

Lompoc Police Department

Jail Manual

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.

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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.

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CODE OF ETHICS

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

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

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

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

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

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

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Chapter 1 - Role and Authority

Jail Manual

100.1 PURPOSE AND SCOPE

The Jail Manual is a statement of the current policies, rules and guidelines of this department's Jail 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.

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.

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

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

Rank - The job classification title held by a jailer.

Shall or will - Indicates a mandatory action.

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

100.2 POLICY

The manual of the 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 Departmental Directives, which shall modify the provisions to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

The Jail Manager shall ensure that the Jail Manual is reviewed and updated at least every two years and staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the 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.

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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 the supervisor's 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 of programs. This will provide the opportunity to identify any areas that require

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Facility Inspection

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
- Incarcerated persons with mental disorders

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Facility Inspection

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

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.

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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 Civil Rights 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 Personnel Manager, or the City Administrator.

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

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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 Personnel Manager, the City Administrator, or the California Civil Rights Department 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 Personnel Manager 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.

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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 Personnel Manager, or the City Administrator.

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:

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- (a) Approved by the Chief of Police, the City Administrator, or the Personnel Manager, 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 Civil Rights Department online training courses, the Training Sergeant should ensure that employees are provided the following website address to the training course: <https://calcivilrights.ca.gov/>(Government Code § 12950; 2 CCR 11023).

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).

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

200.4 STAFFING ANALYSIS

The Chief 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

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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, incarcerated persons, 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 Incarcerated Persons

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 incarcerated persons through appropriate staffing levels that are sufficient to operate the jail facility and perform functions related to the safety, security, custody, and supervision of incarcerated persons.

201.3 SUPERVISION OF INCARCERATED PERSONS

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

When persons held at this jail facility are not all the same gender, a minimum of one jailer from each gender, or one dispatcher or officer from each gender, should be immediately accessible for the supervision of the incarcerated persons (Penal Code § 4021).

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

The Jail Manager or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules.

201.4 PROHIBITION OF INCARCERATED PERSONS CONTROL

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

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 their 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.

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- (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 their 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.

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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 incarcerated person, are transferred as soon as practical to the Finance Department. A record of the transfer shall be kept in the appropriate incarcerated person file.

The property supervisor or the authorized designee shall submit a report of presumed abandoned property or funds once a year to the Chief 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.

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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 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).

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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).

Records of Incarcerated Persons

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 incarcerated person's period of confinement, as well as histories of previous confinement in this jail facility. All incarcerated person records are official department documents and should be used for official business only. Incarcerated person records are a vital component of the criminal justice system and should only be released to authorized persons.

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 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
- Visitations
- Court orders
- Telephone records
- Medical orders and staff response
- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, and medications
- Information regarding disabilities and other limitations

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

203.4 RELEASE OF INCARCERATED PERSON RECORDS

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

203.5 ELECTRONIC RECORD MAINTENANCE

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

203.6 RECORDS RETENTION

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

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 incarcerated persons, members, and the public. This policy outlines the methods that this department will use in maintaining strict security of these items. For ease of reference, the term "key" as used in this policy includes all physical means of access to or exit from the secure areas of the jail 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 incarcerated workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (15 CCR 1029(a)(6)) to reduce the risk of such items becoming weapons.

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 their 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.

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.

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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 their shift.

Under no circumstances will security keys be made available to incarcerated persons 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, incarcerated persons, or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, the member must submit a written report to the on-duty supervisor prior to the end of their 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 incarcerated persons shall be locked in their cells/housing areas and a headcount conducted. Incarcerated persons shall not be allowed to pass into or out of the jail facility without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the Jail Manager regarding the loss of the key, when it was discovered and the circumstances involved.

A methodical and thorough search of the entire 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

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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 incarcerated person 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 their 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 incarcerated persons are present, members supervising the area shall count the number of tools brought in to ensure that the same number of tools are taken out.

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

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

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

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 their shift and prior to the arrival of incarcerated workers. Kitchen tools will only be issued to persons who have been classified as incarcerated workers. Members will supervise incarcerated workers at all times when the incarcerated workers are using tools.

