transferred to the Santa Barbara County Jail.

### 700.3 DESIGNATED HEALTH AUTHORITIES

A qualified Lompoc Hospital Emergency Room Physician has been designated pursuant to an agreement, contract or job description as the Health Care Adviser for the facility.

A qualified Lompoc Hospital Emergency Room Physician has also be designated pursuant to an agreement or job description as the jail facility's Responsible Physician. The Responsible Physician may also be the Health Care Adviser.

Any inmate who requires contunued medical care will be transferred to the Santa Barbara County Jail.

#### 700.3.1 RESPONSIBILITIES OF THE HEALTH CARE ADVISER

The Health Care Adviser is responsible for:

- (a) Supervising all health care provided to inmates.
- (b) Working with the Responsible Physician and Jail Manager or the authorized designee to establish or approve procedures that are consistent with this Jail Manual chapter, reasonable standards of care, and legal standards. The procedures shall be reviewed and updated at least every two years (15 CCR 1206). The procedures will address, at a minimum, the following:
  - 1. Inmate screening at the time of entry into the jail facility and any associated forms (15 CCR 1207)
  - 2. Regular evaluations subsequent to entry
  - 3. Suicide prevention and intervention (15 CCR 1029(a)(8); 15 CCR 1030)
  - 4. Receiving and evaluating inmate requests for care (15 CCR 1207)
  - 5. Emergency and nonemergency medical and dental care for inmates (including first-aid kits and Automated External Defibrillators) (15 CCR 1206(c))

# Lompoc Police Department

## Jail Manual

### *Health Authorities*

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6. Communicable/infectious diseases (15 CCR 1206(i); 15 CCR 1206.5; 15 CCR 1051)
  7. Dietary issues specific to care (15 CCR 1206(l))
  8. Promotion of healthy lifestyles
  9. Security issues related to care
  10. The delivery and administration of medication, including procedures so that inmates who are taking medication prescribed by a health care professional at the time of admission continue to receive medications as necessary (15 CCR 1206(j); 15 CCR 1216)
  11. Health-related devices that may need to remain with an inmate, such as orthotics or eyeglasses (15 CCR 1206(d); 15 CCR 1207)
  12. Continued care for inmates being released or transferred (15 CCR 1206(n))
  13. Care records and privacy (15 CCR 1205 et seq.)
  14. Notification of family or guardians (15 CCR 1206(e))
  15. Informed consent (15 CCR 1214; 15 CCR 1205(d); 15 CCR 1205(b) et seq.)
  16. Use of private physicians and specialists (15 CCR 1206(b))
  17. Process for determining when elective procedures may be approved or denied
  18. Procedures for members to voluntarily and safely report possible health care-related events or circumstances that adversely affect inmate safety or care
  19. Care of pregnant and lactating women (which includes prenatal and postpartum information and health care), including but not limited to access to necessary vitamins as recommended by a physician, and information pertaining to childbirth education and infant care (15 CCR 1206(f))
  20. Provisions for application and removal of restraints on pregnant inmates consistent with Penal Code § 3407 (15 CCR 1206(p))
  21. Implementation of special medical programs (15 CCR 1206(h))
  22. Procedures for administration of psychiatric medication without the inmate's prior informed consent (Penal Code § 2603)
  23. Other services mandated by statute (15 CCR 1206(q))
- (c) Ensuring proof of licensure, certification, or registration of the jail facility's qualified health care professionals is maintained (15 CCR 1203).
- (d) Ensuring that adequate space, supplies, and equipment are available for any health care services that are provided at the jail facility.
- (e) Approving the suicide prevention plan.

#### 700.3.2 RESPONSIBILITIES OF THE RESPONSIBLE PHYSICIAN

The Responsible Physician will supervise all clinical aspects of inmate health care. Final clinical decisions are the sole province of the Responsible Physician (15 CCR 1200; 15 CCR 1204).

# Lompoc Police Department

## Jail Manual

### *Health Authorities*

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The Responsible Physician should:

- (a) Review clinical judgments and treatment plan recommendations made by other qualified health care professionals.
- (b) Approve all health care-related policies and procedures.
- (c) Issue standing orders as deemed appropriate.

#### **700.4 MAINTAINING QUALITY OF INMATE CARE**

The Health Care Adviser, Responsible Physician and the Jail Manager shall work cooperatively to maintain adequate inmate health care. Maintenance efforts should be documented and should include:

- (a) Quarterly meetings with the Jail Manager, Health Care Adviser and Responsible Physician, as well as monthly meetings of any health care staff.
- (b) A yearly audit of the jail facility's delivery of care, policies and procedures (15 CCR 1202).
- (c) Formalized efforts to identify and make improvements to inmate care, including:
  - 1. A continuous quality improvement program.
  - 2. A clinical performance enhancement process to evaluate a provider's care.
  - 3. Review of inmates' complaints.

Any irreconcilable differences of opinion among the Health Care Adviser, Responsible Physician and Jail Manager are to be brought to the attention of the Chief of Police as soon as practicable.

#### **700.5 DESIGNATED CARE PROVIDERS (DESIGNEES)**

The Health Care Adviser and Responsible Physician may designate qualified health care professionals (e.g., physicians, nurses, counselors, dentists, specialists). The Health Care Adviser is responsible for:

- (a) Ensuring designees are properly licensed, certified or registered and that they maintain their applicable licenses, certifications or registrations.
- (b) Limiting designees to providing care that is appropriate to their qualifications and licensing.
- (c) Ensuring appropriate protocols and standing orders are developed, and that all protocols and standing orders are understood by designees (15 CCR 1204).
- (d) Ensuring that copies of licensing and/or certification credentials are on file in the jail facility or at a central location where they are available for review (15 CCR 1203).

A designee may include an agency or entity, such as a clinic, hospital, public mental health organization or off-site medical office.

## *Health Authorities*

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### **700.6 CARE SUPERVISOR**

The Responsible Physician and the Jail Manager shall ensure that a member or a non-member designee is available to act as a care supervisor for inmates whenever there are no qualified health care professionals in the jail facility. Responsibilities for jail personnel (15 CCR 1206(k)):

- (a) Reviewing initial screening forms.
- (b) Triaging nonemergency health care requests.
- (c) Reviewing sick call requests.
- (d) Coordinating health care referrals as needed.
- (e) Assisting inmates being released with follow-up health care referrals, appointments and necessary medications.

## Inmate Screening and Evaluations

### 701.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the screening and evaluation of inmates for health care issues.

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

### 701.2 POLICY

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

### 701.3 INMATES NOT ACCEPTED INTO THE FACILITY

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

### 701.4 INITIAL SCREENINGS

Trained members shall perform a health care screening on each inmate upon his/her initial arrival at the jail facility. This includes communication and documentation from arresting/transporting officers, facility staff, medical and mental health personnel in relation to suicide risk. This includes those transferred from another facility. Findings shall be recorded on the appropriate form. The screening will include the name of the screener, date and time of the screening, and information and observations regarding (15 CCR 1029(a)(8); 15 CCR 1051; 15 CCR 1052; 15 CCR 1207):

- (a) Current and historical medical, dental and mental health care information, including any allergies.
- (b) Current and historical use of medication, alcohol and drugs, including types, amounts and frequency used, method of use, date or time of last use and history of any problems after ceasing use.
- (c) Suicide risk and mental health assessment.
- (d) Pregnancy and associated issues (15 CCR 1207.5).
- (e) Communicable disease risk assessment including tuberculosis and other airborne diseases (15 CCR 1206.5(a); 15 CCR 1207).
- (f) Special needs that would significantly impair an inmate's ability to adapt to the jail facility environment, such as a learning disability (see the Inmates with Disabilities Policy).
- (g) Other health care information as designated by the Responsible Physician or Health Care Adviser.

# Lompoc Police Department

## Jail Manual

### *Inmate Screening and Evaluations*

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

Any inmate who appears to be unable to adequately answer the initial medical screening questions shall be referred to a Jail Supervisor to determine whether the inmate should be examined by a qualified health care professional or, if one is not available, whether the inmate should be transported to receive a medical clearance before acceptance into the jail facility.

Inmates requiring segregation for suspected communicable disease pursuant to 15 CCR 1051 shall be separated until transferred or cleared by the qualified health care professional.

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

Initial screening forms should be forwarded to the Jail Supervisor for review.

#### **701.5 TRANSFER SCREENINGS**

A qualified health care provider shall review the health record of any inmate transferred into this facility within 12 hours.

Inmates transferred without a health record or initial screening from any other facility shall be screened when they initially arrive at this jail facility.

#### **701.6 HEALTH EVALUATIONS**

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

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

##### **701.6.1 RELEASE OR TRANSFER**

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

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## Suicide Prevention and Intervention

### 702.1 PURPOSE AND SCOPE

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

### 702.2 POLICY

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

### 702.3 MEMBER RESPONSIBILITIES

Any member who identifies an inmate who displays suicidal signs shall immediately notify a supervisor. The inmate shall be personally monitored until a mental health professional approves another form of monitoring.

The Jail Personnel will assist with contacting a mental health professional and implementing precautionary steps, as provided in this policy.

### 702.4 SUICIDE PREVENTION PLAN

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

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

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

## *Suicide Prevention and Intervention*

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### **702.5 PRECAUTIONARY STEPS**

The following inmates should be placed on suicide watch:

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

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

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

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

Until the inmate is evaluated by a mental health professional, the inmate shall be subject to continuous direct visual observation. The Responsible Physician or the authorized designee will determine when the inmate no longer requires continuous direct visual observation.

An inmate will be removed from suicide watch when the Responsible Physician or a mental health professional determines the inmate no longer poses a threat to him/herself. The inmate shall be referred to classification for an appropriate housing assignment. The fact that the inmate was on suicide watch shall be communicated by classification members to housing members whenever and wherever an inmate is assigned, throughout the inmate's incarceration.

### **702.6 OBSERVATION LOGS**

Observation logs shall be maintained and documented in at least 15-minute intervals for all inmates on suicide watch. The Watch Commander and the Responsible Physician, or the authorized designee, must observe the inmate at least once every five hours and make notations in the observation log. Each member who is required to observe the inmate shall make notations in the observation log, documenting the time of observation and a brief description of the inmate's behavior.

### **702.7 DOCUMENTATION**

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

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

## *Suicide Prevention and Intervention*

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### **702.8 SUICIDE ATTEMPTS**

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

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

#### **702.8.1 SUICIDES**

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

#### **702.8.2 <B>REPORTING SUICIDE ATTEMPTS</B>**

All inmate suicide attempts shall be documented through notification to the Jail Supervisor, Jail Manager, and Chief of Police through the following:

- Verbal notification
- Inmate Incident Report
- Lompoc Police Department incident report

### **702.9 DEBRIEFING**

Any suicide or attempted suicide requires a staff debriefing. Information will be communicated to the oncoming Watch Commander and members to apprise them of the incident and actions taken with regard to the incident. Such debriefing will be appropriately documented and shall be reviewed by administration, security and the Responsible Physician.

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

### **702.10 TRANSFER AND RELEASE**

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

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

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

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## Aids to Impairment

### 703.1 PURPOSE AND SCOPE

This policy addresses how members should balance reasonable security concerns with an inmate's need for an aid or adaptive device that assists him/her in dealing with an impairment.

### 703.2 POLICY

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

### 703.3 ADAPTIVE DEVICES

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

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

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

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

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

## *Aids to Impairment*

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### **703.4 REQUESTS FOR MEDICAL AND DENTAL ORTHOSES OR PROSTHESES**

All decisions regarding the provision of new or replacement medical or dental orthoses or prostheses shall be made on a case-by-case basis by the Responsible Physician or the authorized designee and reviewed for approval by the Jail Manager. Considerations shall be based upon the following:

- Medical needs of the inmate
- Anticipated length of incarceration
- Safety and security of the jail facility

Once an adaptive device has been approved for use by the Responsible Physician and the Jail Manager, the approval should be entered into the inmate's health care record. If the inmate requires special accommodations, this should be communicated to members as appropriate. The qualified health care professional shall document the general condition of the orthosis or prosthesis and have the inmate sign in the medical record that he/she received the device.

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## Health Care Records and Confidentiality

### 704.1 PURPOSE AND SCOPE

This policy is intended to provide guidance in the management of, and access to, inmate health care records, thereby ensuring that such records are available to those who need them, while controlling access in order to protect inmate privacy.

### 704.2 POLICY

The Department will protect inmate health care records in compliance with the law (15 CCR 1205; 15 CCR 1206(m)).

### 704.3 RECORDS TO BE KEPT

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

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

### 704.4 ACCESS TO RECORDS

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

The Health Care Adviser should assist in the development of procedures to identify which health care providers may have access to custody records and under what circumstances.

### 704.5 CONFIDENTIALITY

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

Health care information obtained in the course of screening or care shall be communicated to members only when it is necessary to protect the welfare of the inmate or others, to facilitate

# Lompoc Police Department

## Jail Manual

### *Health Care Records and Confidentiality*

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management of the jail facility, or to maintain jail facility security and order. Members who learn of an inmate's health condition incidental to their assignments shall keep that information confidential and shall not disclose that information to any unauthorized person (15 CCR 1205(b)).

#### **704.6 PRIVACY OFFICER**

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

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

#### **704.6.1 INMATE AUTHORIZATION**

Written authorization by the inmate is generally required for the transfer of health care records outside the Department. If the inmate refuses to authorize such a transfer, the Watch Commander, after consultation with a qualified health care professional, may nevertheless transfer health care information that is necessary for (45 CFR 164.512(k)(5); 15 CCR 1205(c)):

- The provision of health care to the inmate.
- The health and safety of others, including other inmates, transporting and law enforcement personnel (e.g., active tuberculosis).
- The administration and maintenance of the safety, security and good order of the receiving facility.

#### **704.7 MEMBER RESPONSIBILITIES**

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

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

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

# Lompoc Police Department

## Jail Manual

### *Health Care Records and Confidentiality*

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#### **704.7.1 ELECTRONIC RECORDS**

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

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

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

Inmate health care information may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, Internet posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic health care information traveling outside a secure network environment, via the Internet, requires encryption and authentication measures (45 CFR 164.312(e)).

#### **704.7.2 HARD COPIES**

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

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

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

#### **704.8 TRAINING**

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

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## Availability and Standards of Care

### 705.1 PURPOSE AND SCOPE

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

### 705.2 POLICY

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

### 705.3 INMATE ACCESS TO HEALTH CARE

Inmates may access health care in the following manner:

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

## *Availability and Standards of Care*

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### **705.4 INMATE PRIVACY**

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

### **705.5 RESPONSIBILITIES**

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

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

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

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

#### **705.5.1 USE OF INMATES FOR HEALTH CARE-RELATED ACTIVITIES**

Inmates who have received appropriate training may perform limited duties that involve assisting other inmates, but only while they are under the direct supervision of qualified health care professionals or members.

- (a) Duties that inmate assistants may perform include:
  - (a) Cleaning health care areas and equipment.
  - (b) Assisting disabled inmates with activities of daily living.
- (b) Inmates shall not be:
  - 1. Used for the provision of health care to other inmates.
  - 2. Allowed in areas or assigned tasks where they may overhear or access confidential medical information.
  - 3. Used for health care recordkeeping or have access to any of these records (15 CCR 1205).
  - 4. Permitted to deliver or administer medication to any other inmate.