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

204.14.2 SERVING AND INDIVIDUAL EATING UTENSILS

Serving tools and individual utensils are those culinary tools located outside of the kitchen. Only incarcerated workers who are assigned to serve food shall be in control of serving tools. These

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tools shall be assigned to each incarcerated 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 incarcerated 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.

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 the following:

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

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- Movement of incarcerated persons within the facility and incarcerated persons received at a housing assignment
- Meal service
- Professional visits to the housing areas, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or incarcerated person complaint of illness or injury, and the action taken
- Locking and unlocking incarcerated person 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 incarcerated persons
- Unusual behavior of incarcerated persons
- Discovered contraband
- Activities and programs offered and the attendees
- Unusual occurrences
- Use of emergency equipment
- Any use of force
- Sanitation inspections
- Key counts

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 incarcerated person, 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.

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

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 incarcerated persons.
- (b) Attempted suicide or suicidal ideation on the part of an incarcerated person, if known.
- (c) Non-criminal breaches of security or evidence of an escape attempt.
- (d) Non-criminal security threats, including intelligence related to jail facility activities.
- (e) Significant incidents related to medical issues, health, or safety in the jail facility.
- (f) Discovery of contraband in the possession of incarcerated persons 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 incarcerated persons and lost or damaged property.
- (j) Accidental injuries of members, incarcerated persons, 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 their 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 their electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

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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.

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.

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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, incarcerated persons, and the public with disabilities to communicate, participate and perform tasks related to jail activities.
- Construction and remodeling requirements with respect to ADA design standards.
- Working cooperatively with members, incarcerated persons, and the public with disabilities.
- Local disability advocacy groups or other disability groups.
- Negotiation and mediation.

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.

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 incarcerated persons as specified in 15 CCR sections:
 - (a) 1045, Public Information Plan
 - (b) 1062, Visiting
 - (c) 1064, Library Service
 - (d) 1066, Books, Newspapers, Periodicals, and Writings.
 - (e) 1067, Access to Telephone
 - (f) 1068, Access to Courts and Counsel
 - (g) 1069, Orientation
 - (h) 1071, Voting
 - (i) 1073, Grievance Procedure
 - (j) 1081, Plan for Discipline
 - (k) 1200, Responsibility for 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 or provided by other means for use by incarcerated persons. At the discretion of the Chief of Police, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

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207.4 PROHIBITED MATERIALS

Policies, procedures, and other information and materials related to the safety and security of incarcerated persons, 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 incarcerated persons and persons booked is considered public information and can be released upon request:

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

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

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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 incarcerated persons. Incarcerated persons 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.

Victim Notification

208.1 PURPOSE AND SCOPE

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

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 incarcerated person 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 incarcerated person's booking file.

208.4 NOTIFICATION

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

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

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

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

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

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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 incarcerated persons be allowed to operate a vehicle or have possession of any vehicle keys. incarcerated workers who are assigned to clean vehicles must be closely supervised by 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 their shift. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

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

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.

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

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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.

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 their job classification.

- (a) Each employee of this department shall perform their 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 their duties shall promptly notify a supervisor. In the event that an employee believes another employee is unable to perform their duties, such observations and/or 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 their 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 their 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 reasonable relief from symptoms. If the condition is a serious health condition of the employee

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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 their ability to perform the job duties. If the employee places their condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any information that is relevant to such proceedings.

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.

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

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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.

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 (41 USC § 8103).

211.2 POLICY

It is the policy of the Lompoc Police 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.

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

211.3.1 USE OF MEDICATIONS

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

211.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-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 shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired 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).

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211.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the 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 the member has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from a physician before continuing to work.

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

211.7 SCREENING TESTS

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

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

211.7.1 SUPERVISOR RESPONSIBILITIES

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

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test 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 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

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

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

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately in the member's confidential medical file and other personnel files.

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:

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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.

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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 their 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).

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Employee Speech, Expression, and Social Networking

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).

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 their duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the 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.

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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 to

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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 their duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems, or general computer system failure, a lawsuit against the 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.

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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.

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.

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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.

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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 their 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 their 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.

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).

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.

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

302.6 SUPPORT PERSONNEL TRAINING

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

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

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

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

It shall be the responsibility of the involved member to provide their immediate supervisor or the Training Sergeant with evidence of completed training or education in a timely manner. The

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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 Training

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, incarcerated persons, 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

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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.

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 incarcerated persons 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 incarcerated persons 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 incarcerated persons may have regarding sexual assault or abuse, and that they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Sergeant shall be responsible for developing and administering this training, covering at 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 incarcerated persons to be free from retaliation for reporting sexual abuse and sexual harassment.
- How to detect and respond to signs of threatened and actual sexual abuse.
- How to communicate effectively and professionally with incarcerated persons, including lesbian, gay, bisexual, transgender, intersex, or gender non-conforming incarcerated persons.

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

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

Training should include written testing to validate knowledge and understanding of the material. The Training 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

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, incarcerated persons, 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, incarcerated persons, or the community.

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

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

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

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

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

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

The emergency response plan should be made available to the members, volunteers, and contractors working in the jail 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 incarcerated persons will be directed back to their housing areas. All incarcerated persons 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 incarcerated persons, visitors, contractors, and members. The Watch Commander shall be immediately notified of the status of the headcount. If any person is unaccounted for, the Watch Commander shall direct an immediate search of the jail 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 incarcerated persons are to be released from locked areas
- Relocation areas to be used for housing incarcerated persons in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for members

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- Reporting requirements

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

A current copy of the evacuation plan should be maintained in the 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 incarcerated persons. When necessary, incarcerated persons 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, incarcerated persons are to be kept separated by gender.

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

400.5.2 EMERGENCY HOUSING OF INCARCERATED PERSONS

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

400.6 RESPONSE TO DISTURBANCES

Members should attempt to minimize the disruption of normal jail 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.

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

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400.7 RIOTS

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

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

400.7.1 RESPONSE TO RIOTS

Once the area of the disturbance is secured and isolated from other areas of the jail 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 incarcerated persons who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured incarcerated persons shall receive medical treatment prior to being transported to a designated facility.

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

400.8 HOSTAGES

The Department does not recognize the taking of hostages as a reason to relinquish control of the jail facility environment. All members, incarcerated persons, 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 incarcerated person shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded.

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

400.8.1 HOSTAGE RESCUE

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

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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 INCARCERATED PERSON COUNTS

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

All incarcerated persons who are outside of the secure perimeter of the jail facility (e.g., court, work details) should be located and identified. Any missing incarcerated person should have their identity disclosed and their 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 incarcerated person 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 incarcerated person's name, description, the incarcerated person's latest picture, classification status, and charges, and supply it to the members and local law enforcement. Local law enforcement should also be given the incarcerated person's last known address and a list of their associates.

400.9.3 REPORTING

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

400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL

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

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

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

400.11 REPORTING AND DEBRIEFING

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

All responding members should be debriefed as soon as practicable after the conclusion of an emergency incident. If appropriate, the details of the incident will be used to develop a training course for response to jail 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 Sergeant is responsible for developing and delivering appropriate initial training and annual refresher training.

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

A lesson plan, member training sign-up sheet with the dates and the times of training, and proof of competency for each participant should be maintained by the Training 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, incarcerated persons, volunteers, contractors, and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state, and/or local fire safety codes, and to establish a process of creating, disseminating, and training all individuals in the jail 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 incarcerated persons in case of fire.
- (g) The cross-training of responders and jail facility members via drills should occur at least quarterly, if practicable.

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401.4 FIRE PREVENTION EQUIPMENT

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

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

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the jail facility shall not be inhabited by incarcerated persons 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, and member familiarity with prevention and suppression techniques, suppression pre-planning, SCBA use, emergency response, fire safety equipment use and the evacuation plan.

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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 incarcerated persons under the direction of the members.

401.8 EMERGENCY HOUSING OF INCARCERATED PERSONS

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

401.8.1 EMERGENCY HOUSING OF INMATES PLAN

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

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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

Population Management

500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of incarcerated person population accounting that promotes the safety and security of the jail 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 incarcerated person population management system should be established and maintained to account for the admission, processing, and release of incarcerated persons.