### **705.6 MEDICAL CARE**

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

# Lompoc Police Department

## Jail Manual

### *Availability and Standards of Care*

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

#### 705.6.1 ELECTIVE PROCEDURES

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

#### 705.6.2 PREGNANT INMATES

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

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

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

No member shall interfere with or impede an inmate's decision to have an abortion, to keep the child, or place the child for adoption. If an inmate chooses to have an abortion, she shall be requested to sign a statement acknowledging that she has been provided the opportunity for related counseling and chooses to have an abortion. Any financial obligations for elective abortions will be the responsibility of the inmate. The jail facility shall provide necessary transportation and supervision for such services. Members who object to facilitating an inmate's elective abortion (including arrangements, transportation, security) should not be required to perform such duties.

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

#### 705.6.3 FOLLOW-UP CARE

The Responsible Physician or the authorized designee should review all discharge and other orders issued for inmates released from an emergency room visit or hospital stay, and should issue health care orders for any ongoing in-custody care.

The Health Care Adviser should ensure that inmates receive education and instruction for any self-care that may be required to meet their individual health care needs.

## *Availability and Standards of Care*

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### 705.6.4 HEALTH EDUCATION

Inmates should be encouraged to maintain healthy lifestyles. The jail facility should provide health education and wellness information through classes, audio and video presentations, brochures and pamphlets.

### 705.6.5 FAMILY PLANNING SERVICES

All inmates shall be offered family planning services at least 60 days prior to a scheduled release date (Penal Code § 4023.5).

### **705.7 MENTAL HEALTH CARE**

Members shall/should refer any inmate showing signs of mental illness or a developmental disability to a jail supervisor, who will arrange for an appropriate referral (15 CCR 1206).

The following mental health care will be provided to inmates:

- (a) Counseling and crisis intervention
- (b) Management of acute psychiatric episodes
- (c) Stabilization and treatment of mental disorders
- (d) Medication support services
- (e) Appropriate care of developmentally disabled inmates (15 CCR 1057)

An evaluation by the qualified health care professional shall occur within 24 hours of identification or at the next day sick call, whichever is earliest. To protect the safety of the inmate or others, segregation may be necessary while the inmate awaits the evaluation or transfer to another facility for diagnosis or treatment (15 CCR 1052).

### **705.8 DENTAL CARE**

Emergency dental care will be provided to inmates. Emergency dental care will be available to all inmates on a 24-hour basis. Severe dental pain qualifies as an emergency.

Dental care that is a necessary standard of treatment will be available to all inmates. Decisions as to whether dental care is a necessary standard of treatment will be made by a qualified dental care professional.

Decisions to provide dental care that is not presently a necessary standard of treatment (elective) may include consideration of the inmate's expected release date and available resources. Procedures that are elective may be approved by the Jail Manager or the authorized designee. The inmate will bear the cost.

### **705.9 EMERGENCY CARE**

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

## *Availability and Standards of Care*

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

### **705.10 FACILITY DIAGNOSTIC SERVICES**

Diagnostic services provided at the jail facility shall be properly licensed or certified and comply with applicable state and federal requirements. Diagnostic services include X-ray or digital imaging as well as laboratory testing, such as blood or urine tests. The Health Care Adviser should ensure the applicable licenses or certifications are maintained.

Procedures and instruction manuals should be available for each type of service.

### **705.11 OFF-SITE CARE PROVIDERS**

The Health Care Adviser should ensure written agreements are maintained with any community care providers who regularly provide health care services to inmates. The agreements should require providers to deliver a summary of any treatment provided, follow-up and prescription medication recommendations, and should identify any health care needs that may affect housing, program participation or other conditions of confinement.

### **705.12 TRANSPORTING INMATES FOR HEALTH CARE**

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

- (a) Transporting members should have instructions regarding any medication or accommodation that may be necessary during transport.
- (b) Patient confidentiality shall be maintained during transport.
- (c) Any health care records transported by members should be sealed.

### **705.13 EVIDENCE COLLECTION**

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

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

# Communicable Diseases

## 706.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of contracting and/or spreading communicable diseases among department members and the inmate population.

### 706.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

**Exposure** - When an eye, the mouth, a mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Lompoc Police Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

**Gassed** - When a person is exposed to human excrement or other bodily fluids or substances.

## 706.2 POLICY

The department is committed to providing a safe work environment for its members and inmates. Members should be aware that they are ultimately responsible for their own health and safety.

## 706.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop, with the assistance of the Health Care Adviser, an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how inmates and members may obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each member's position and risk of exposure.
- (d) Procedures related to mitigating the risks associated with communicable disease in the inmate population. These will include, but not be limited to:
  1. Proper screening of incoming inmates (15 CCR 1206.5; 15 CCR 1207).
    - (a) Screening procedures will require all persons at the time of intake to be asked whether they have had any communicable diseases or observable symptoms of communicable diseases, including but not

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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- limited to tuberculosis, other airborne diseases or other special medical problems. Responses shall be documented (15 CCR 1206.5).
- (b) Required medical procedures to identify the presence of disease and to lessen the risk of exposure to others will be specified (15 CCR 1051).
  - (c) The types of communicable diseases to be reported shall be identified (15 CCR 1206.5).
  - (d) Screening shall be performed by licensed health care staff or by trained members only (15 CCR 1207).
- 2. Appropriate testing (15 CCR 1206.5).
  - 3. Investigations of suspected exposures (15 CCR 1206.5).
  - 4. Appropriate medical attention and precautions to be used by members.
    - (a) Treatment responsibilities during incarceration, including when referrals are to be made, shall be included (15 CCR 1206.5).
    - (b) Housing considerations based upon behavior, medical needs and safety of the affected inmates shall be addressed (15 CCR 1206.5).
    - (c) Symptoms that require segregation of an inmate until a medical evaluation is completed shall be specified (15 CCR 1051).
    - (d) Coordination with public and private community-based resources for follow-up treatment shall be incorporated into the plan (15 CCR 1206.5).
  - 5. Sanitation and inmate hygiene efforts, including the sanitation of medical equipment.
  - 6. Control of vermin and parasites, such as mice, lice and bedbugs.
  - 7. Reporting communicable diseases and suspected exposures to the proper authorities.
    - (a) This will include coordination with public health officials for follow-up treatment in the community (15 CCR 1206.5)
  - 8. Treatment responsibilities during incarceration (15 CCR 1206.5).
  - 9. Developing a contingency plan in the event that removal of inmates from the jail due to a communicable disease may be warranted (Penal Code § 4012).
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including the following:
- 1. Bloodborne pathogens regulations (8 CCR 5193)
  - 2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136)
  - 3. Aerosol transmissible disease regulations (8 CCR 5199; 15 CCR 1206.5)
  - 4. Recording criteria for needle stick and sharps injuries (8 CCR 14300.8)
  - 5. Communicable disease screening, evaluation and segregation (15 CCR 1051)

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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6. Management of inmates suspected of or confirmed to have communicable diseases (15 CCR 1206; 15 CCR 1206.5; 15 CCR 1051)
7. Ensuring the exposure control plan reflects the current incidence of communicable diseases that threaten the health of inmates and members (15 CCR 1206.5)
8. Employee access to exposure records (8 CCR 3204)
9. Mandatory reporting of exposures and notifications (Health and Safety Code § 121070)
10. Sanitizing bedding (Bus. & Prof. Code § 19131)
11. Reporting and appropriate action upon the possible exposure of members to a communicable disease (15 CCR 1206.5)

The ECO should also act as the liaison with California Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan. The review and update shall occur annually at a minimum (8 CCR 5193).

#### 706.3.1 AVAILABILITY OF THE EXPOSURE CONTROL PLAN

A copy of the exposure control plan shall be accessible to employees and shall be made available to Cal/OSHA or the National Institute for Occupational Safety and Health upon request (8 CCR 5193).

#### **706.4 EXPOSURE PREVENTION AND MITIGATION FOR MEMBERS**

##### 706.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease (8 CCR 5193). This includes but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicle, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

#### 706.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

### **706.5 POST-EXPOSURE FOR MEMBERS**

#### 706.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

#### 706.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., cleanup, notifications)

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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The supervisor shall advise the member that disclosing the identity and/or infectious status of the source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply.

#### 706.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (8 CCR 5193):

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 706.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

#### 706.5.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member'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.

#### 706.5.6 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
- (d) Should include the identification of relevant symptoms of communicable diseases (15 CCR 1206.5).
- (e) Shall contain training as directed by 8 CCR 5193 and 8 CCR 5199 regarding bloodborne pathogens and aerosol transmissible diseases.

### **706.6 EXPOSURE PREVENTION AND MITIGATION FOR INMATES**

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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#### 706.6.1 SUSPECTED EXPOSURE OF AN INMATE

Members who become aware that an inmate may have been exposed should, as soon as practicable:

- (a) Take steps to reduce exposure to other inmates.
- (b) Use precautions related to exposure prevention as applicable to the situation (e.g., gloves, face masks).
- (c) Contact a qualified health care professional to care for the inmate as needed, and obtain recommendations regarding isolation or quarantine of the inmate.
- (d) Notify the appropriate supervisor and Jail Manager.

#### 706.6.2 SUPERVISOR RESPONSE AND REPORTING REQUIREMENTS

The responding supervisor shall investigate every exposure or suspected exposure of an inmate as soon as possible following the incident. The supervisor shall ensure the inmate receives appropriate medical assistance and that steps are taken to protect other inmates and members.

All incidents involving a suspected exposure shall be thoroughly documented.

#### 706.6.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Any exposed inmate shall have the opportunity to have a medical evaluation immediately after an exposure and follow-up evaluations as necessary.

Procedures shall be established that address (15 CCR 1206.5):

- (a) Access to related medical reports and who must receive these reports.
- (b) What information regarding communicable diseases may be shared with inmates and members.
- (c) Medical confidentiality requirements.
- (d) Provisions for inmate consent that address the limits of confidentiality.

#### 706.6.4 INMATE CONFIDENTIALITY

Any information regarding inmates and possible communicable diseases shall be considered confidential health care records (see the Health Care Records and Confidentiality Policy).

#### **706.7 SOURCE TESTING**

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or inmate, or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the Jail Manager to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an inmate. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7501 et seq.; Penal Code § 7510 et seq.).

# Lompoc Police Department

## Jail Manual

### *Communicable Diseases*

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- (c) Filing a report with the county health officer when an inmate requests testing of another inmate. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7512).
- (d) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing (Health and Safety Code § 121060; Health and Safety Code § 121070).
- (e) Under certain circumstances, a court may issue a court order for HIV testing of an adult or juvenile when a person qualifies as a crime victim (Penal Code § 1524.1; Health and Safety Code § 121055).
- (f) The guidelines and procedures contained in the Communicable Diseases Exposure Notification Act (Health and Safety Code § 120262).
- (g) Procedures set forth in Penal Code § 243.9 in the event an employee is “gassed” by an inmate.
  - 1. Absent exigency a court order should be obtained for an involuntary test.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

## **Chapter 8 - Environmental Health**

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## Sanitation, Maintenance and Safety Inspections

### 800.1 PURPOSE AND SCOPE

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

### 800.2 POLICY

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

### 800.3 SAFETY AND SANITATION PLAN

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

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control and safety surveys).
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the jail facility.
- (c) Procedures, schedules and responsibilities for coordinating annual inspections by the health department having jurisdiction, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the jail 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 members and inmate workers on accident prevention and avoidance of hazards with regard to jail facility maintenance.
- (g) Supervision of the members and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- (h) All inmate responsibilities, which should be included in the inmate orientation materials.
- (i) Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- (j) A process for the preventive maintenance of equipment and systems throughout the jail facility.

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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Consideration should be given to general job descriptions and/or limitations relating to members or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or pest control, are more appropriately handled by the Department or by contract with private firms.

Inmates engaged in sanitation duties shall do so only under the direct supervision of qualified members. When inmate work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

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

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

#### **800.4 SANITATION SCHEDULE AND INSPECTION**

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

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

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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1. Walls
2. Ceilings
3. Bunk pans

#### **800.4.1 INSPECTION CHECKLIST**

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

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

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

#### **800.4.2 TRAINING**

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

#### **800.5 INMATE SAFETY**

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

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

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

#### **800.5.1 INVESTIGATION OF REPORTED INMATE INJURY**

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

#### **800.5.2 INVESTIGATION REPORTS**

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

- Incident reports

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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

#### 800.5.3 ANNUAL REVIEWS

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

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

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

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

#### **800.6 VERMIN AND PEST CONTROL**

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

##### 800.6.1 PEST CONTROL SERVICES

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

##### 800.6.2 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate 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. Inmates 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 inmates undergoing treatment for lice should be used.

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

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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Clothing, bedding and other property that is suspected of being infested shall either be removed from the jail 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

#### 800.6.3 LABELING AND SECURE STORAGE OF COMPOUNDS

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

#### **800.7 SAFETY DATA SHEETS (SDS)**

Materials and substances used in the operation and maintenance of the jail 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 material and substances, including instructions on safe handling, storage, and disposal, prohibited interactions and other details relative to the specific material.

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

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

#### 800.7.1 SDS USE, SAFETY AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Members and inmates shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)(1)(ii)):

- (a) Supervisors shall conduct training for all members and inmates on using the SDS for the safe use, handling and disposal of hazardous material in areas they supervise.

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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- (b) Upon completion of the training, members and inmates shall sign the acknowledgement form kept with each SDS in their work areas.
- (c) Members and inmates using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material in their workplace.

#### **800.7.2 SDS DOCUMENTATION MAINTENANCE**

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

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

#### **800.7.3 SDS RECORDS MASTER INDEX**

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

#### **800.7.4 CLEANING PRODUCT RIGHT TO KNOW ACT**

In addition to SDS information, printable information regarding ingredients of certain products used by staff and inmates shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

#### **800.8 WATER SUPPLY TESTING**

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

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

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

# Lompoc Police Department

## Jail Manual

### *Sanitation, Maintenance and Safety Inspections*

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

Where the jail 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 jail facility's jurisdiction.

#### 800.8.1 EMERGENCY WATER SUPPLY PLAN

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

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## Inmate Hygiene

### 801.1 PURPOSE AND SCOPE

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

### 801.2 POLICY

It is the policy of Lompoc Police Department facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate 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 inmates but for the safety of members and visitors. The Jail Manager shall ensure the basic necessities related to personal care are provided to each inmate upon entry into housing. Appropriate additional personal care items may be available for purchase from the inmate commissary.

### 801.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the jail facility, including the exchange or disposal of soiled or depleted items. Members shall ensure that the storage areas are properly maintained and stocked. The Jail Manager should be notified if additional storage space is needed.

#### 801.3.1 BEDDING ISSUE

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

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with jail facility operational laundry rules.
- (b) One clean, firm, nontoxic fire-retardant mattress.
  1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk (16 CFR 1633.1 et seq.). Mattresses will be cleaned and disinfected when an inmate is released or upon reissue. Mattresses shall meet the most recent requirements of the state fire marshal, the California Department of Consumer Affairs' Bureau of

# Lompoc Police Department

## Jail Manual

### *Inmate Hygiene*

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Electronic and Appliance Repair, Home Furnishings and Thermal Insulation test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).

- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One clean washcloth, hand towel, and bath towel.
- (e) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Watch Commander shall review the daily activity log at least once per shift.