500.3 INCARCERATED PERSON POPULATION REPORTS

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

Daily logs of the incarcerated person population, its demographics, and the number of incarcerated persons in holding cells should be documented as of midnight of each day. An incarcerated person population report summarizing this information shall be created daily and distributed to the Chief 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 incarcerated person 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 separation.
- (c) Highest one-day incarcerated person population.
- (d) Number and percentage of:
 - 1. Bookings.
 - 2. Incarcerated persons by gender.

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

Counts

501.1 PURPOSE AND SCOPE

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

501.2 POLICY

It is the policy of this department to account for all incarcerated persons within and under the control of this jail 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. Incarcerated person 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 incarcerated persons 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 incarcerated persons 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 incarcerated person 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.

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 incarcerated persons 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.

502.3 PRE-BOOKING SCREENING

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

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

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

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

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

502.3.1 NON-DETAINABLE INCARCERATED PERSON SCREENING

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

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- (a) Any person who is sick, injured, or who has any other medical condition, including pregnant persons, who may require medical attention, supervision, or medication during confinement.
- (b) Any person who has claimed, or is known to be afflicted with or displays symptoms of, any communicable disease.
- (c) Any person suffering from a severe behavioral crisis.
- (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 have a developmental disability (15 CCR 1057).
- (h) Any person or persons for whom appropriate classification (e.g., gender, age) cannot be maintained.
- (i) Any person who is so intoxicated as to be a danger to self or a danger to others and cannot be safely accommodated within the jail facility or a sobering cell (15 CCR 1056). This shall also apply to those incarcerated persons who are undergoing withdrawal reactions (15 CCR 1213).

502.3.2 IMMIGRATION DETAINERS

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

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

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

502.3.3 SCREENING FOR MEDICAL SYMPTOMS

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

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

The screening documentation should include the following:

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

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

502.3.4 IMMIGRATION INQUIRIES PROHIBITED

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

502.3.5 NOTICE TO INDIVIDUALS

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

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

502.3.6 ICE INTERVIEWS

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

502.4 SEARCHES BEFORE ADMISSION

All arrestees and their property shall be searched for contraband by the booking 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.

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502.4.1 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

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

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

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.

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

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

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

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

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

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

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

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

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

502.5.1 HOUSING ASSIGNMENTS

Incarcerated persons should be housed based upon the following criteria:

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

502.5.2 ADMINISTRATIVE SEGREGATION

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

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

502.6 ADMISSION PROCESS

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

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

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502.6.1 LEGAL BASIS FOR DETENTION

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

502.6.2 INCARCERATED PERSON SEPARATION

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

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

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

Civil detainees shall be housed separately from incarcerated persons.

502.6.3 RELIGIOUS ACCOMMODATIONS AT INTAKE

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

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

For additional guidance, see the Religious Programs Policy.

502.7 INCARCERATED PERSON PROPERTY CONTROL

All property received from incarcerated persons at the time of booking shall be inventoried. A receipt should be signed by the incarcerated person and the booking 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 incarcerated person file and/or with the property. A second copy should be presented to the incarcerated person 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 incarcerated person's choosing, or stored in containers designed for this purpose.

502.7.1 VERIFICATION OF INCARCERATED PERSON'S MONEY

All monies belonging to the incarcerated person and retained by the booking jailer should be verified in front of the incarcerated person. When possible, the incarcerated person should initial

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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.

If the total amount of money exceeds \$500.00, the envelope and booking sheet should be signed by the incarcerated person, the on-duty jailer, and the Jail Supervisor or Patrol Watch Commander.

502.7.2 PROPERTY STORAGE

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

502.8 TELEPHONE CALLS

Every incarcerated person detained in this jail 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 incarcerated person to make necessary arrangements for matters that the person may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the members may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary for the purpose of arranging care for the minor child (Penal Code § 851.5).

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

502.8.1 TELEPHONE CALL PROCEDURES

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

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

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502.8.2 POSTING OF TELEPHONE INFORMATION

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

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

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

502.8.3 ONGOING TELEPHONE ACCESS

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

502.9 SHOWERING AND CLOTHING EXCHANGE

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

502.10 SENTENCED INCARCERATED PERSON BOOKINGS

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

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

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

502.11 JUVENILE DETAINEES

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

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail facility, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object.
- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.