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

#### 801.3.2 CLOTHING ISSUE

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

- (a) Clean socks
- (b) Clean outer garments
- (c) Clean undergarments
  1. Males - shorts and undershirts
  2. Females - bra and two pairs of panties
- (d) Footwear

An inmate who is issued a change of clothing upon admission to the jail facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Manager.

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

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

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

# Lompoc Police Department

## Jail Manual

### *Inmate Hygiene*

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

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

An inmate's excess personal clothing shall be mailed to, picked up by, or transported to a designated family member, or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried, and secured. Inmates shall sign and receive a copy of the inventory record.

#### **801.4 LAUNDRY SERVICES**

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

#### **801.5 INMATE ACCOUNTABILITY**

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

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

#### **801.6 PERSONAL HYGIENE OF INMATES**

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 inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours shall be issued, at a minimum, the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Sanitary pads, panty liners, and tampons as requested at no cost (Penal Code § 4023.5)

# Lompoc Police Department

## Jail Manual

### *Inmate Hygiene*

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The Jail Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. Additional hygiene items shall be provided to inmates upon request, as needed.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Manager or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

#### **801.7 BARBER AND COSMETOLOGY SERVICES**

The Jail Manager or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services. The Jail Manager shall ensure that the rules are included in the inmate orientation materials.

##### **801.7.1 SCHEDULE FOR HAIR CARE SERVICES**

Inmates shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing area, inmates will be given inmate orientation materials which details how to request hair care services.

#### **801.8 AVAILABILITY OF PLUMBING FIXTURES**

Inmates 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 inmates in housing areas is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 inmates (urinals may be substituted for up to one-third the toilets in facilities for male inmates) (24 CCR 1231.3.1).

#### **801.9 INMATE SHOWERS**

Inmates will be allowed to shower upon assignment to a housing area and every other day thereafter or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this jail 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 inmates and members, and shall be recorded and maintained (24 CCR 1231.3.4).

# Lompoc Police Department

## Jail Manual

### *Inmate Hygiene*

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Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical members of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Members of the opposite sex shall announce their presence when entering an inmate housing area (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

#### **801.10 DELOUSING MATERIALS**

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

## **Chapter 9 - Food Services**

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## Food Services

### 900.1 PURPOSE AND SCOPE

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

### 900.2 POLICY

It is the policy of this department that food services shall provide inmates with a nutritionally balanced diet in accordance with federal, state and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in the California Retail Food Code (15 CCR 1245(a)).

#### 900.2.1 FOOD SERVICES PLAN

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

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

# Lompoc Police Department

## Jail Manual

### *Food Services*

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#### **900.3 FOOD SERVICES**

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

- Developing, implementing and managing a budget for food services.
- Ensuring members are assigned to carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for members and inmate workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Establishing written procedures for education and ongoing monitoring and cleanliness of food handlers (15 CCR 1230).

#### **900.4 MENU PLANNING**

All menus should be planned, dated and available for review at least one month in advance of their use. Records of menus and of foods purchased should be kept on file for one month. Menus should provide a variety of foods and should consider appearance, dietary allowances, flavor, nutrition, palatability, temperature and texture. Menus should be approved by a registered dietitian or nutritionist before being served.

Any changes to the meal schedule, menu or practices should be carefully evaluated by the Jail Manager and should be recorded. All substitutions will be of equal or better nutritional value. If any meal served varies from the planned menu, the change should be noted in writing on the menu and/or production sheet.

Copies of menus, foods purchased, annual reviews and quarterly evaluations should be maintained by the Jail Manager 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. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected.

#### **900.6 THERAPEUTIC DIETS**

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

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

## *Food Services*

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### **900.7 RELIGIOUS DIETS**

The Watch Commander, to the extent reasonably practicable, will provide special diets for inmates in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

### **900.8 FOOD SERVICES REQUIREMENTS**

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

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

### **900.9 MEAL SERVICE PROCEDURE**

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

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

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

### **900.10 EMERGENCY MEAL SERVICE PLAN**

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

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

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Manager shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards

# Lompoc Police Department

Jail Manual

## *Food Services*

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shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

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

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## Dietary Guidelines

### 901.1 PURPOSE AND SCOPE

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

### 901.2 POLICY

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

### 901.3 REVIEW OF DIETARY ALLOWANCES

The Jail Manager is responsible for approving the jail facility's menus and shall ensure that all menus served by food services comply with DGA recommendations (15 CCR 1241).

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

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

### 901.4 MENU CYCLE PLANNING

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

Menus should include the following minimum food group allowances (15 CCR 1241 et seq.):

- (a) Dairy Group: Three servings of fat-free or low-fat milk or food providing at least 250 milligrams of calcium and equivalent to 8 ounces of fluid milk. Four servings for juveniles 15-17 years of age or women who are pregnant or lactating.
- (b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one serving shall be from each of the following three categories:
  1. One serving of a fresh fruit or vegetable
  2. One serving of a Vitamin A source, fruit or vegetable, containing at least 200 micrograms retinol equivalents or more
  3. One serving of a Vitamin C source containing at least 30 milligrams or more
- (c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains
- (d) Protein Group: Three servings of lean meat, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, or textured vegetable protein, equivalent to 14 grams or more of protein. In addition, a fourth serving from the legumes category shall be served three days a week.

# Lompoc Police Department

Jail Manual

## *Dietary Guidelines*

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- (e) Total 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 inmate.

## **Chapter 10 - Inmate Programs**

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## Inmate Programs and Services

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to post arraignment and sentenced inmates. The programs and services exist to motivate offenders toward positive behavior while they are in custody.

### 1000.2 POLICY

The Lompoc Police Department will make available to inmates a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of inmates may include faith-based services, recreational activities, library access, educational/vocational training and alcohol and drug abuse recovery programs.

### 1000.3 FACILITY MANAGER RESPONSIBILITIES

The Jail Manager is responsible for the following:

- (a) Researching, planning, budgeting, scheduling and coordinating security requirements.
- (b) Developing or procuring programs and services.
- (c) Acting 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) Developing, maintaining and making available to inmates the schedule of programs and services.
- (e) Developing policies and procedures and establishing rules for inmate participation in the programs and services.
- (f) Developing and maintaining records on the number and type of programs and services offered, as well as inmate attendance at each offering.
- (g) Establishing controls to verify that the content and delivery of programs and services are appropriate for the circumstances.
- (h) Accumulating data and preparing monthly and annual reports.
- (i) Ensuring that inmates are not denied access to educational and vocational programs based solely on indigent status.

### 1000.4 SECURITY

All programs and services offered to benefit inmates shall adhere to the security and classification requirements of this jail facility.

### 1000.5 DISCLAIMER

Inmate programs are provided at the sole discretion of the Lompoc Police Department in keeping with security interests, available resources and best practices.

# Lompoc Police Department

## Jail Manual

### *Inmate Programs and Services*

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Nothing in this policy is intended to confer a legal right for inmates to participate in any program offered other than what is required by law or that which is medically required.

#### **1000.6 INMATE WELFARE FUND AND COMMISSARY**

Any welfare fund or commissary operation should be in compliance with state law. Inmates who have funds posted to their inmate accounts may purchase approved items that are not furnished by the jail facility. The Chief of Police may expend money from the inmate welfare fund to provide indigent inmates with essential clothing and limited transportation expenses upon release.

All excess funds derived from the operation of the commissary should be deposited into the inmate welfare fund or otherwise used for the benefit of the inmates. They also may be deposited and used in accordance with expenditures authorized by the board of supervisors. An itemized report on expenditures should be submitted annually to the board of supervisors.

The Jail Manager should ensure that an annual audit of the inmate welfare fund and commissary operation is conducted by a certified auditor who is recognized by the Department as an authorized financial auditor. The written report prepared by the auditor should be reviewed for accuracy prior to forwarding to the Chief of Police.

## Inmate Recreation

### 1001.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that this department will have sufficiently scheduled recreation periods as required by law.

#### 1001.1.1 DEFINITIONS

Definitions related to this policy include:

**Recreation** - Activities that may include table games, watching television or socializing with other individuals.

### 1001.2 POLICY

It is the policy of this department to provide inmates with access to recreation activities in accordance with state laws or requirements. The Jail Manager or the authorized designee shall make table games available for all inmates. (15 CCR 1065).

### 1001.3 ACCESS TO RECREATION

Inmates should have access to recreation activities at least once a day. The length of time will be determined by the inmate's classification status, security concerns and operational schedules that preclude recreation during a period of time (e.g., meal times, searches, lockdown, court). Members should ensure that the maximum time possible is provided to the inmates for this purpose.

Televisions, newspapers, table games and other items may also be made available to enhance recreation time. Consideration will be given to the passive or active recreational needs of older inmates and inmates with disabilities.

### 1001.4 SECURITY AND SUPERVISION

Members supervising the inmates during recreation time shall document when each inmate has the opportunity to or recreate, and when each inmate actually participates.

Members shall be responsible for inspecting recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Inmates will not be permitted to use equipment without supervision. All equipment shall be accounted for before inmates are returned to their housing areas.

## **Inmate Mail**

### **1002.1 PURPOSE AND SCOPE**

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

### **1002.2 POLICY**

This department will provide ample opportunity for inmates to send and receive mail, subject to restriction only when there is a legitimate government interest.

### **1002.3 MAIL GENERALLY**

Inmates 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 inmates, or pose an unreasonable disruption to the orderly operation of the Jail Facility (15 CCR 1063(a)).

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

### **1002.4 CONFIDENTIAL CORRESPONDENCE**

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

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

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

### **1002.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES**

Mail privileges may be suspended or restricted upon approval of the Jail Manager whenever members become aware of mail sent by an inmate that involves (15 CCR 1083(h)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the jail facility, members or the public.

# Lompoc Police Department

## Jail Manual

### *Inmate Mail*

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The District Attorney or City Attorney should be consulted in cases where criminal charges are considered against an inmate or there is an apparent liability risk to the Department that relates to suspension or restriction of mail privileges.

#### **1002.6 PROCESSING AND INSPECTION OF MAIL BY STAFF**

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

Members should open and inspect all incoming and outgoing general mail of current inmates. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for inmates no longer in custody should not be opened.

Outgoing general mail may not be sealed by the inmate and may be read by members when:

- (a) There is reason to believe the mail would:
  - 1. Interfere with the orderly operation of the jail facility.
  - 2. Be threatening to the recipient.
  - 3. Facilitate criminal activity.
- (b) The inmate is on a restricted mail list.
- (c) The mail is between inmates.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an inmate 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 inmate's property to be given to the inmate upon release.

Inmates are allowed to correspond with other inmates in this jail facility, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Inmates 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 inmate's file in accordance with established records retention schedules.

Cash, government checks and money orders contained in incoming inmate mail shall be removed and credited to the inmate's account. Personal checks may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

##### **1002.6.1 DESIGNATION OF MEMBERS AUTHORIZED TO READ MAIL**

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

# Lompoc Police Department

## Jail Manual

### *Inmate Mail*

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#### 1002.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available.

The impact the correspondence may have on other inmates and members is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided.

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

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

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

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

#### 1002.6.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or reject or censor correspondence, a written record must be made of such action, to include:

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

#### **1002.7 NEWSPAPERS**

If requested, a local daily newspaper in general circulation, including a non-English publication, shall be made available to inmates (15 CCR 1066(b)).

## *Inmate Mail*

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### **1002.8 FORWARDING OF MAIL**

Any non-legal mail received for a former inmate should be returned to the sender with a notation that the inmate is not in custody. Obvious legal mail should be forwarded to the former inmate's new address if it is reasonably known to the jail facility. Otherwise, legal mail should be returned to the sender.

### **1002.9 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS**

Indigent inmates shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Manager. Writing materials should include the following:

- (a) At least two pre-stamped envelopes for correspondence with family and friends
- (b) Six sheets of writing paper
- (c) One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts and legal counsel department (15 CCR 1063(e)).

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

## **Inmate Telephone Access**

### **1003.1 PURPOSE AND SCOPE**

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

### **1003.2 POLICY**

The Jail Facility will provide access to telephones for use by inmates consistent with federal and state law. The Jail Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

### **1003.3 PROCEDURE**

Inmates in housing will be permitted reasonable access to public telephones at scheduled times for collect calls unless such access may cause an unsafe situation for the jail facility, members or other inmates. The Jail Manager shall ensure a notice is conspicuously posted near the telephones informing the inmates that non-attorney calls may be monitored and recorded.

Inmates are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a jail facility emergency, or as directed by the supervisor or Jail Manager, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Teletypewriter/Telecommunication Device for the Deaf (TTY/TDD) or equally effective telecommunications devices will be made available to inmates who are deaf, are hard of hearing or have speech impairments to allow them to have equivalent telephone access as inmates without these disabilities.

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations. Reasons for denial of telephone access shall be documented and a copy placed into the inmate's file. The rules governing the use of the telephone will, in addition to being provided to inmates during orientation, be posted near the telephones.

Members should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated or telephone privileges suspended.

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception and Housing Policy.

## *Inmate Telephone Access*

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### **1003.4 COURT-ORDERED TELEPHONE CALLS**

If a court order specifying free telephone calls is received by the jail facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a jail facility telephone at no charge. Calls placed from a jail facility telephone should be dialed by a member. The member should be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call should be recorded to the same extent authorized for calls that are not court-ordered.

### **1003.5 ATTORNEY-CLIENT TELEPHONE CONSULTATION**

At all times through the period of custody, whether the inmate has been charged, tried, convicted or sentenced, reasonable and non-recorded telephone access to an attorney shall be provided to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Rights and Protection Policy.

### **1003.6 TELEPHONE CONTRACTS AND CHARGES**

The Jail Manager or the authorized designee is responsible for ensuring that rates charged to inmates are similar to those charged in the general public and that inmates are afforded a range of feasible calling options.

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## Inmate Visitation

### 1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

### 1004.2 POLICY

The Jail Manager shall develop written procedures for inmate visiting, which provide for as many visits and visitors as jail facility schedules, space and number of staff will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. Sentenced inmates are allowed at least two visits totaling at least one hour per week and non-sentenced inmates will be afforded a visit no later than the calendar day following arrest. These procedures are subject to safety and security requirements.

Court orders granting a special inmate visitation are subject to city legal review and interpretation.

### 1004.3 PROCEDURES

The Department shall provide adequate facilities for visiting that include appropriate space for the screening and searching of inmates and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

Limitations on the number of visitors and allotted visiting time are determined by:

- The jail facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.

The Jail Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

The visiting area should accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

#### 1004.3.1 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 inmate.

# Lompoc Police Department

## Jail Manual

### *Inmate Visitation*

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- (b) A valid identification shall include the following:
  - 1. A photograph of the person
  - 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity (e.g., attorney license/ Supreme Court card, police identification or a business card/letterhead of business with the visitor's name).

Failure or refusal to provide a valid identification is reason to deny a visit.

#### **1004.4 AUTHORIZATION TO SEARCH VISITORS**

Individuals who enter the secure perimeter of this jail 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 jail facility. All searches shall be made in accordance with current legal statutes and case law.

#### **1004.5 VISITING SCHEDULE**

The Jail Manager shall designate a person to develop a schedule for inmate visitation that includes daytime, evening and weekend hours. Each inmate shall receive a copy of the visitation schedule in the inmate orientation materials. The visiting hours will also be posted in the public area of the jail facility.