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- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.

Handbook and Orientation

503.1 PURPOSE AND SCOPE

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

503.2 POLICY

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

503.2.1 INITIAL ORIENTATION

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

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

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5. Treatment and counseling for victims of sexual abuse or sexual harassment
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring, and mandatory reporting
 - (m) Contacting foreign consuls
 - (n) Requests for religious accommodations
 - (o) Emergency procedures (e.g., fires, evacuations)
 - (p) Voting, including registering to vote
 - (q) An approved list of items that incarcerated persons are permitted to possess
 - (r) Direction for pregnant incarcerated persons, including the information required in Penal Code § 3407(e)
 - (s) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

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

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

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

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

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

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

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

503.2.3 LOMPOC JAIL - INMATE ORIENTATION - ENGLISH

Inmate rules:

- (a) Inmates are to obey all orders and directions of police staff and shall obey all local, state, and federal laws.

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- (b) Inmates shall not destroy any jail property and will keep cell areas clean.
- (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 OTHER AREA BAIL BONDS

Aladdin Bail Bonds: 805-928-6500 Anthony's Bail Bonds: 805-680-0754

Chuck Bohls Bail Bonds: 805-588-1919 Bail Central: 805-598-4300

Kirt Moore Bail Bonds: 805-735-6233 Bail Hotline: 805-335-2464

Tim Romero 805-934-3051 Gotham Bail Bonds: 951-452-1415

Depacco Bail Bonds: 805-698-2978

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:

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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):

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- 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 LOMPOC JAIL - INMATE ORIENTATION - SPANISH

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.

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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:

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.

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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.

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

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Departamento de Policía de Lompoc y enviando por fax, correo postal, o entregarlo en el Departamento de Policía de Lompoc. Se aceptarán informes anónimos.

Safety Checks

504.1 PURPOSE AND SCOPE

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

504.2 POLICY

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

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

504.3 SAFETY CHECKS

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

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

504.4 SPECIAL MANAGEMENT INCARCERATED PERSONS

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

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

Management of Weapons and Control Devices

505.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

505.2 POLICY

It is the policy of the 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, incarcerated persons, 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, controlled energy devices (CED), impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades, and similar devices, may be possessed and used only by members who have received department-authorized training and are qualified to use them.

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

505.5 STORAGE OF WEAPONS, CHEMICAL AGENTS, AND CONTROL DEVICES

The armory shall be located in a secure and readily accessible repository outside of incarcerated person housing and activity areas. It shall be secured at all times. Access to the armory shall be limited 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.
- (b) All department-approved control devices and associated supplies, with the exception of the CED.

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- (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.

Conducted Energy Device

506.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

506.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to members and suspects.

506.3 VERBAL AND VISUAL WARNINGS

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

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other members and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with member's lawful orders and it appears both reasonable and feasible under the circumstances, the member may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser, in a further attempt to gain compliance before the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the member deploying the CED in the related report.

506.4 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, members should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, a member designated as cover for any member deploying a CED may be considered for member safety, as applicable.

506.4.1 APPLICATION OF THE CED

The CED may be used when circumstances reasonably perceived by the member at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated by words or action an intention to be violent or to physically resist, and reasonably appears to present the potential to harm members, themselves, or others.

Mere flight from a pursuing member, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, elicit statements, or punish any individual.

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506.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the member, the subject, or others, and the member reasonably believes that the need to control the individual outweighs the potential risk of using the device.

This includes:

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

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe mode to complete the circuit, or as a distraction technique to gain separation between members and the subject, thereby giving members time and distance to consider other force options or actions.

506.4.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, members should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or a qualified health care professional.

506.4.4 MULTIPLE APPLICATIONS OF THE CED

Once a member has successfully deployed two probes on the subject, the member should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors members may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

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Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the member must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

506.4.5 ACTIONS FOLLOWING DEPLOYMENTS

Members should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, members shall notify a supervisor any time the CED has been discharged in compliance with the Use of Force Policy. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

506.4.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

506.4.7 OFF-DUTY CONSIDERATIONS

Members are not authorized to carry department CEDs while off-duty.

Members shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

506.5 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only qualified healthcare professionals or members trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have sustained direct exposure of the laser to the eyes should be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practical, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, area of the heart, head, face, neck).
- (e) The person requests medical treatment.

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Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or promptly examined by paramedics or a qualified healthcare professional. If any individual refuses medical attention, such a refusal should be witnessed by another member and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting member shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Availability and Standards of Care Policy).

506.6 TRAINING

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

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of a member's knowledge and/or practical skills may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for CEDs will be documented in the member's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Members who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with members who use the device.

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

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Sergeant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.

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- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of member safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

506.7 ISSUANCE AND CARRYING CEDS

Only authorized members who have successfully completed department-approved training may be issued and may carry the CED.

The Rangemaster should keep a log of issued CEDs and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Members shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed members who have been issued the CED shall wear the device in an approved holster.

Jailers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon (Penal Code § 13660).

- (a) The CED shall be maintained in a secure storage location (see the Management of Weapons and Control Devices Policy).
- (b) Each CED shall be clearly and uniquely numbered.
- (c) Members shall sign out their CED at the beginning of their shift, and sign in their CED upon finishing the shift unless the member is authorized by the Chief of Police or the authorized designee to maintain possession of the CED.
- (d) At the beginning of each shift, the oncoming Watch Commander shall inventory all CEDs.
- (e) For single-shot devices, whenever practicable, members should carry an additional cartridge on their person when carrying the CED.
- (f) Jailers should not hold a firearm and the CED at the same time.
- (g) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.

Non-uniformed members may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

506.7.1 USER RESPONSIBILITIES

Members shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the member's shift.

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CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Members shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

506.8 DOCUMENTATION

Members shall document all CED discharges in the related incident reports in compliance with the department Use of Force Policy and in the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using an department-approved process to preserve the data.

506.8.1 REPORTS

The member should include the following in the incident report:

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

506.9 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Rangemaster and saved with the related incident report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

Control of Incarcerated Person Movement

507.1 PURPOSE AND SCOPE

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

507.2 POLICY

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

507.3 MOVEMENT OF INCARCERATED PERSONS

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

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

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

Use of Force

508.1 PURPOSE AND SCOPE

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

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

508.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

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

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

508.2 POLICY

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

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

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

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508.2.1 FAIR AND UNBIASED USE OF FORCE

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

508.3 USE OF FORCE

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

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

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

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

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

Force shall never be used as punishment.

508.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

- (a) The apparent immediacy and severity of the threat to members or others (Penal Code § 835a).

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

508.3.2 DUTY TO INTERCEDE

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

When observing or reporting force used by a law enforcement officer, each jailer should take into account the totality of the circumstances and the possibility that other law enforcement officers

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may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

508.3.3 ALTERNATIVE TACTICS - DE-ESCALATION

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

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

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

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

508.3.4 DUTY TO REPORT EXCESSIVE FORCE

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

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

508.3.5 PAIN COMPLIANCE TECHNIQUES

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

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

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

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508.3.6 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

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

508.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

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

508.3.8 USE OF FORCE TO SEIZE EVIDENCE

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

508.3.9 MEDICAL CONSIDERATION

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

508.3.10 FAILURE TO INTERCEDE

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

508.3.11 NOTIFICATION TO SUPERVISORS REGARDING USE OF FORCE

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

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

508.3.12 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or preexisting medical conditions. While it is impractical to restrict a jailer's use of reasonable control methods when attempting to restrain a combative individual, jailers are not authorized to use any restraint or transportation method that might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the

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individual has been adequately and safely controlled. Once the individual is safely secured, jailers should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

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

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 the conducted energy device shall be in accordance with the department's Conducted Energy Device Policy.

508.4.3 CHEMICAL AGENTS

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

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

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

- (a) Care liaison member advising the incarcerated person how to decontaminate in the cell.
- (b) Clean clothing if the incarcerated person's clothing was contaminated.
- (c) Monitoring of the in-cell incarcerated person at least every 15 minutes on an irregular schedule, for a period of not less than 45 minutes, by the care liaison member.