#### **1004.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES**

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the jail facility or there is other good cause, including, but not limited to, the following:

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or inmate violates jail facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the jail facility.
- (e) Visitors attempting to enter this jail 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 jail facility, should have actions and reasons documented. A copy of the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Manager.

#### **1004.7 GENERAL VISITATION RULES**

All visitors and inmates 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 inmate at any one time. Children visiting inmates must be deemed age appropriate by the parent

# Lompoc Police Department

## Jail Manual

### *Inmate Visitation*

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or guardian accompanying the child. Where a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit (15 CCR 1062).

- (b) An inmate may refuse to visit with a particular individual.
- (c) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the jail 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 members to be unacceptable will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the jail 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 jail facility is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.
- (i) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.

#### **1004.8 SPECIAL VISITS**

The Watch Commander may authorize special visitation privileges. The Watch Commander who authorizes the special visit will take into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the inmate
- 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.

#### **1004.9 ATTORNEY VISITS**

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a private interview room. Members shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the jail facility is compromised (15 CCR 1068(b)).

## Religious Programs

### 1006.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates (15 CCR 1072).

#### 1006.1.1 DEFINITIONS

Definitions related to this policy include:

**Compelling government interest** - A method of determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Department, as opposed to something merely preferred, that can be furthered only by the policy under review.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Department adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

**Exercise of religion** - Any action or practice performed whether compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

### 1006.2 POLICY

It is the policy of this department to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the jail facility.

### 1006.3 RELIGIOUS SERVICE COORDINATOR

The Chief of Police has appointed the Jail Supervisor to serve as the Religious Service Coordinator for the Lompoc Jail. The Religious Service Coordinator should be responsible for assisting the Jail Manager with supervising, planning, directing, and coordinating religious programs. The Religious Service Coordinator may be responsible for duties including but not limited to:

- (a) Coordinating religious services.
- (b) Maintaining a list of accepted religious practices that have been approved by the Jail Manager and ensuring the current list is available to members.
- (c) Reviewing requests for religious accommodations.
- (d) Providing or arranging for grief counseling for inmates.
- (e) Distributing a variety of religious texts.
- (f) Developing and maintaining liaisons with a variety of religious faiths in the community.
- (g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.

## *Religious Programs*

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- (h) Seeking donations for religious programs from the community, when appropriate.
- (i) Working with inmate families when requested.
- (j) Providing guidance to the Chief of Police and Jail Manager on issues related to religious observance.

### **1006.4 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS**

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing to the chaplain. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the jail 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 inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work with the chaplain to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further a compelling government interest of the jail facility and is the least restrictive means of furthering that compelling government interest.

The Jail Manager and the Chief of Police shall be informed of all approved accommodations. The chaplain should make any necessary notifications to staff as necessary to meet an approved accommodation.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

#### **1006.4.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

In an emergency or extended disruption of normal jail facility operations, the Jail Manager may suspend any religious accommodation. The Jail Manager may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

#### **1006.4.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

Inmates may appeal the Jail Manager's denial, suspension or revocation of an accommodation through the inmate appeal process.

## *Religious Programs*

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### **1006.5 RELIGIOUS DIETS AND MEAL SERVICE**

The Jail Manager should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the jail facility. The chaplain shall provide a list of inmates authorized to receive religious diets to the Jail Manager (see the Food Services Policy).

### **1006.6 HAIR STYLES AND GROOMING**

Unless it is necessary for the health and sanitation of the jail facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

### **1006.7 RELIGIOUS TEXTS**

Religious texts should be provided to the requesting inmate, if available, and if the texts do not pose a threat to the safety, security and orderly management of the jail facility.

### **1006.8 UNAUTHORIZED PRACTICES OR MATERIAL**

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to jail 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

### **1006.9 GROUP RELIGIOUS SERVICES**

Group religious services may be allowed after due consideration to concerns that may adversely affect the order, safety and security of the jail 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.

## *Religious Programs*

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- Recorded religious media (e.g., DVDs, CDs, video tapes).

### **1006.10 RELIGIOUS SYMBOLS AND IMPLEMENTS**

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the jail 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).

### **1006.11 RELIGIOUS GARMENTS AND CLOTHING**

Inmates 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 inmates and maintain security.

Head coverings shall be searched before being worn in the housing area of the jail facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of department-supplied head coverings when available and appropriate.

Inmates wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex, if they so desire. Religious garments that substantially cover the inmate's head and face shall be temporarily removed during the taking of booking and identification photographs.

### **1006.12 FAITH- AND MORALS-BASED COUNSELING**

The Jail Manager shall be responsible for establishing a plan for inmates to receive faith- and morals-based counseling from the chaplain or religious volunteers. Inmates 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 inmate shall be required to participate in any such program.

### **1006.13 COMMUNITY RESOURCES**

The chaplain may minister his/her particular faith and any other similar faiths to inmates but should also establish contacts with clergy of other faiths who can provide services to inmates of other religious denominations.

Whenever the chaplain is unable to represent or provide faith-based services to an inmate, a religious leader or other volunteer from the community, credentialed by the particular faith, should be sought to help provide services. All individuals providing faith-based services should be supervised by the chaplain. All efforts to contact faith-based representatives should be documented and retained in accordance with established records retention schedules.

Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program. A volunteer could ensure that religious personnel who provide programming

# Lompoc Police Department

## Jail Manual

### *Religious Programs*

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in the jail facility possess the required credentials and have the security clearance to enter the jail facility.

The chaplain, in cooperation with the Jail Manager or the authorized designee, should develop and maintain communication with faith communities. The chaplain shall review and coordinate with the Jail Manager regarding offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

#### **1006.14 TRAINING**

The Department shall provide training to members on the requirements of this policy.

The Department shall also provide training in safety and security to the chaplain. The chaplain shall approve and train clergy and religious volunteers. This includes the preparation of a training curriculum, as well as the development and maintenance of training records.

#### **1006.15 STAFF RESPONSIBILITIES**

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities. Members will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

## 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 POLICY

It is the policy of this department to comply with federal and state laws, codes and correctional standards in matters relating to jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the jail facility should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the jail facility should facilitate personal communication with inmates and direct visual observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal communication.

All parts of the jail facility that are accessible to the public should be accessible to and usable by disabled persons.

### 1100.3 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings and equipment should have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or inmate housing area doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the jail facility in the event of an emergency.

### 1100.4 ENVIRONMENTAL REQUIREMENTS

#### 1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for members and inmates to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of inmates to sleep.

#### 1100.4.2 NATURAL LIGHT

All inmate living areas should provide inmates with exposure to natural light, unless prohibited by security concerns.

#### 1100.4.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow inmates to sleep. Nothing in this policy is intended to limit or impair in any way members' ability to monitor the jail facility in a manner that is consistent with safety and security and good correctional practices.

# Lompoc Police Department

## Jail Manual

### *Space and Environmental Requirements*

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#### **1100.4.4 VENTILATION**

Ventilation systems, including those in toilet rooms and cells with toilets, should be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes and jail standards.

Other than an emergency situation, inmates or members 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.

#### **1100.4.5 TEMPERATURE LEVELS**

Temperature and humidity levels should be maintained at a level established by facility maintenance personnel and deemed comfortable and cost efficient.

Temperature readings should be documented for each area of the jail facility on a weekly basis on the appropriate log. Members shall immediately contact facility maintenance in the event that temperatures or humidity levels become uncomfortable.

#### **1100.5 CELL FURNISHINGS**

Each inmate housed in this jail facility should be provided with the following items:

- A sleeping surface and mattress in accordance with federal and state laws, codes and jail standards
- A writing surface and seat
- A storage area for clothing and personal belongings

#### **1100.6 DAYROOMS**

Dayrooms should be equipped with at least one shower for every 20 inmates or fraction thereof, and tables and sufficient seating for all inmates at capacity (24 CCR 1231.3.4; 24 CCR 1231.2.9). Where inmates do not have continuous access to their cells, dayrooms should also be equipped with one toilet, an immediate source of fresh potable water and lavatory with hot and cold water for every 12 inmates or fraction thereof.