508.4.4 IMPACT WEAPONS

The need to immediately incapacitate the incarcerated person must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted with an impact weapon, except when the member reasonably believes the incarcerated person may cause serious bodily injury or death to the member or others.

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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 a member may be necessary to stop an incarcerated person from inflicting life-threatening injuries to themselves or to stop an assault on any other person, including other incarcerated persons. The destruction of government property may require the immediate use of force by a member in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

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

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

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

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 incarcerated person and the immediate situation. Based on the supervisor's assessment of the available information, the supervisor should direct the members to attempt to obtain the incarcerated person's voluntary cooperation and consider other available options before determining whether force is necessary.

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

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain
- (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 incarcerated person's medical/mental history (e.g., asthma or other breathing-related

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illness, hypoglycemia, diabetes), any recent incident reports, or situations that may be contributing to the incarcerated person's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with members who are familiar with the incarcerated person's background or present status. This may provide insight into the cause of the incarcerated person's immediate agitation. It also may identify other members who have a rapport with the incarcerated person and could possibly resolve the incident peacefully, without the use of force.

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

508.6 REPORTING THE USE OF FORCE

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

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

The report should include (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., incarcerated persons, members, others).
- (c) The member should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances.
- (d) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.
- (e) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

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

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

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

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

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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.

508.6.1 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

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

508.6.2 REPORT RESTRICTIONS

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

508.7 SUPERVISOR RESPONSIBILITIES

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

- (a) Ensure a crime scene is established to preserve and protect evidence, if appropriate.
- (b) Ensure that the chain of command is notified and that all necessary health and safety and security measures are initiated.
- (c) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (d) Ensure that the appropriate investigation authority is notified, if appropriate.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.
- (f) When possible, separately obtain a recorded interview with all individuals upon whom force was used. If this interview is conducted without the person having voluntarily waived their *Miranda* rights, the following should apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (g) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.

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1. These photographs should be retained until all potential for civil litigation has expired.
- (h) Identify any witnesses not already included in related reports.
- (i) Review and approve all related reports.
- (j) Determine if there is any indication that the individual may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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

508.8 USE OF DEADLY FORCE

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

If an objectively reasonable jailer would consider it safe and feasible to do so under the totality of the circumstances, jailers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, jailers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

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

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

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

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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 incarcerated person 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).

508.9 USE OF FORCE REVIEW

The Watch Commander shall review all related reports of use of force incidents occurring on their command. The review is to determine whether the use of force was in compliance with policy, procedure, and applicable law, and to determine if follow-up action or investigation is necessary. The 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 comprise the following members:

- (a) The Jail Manager
- (b) One supervisor assigned on a rotational basis
- (c) The Professional Standards Unit
- (d) One qualified health care 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 member 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 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

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3. Dealing with the mentally ill
 4. Application of restraints
- (e) Forced cell extraction techniques
 - (f) General restraint training (soft and hard restraints)
 - (g) Reporting procedures
 - (h) Guidelines regarding vulnerable populations, including but not limited to incarcerated persons who are elderly, pregnant, and incarcerated persons with physical, mental, and developmental disabilities (Government Code § 7286(b))
 - (i) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10

The Training Sergeant is responsible for establishing a process to identify jailers who are restricted from training other jailers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

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 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 policy after remedial training, the member may be subject to discipline.

508.10.2 PERIODIC TRAINING

Members will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

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 file.

508.11 USE OF FORCE COMPLAINTS

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

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508.12 POLICY REVIEW

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

508.13 POLICY AVAILABILITY

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

508.14 PUBLIC RECORDS REQUEST

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

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 incarcerated person 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 an incarcerated person's classification to control the behavior of a high-risk incarcerated person while the person is being moved outside the cell or housing area.

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

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

509.3 USE OF RESTRAINTS - CONTROL

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

Restraint devices shall only be used on an incarcerated person when it reasonably appears necessary to overcome resistance, prevent escape, or bring an incident under control, thereby preventing injury to the incarcerated person or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals, but no longer than two hours. If the above goals cannot be achieved by applying the restraints set forth in this policy, the incarcerated person should be transferred to the designated facility.