#### **1100.7 JANITOR CLOSETS**

Janitor closets should be located near or inside each housing area. Each janitor closet should contain a sink and the necessary cleaning implements. Access to the janitor closets shall be controlled and supervised by members. Only inmates with a minimum security classification status shall be allowed access to the janitor closets, and then only under member supervision.

#### **1100.8 EMERGENCY POWER**

The jail facility shall be equipped with a sufficient emergency power source to operate communications, security and alarm systems in control centers, and emergency lighting in

# Lompoc Police Department

Jail Manual

## *Space and Environmental Requirements*

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corridors, stairwells, all inmate housing areas, security control points and audio-visual monitoring systems.

## Smoking and Tobacco Use

### 1101.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Lompoc Police Department facilities or vehicles.

For the purpose 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 that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1101.2 POLICY

The Lompoc Police Department recognizes that tobacco use is a health risk and can be offensive to other employees and to the public. It is the policy of the Lompoc Police Department to prohibit the use of tobacco by members while on-duty or at any time the member is acting in an official capacity for the Department.

### 1101.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside city facilities and vehicles (Labor Code § 6404.5).

### 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 department facility or a building on the campuses of the University of California, California State University and the California community colleges, whether present for training or any other purpose (Government Code § 7597 et seq.).

## Attachments

**CALCULATED USE OF FORCE TO  
OBTAIN BIOLOGICAL SAMPLE.pdf**

# Lompoc PD Jail Manual

Jail Manual

## INDEX / TOPICS

### A

ACCESS CARDS . . . . .	31
ACKNOWLEDGEMENTS	
Employee Acknowledgements. . . . .	64
Revisions to Policies. . . . .	10
ACTIVITY LOGS . . . . .	36
AUTOMATIC DETECTION SYSTEM . . . . .	84

### B

BACKGROUND CHECK . . . . .	43
----------------------------	----

### C

CALCULATED USE OF FORCE	
DNA Collection. . . . .	150
CANINE PROGRAM . . . . .	157
CANINE-ASSISTED SEARCHES . . . . .	138
CHEMICAL AGENT . . . . .	72
COMMUNITY RELATIONS . . . . .	42
CONTINUING PROFESSIONAL EDUCATION	
. . . . .	65
CONTRABAND . . . . .	24
Authorization to Search Visitors. . . . .	244
Confidential Correspondence. . . . .	237
Disposition of Evidence. . . . .	24
CRIMINAL EVIDENCE SEARCHES . . . . .	138

### D

DAYROOMS . . . . .	253
DEBRIEFING . . . . .	82
DISABILITY . . . . .	40
DUTY TO INTERCEDE . . . . .	121

### E

EMERGENCY POWER . . . . .	253
EMPLOYEE ASSISTANCE . . . . .	54
EMPLOYEE ORIENTATION, PARAMETERS	64
END OF TERM RELEASE . . . . .	153
ESCAPE . . . . .	91
EXCITED DELIRIUM . . . . .	115
EXERCISE	

Recreation. . . . .	236
---------------------	-----

### F

FACILITY KEYS . . . . .	31
FAIR LABOR STANDARDS ACT . . . . .	161
FIRE ALARM . . . . .	84
FIRE CODES . . . . .	84
FIRE INSPECTIONS . . . . .	85
FIRE PREVENTION . . . . .	85
FIRE SAFETY PLAN . . . . .	84
FIRE SUPPRESSION . . . . .	84
FIREARMS . . . . .	110
FITNESS FOR DUTY . . . . .	50
FOOD SERVICES . . . . .	227
FOOD SERVICES MANAGER . . . . .	228
FOOD SERVICES REQUIREMENTS . . . . .	229

### G

GRIEVANCE AUDITS . . . . .	184
GROOMING . . . . .	180

### H

HOSTAGE RESCUE TEAM . . . . .	80
HOSTAGES . . . . .	80
HOUSING AREA SEARCHES . . . . .	137

### I

INCIDENT REPORTS . . . . .	38
INMATE COUNTS	
Head counts. . . . .	91
INMATE GRIEVANCE FORM . . . . .	182
INMATE GRIEVANCES . . . . .	182
INMATE MAIL FORWARDING . . . . .	240
INMATE ORIENTATION . . . . .	100
INMATE PROPERTY STORAGE . . . . .	98
INMATE PROTECTION . . . . .	167
INMATE RECEPTION AND HOUSING . . . . .	92
INMATE RECEPTION, CLASSIFICATION . . . . .	96
INMATE RECEPTION, SCREENING . . . . .	96
INMATE RECORDS . . . . .	29
INMATE RIGHTS . . . . .	167
INMATE SAFETY CHECKS . . . . .	108
INMATE SCREENING . . . . .	92
INMATE SHOWERING . . . . .	99
INMATE SHOWERS . . . . .	224

# Lompoc Police Department

## Jail Manual

### K

KEY CONTROL RECORDS . . . . .	33
KEY IDENTIFICATION . . . . .	31

### M

MAIL, INMATE . . . . .	237
------------------------	-----

### P

PAT-DOWN SEARCHES . . . . .	133
PHYSICAL BODY CAVITY SEARCH . . . . .	132
PHYSICAL EXAMS . . . . .	50
PHYSICAL IMPAIRMENT . . . . .	40
PHYSICAL PLANT SEARCHES . . . . .	138
POPULATION MANAGEMENT SYSTEM . . . . .	89
PRISON RAPE ELIMINATION ACT PREA. . . . .	74
PRISONER RESTRAINT SYSTEM . . . . .	47
PROHIBITED MATERIALS . . . . .	43
PSYCHOLOGICAL EXAM . . . . .	51

### R

RELIGIOUS DIETS . . . . .	229
REQUIRED REPORTING . . . . .	37

### S

SAFETY RESTRAINTS . . . . .	47
SEARCHES . . . . .	132
Contraband. . . . .	132
SEAT BELTS . . . . .	47
SELF-CONTAINED BREATHING APPARATUS . . . . .	85
SENTENCED INMATE BOOKINGS . . . . .	99
SMOKING . . . . .	255
SPECIAL VISITS . . . . .	245
STAFFING ANALYSIS . . . . .	21
STRIP SEARCH . . . . .	133
SUICIDE Debriefing. . . . .	195

### T

TASERDEVICE . . . . .	112
-----------------------	-----

TELEPHONE ACCESS . . . . .	241
TELEPHONE CALLS . . . . .	98
THERAPEUTIC DIETS . . . . .	228
THREATS, MAIL . . . . .	237
TOLL ROAD . . . . .	49
TOOL AND CULINARY EQUIPMENT CONTROL . . . . .	31
TOURS . . . . .	43
TRAINING RECORDS, CHEMICAL AGENTS . . . . .	72
TRANSPORTATION LOGS . . . . .	147

### U

USE OF FORCE . . . . .	72
USE OF FORCE, REVIEW . . . . .	126
USE OF RESTRAINTS . . . . .	128

### V

VEHICLE INSPECTIONS . . . . .	48
VEHICLE SAFETY . . . . .	47
VEHICLE SAFETY REPAIRS . . . . .	48
VICTIM NOTIFICATION . . . . .	45
VISITATION . . . . .	243
VISITATION RULES, GENERAL . . . . .	244
VISITOR ACCOMMODATIONS . . . . .	243
VISITOR LOGS . . . . .	243

### W

WARNINGS . . . . .	112
WEAPONS INVENTORY . . . . .	111
WEAPONS STORAGE . . . . .	110