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

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

- (a) Restraints shall not be used as punishment, placed around a person's neck, or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained incarcerated persons shall not be placed face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.
- (d) Incarcerated persons in restraints shall be housed either alone or in an area designated for restrained people.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the incarcerated person or others from harm.
- (f) Members shall conduct continuous direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the incarcerated person's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the incarcerated person's behavior. Any actions taken should also be noted in the log.
- (g) The specific reasons for the continued need for restraints shall be reviewed, documented, and approved by the Jail Manager or the Watch Commander at least every hour.
- (h) Continuous direct visual observation shall be maintained until a medical opinion can be obtained.
- (i) Within one hour of placement in restraints, a qualified health care professional shall document an opinion regarding the placement and retention of the restraints.
- (j) As soon as practicable, but within four hours of placement in restraints, the incarcerated person shall be medically assessed to determine whether the person has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional.

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- (k) As soon as practicable, but within eight hours of placement in restraints, the incarcerated person must be evaluated by a mental health professional to assess whether the person needs immediate and/or long-term mental health treatment. If the Jail Manager, or the authorized designee, in consultation with responsible health care staff determines that the person cannot be safely removed from restraints after eight hours, the incarcerated person shall be taken to a medical facility for further evaluation.
- (l) Where applicable, the Jail Manager shall use the restraint device manufacturer's recommended maximum time limits for placement.

509.3.1 COURT APPROVAL

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

509.4 RANGE OF MOTION

Incarcerated persons placed in restraints for longer than two hours should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (e.g., right arm and left leg) for a minimum of 10 minutes every two hours (15 CCR 1058).

509.5 FOOD, HYDRATION, AND SANITATION

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

Offering food and hydration to incarcerated persons will be documented to include the time, the name of the person offering the food or water/juices, and the person's response (receptive, rejected). Incarcerated persons shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints (15 CCR 1058).

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 incarcerated persons in restraints are held (15 CCR 1058).

509.7 RESTRAINED INCARCERATED PERSON HOLDING

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

509.8 PREGNANT INCARCERATED PERSONS

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

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

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

509.8.1 INCARCERATED PERSONS IN LABOR

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

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

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

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

509.8.2 INCARCERATED PERSONS' RECOVERY AFTER TERMINATED PREGNANCY

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

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

Searches

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

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

510.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

Pat-down search - The normal type of search used by 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 incarcerated person or other incarcerated persons.

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

Strip search - A search that requires a person to remove or rearrange some or all of their clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus, or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia, or breasts are visible to the monitoring member.

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510.2 POLICY

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

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

510.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all incarcerated persons/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 incarcerated persons 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 incarcerated persons 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 incarcerated persons come into contact with other incarcerated persons housed outside of their housing areas, such as work details.
- (e) Any time members believe the incarcerated persons may have contraband on their persons.

Except in emergencies, staff members may not conduct a pat down search on an incarcerated person of the opposite gender. Absent the availability of a same gender staff member, it is recommended that a witnessing member be present during any pat-down search of an individual of the opposite gender. All cross-gender pat-down searches shall be documented (28 CFR 115.115).

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 incarcerated persons or be placed in a housing area where they may be subjected to a modified strip search, strip search, or physical body cavity search as provided in this policy.

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

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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 incarcerated person shall be conducted without prior authorization from the Watch Commander.
- (c) The member conducting the modified strip search or strip search shall:
 1. Document the facts that led to the decision to perform a strip search of the incarcerated person.
 2. Document the reasons less intrusive methods of searching were not used or were insufficient.
 3. Document the supervisor's approval.
 4. Document the time, date and location of the search.
 5. Document the names, gender, and roles of any member present.
 6. Itemize in writing all contraband and weapons discovered by the search.
 7. Process all contraband and weapons in accordance with the department's current evidence procedures.
 8. If appropriate, complete a crime report.
- (d) The documentation shall be placed in the incarcerated person's record. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.

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510.4.2 SEARCHES OF INCARCERATED PERSONS IN HOUSING

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

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

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

The member conducting a modified strip or strip search shall:

- Document in writing the facts that led to the decision to perform a strip search of the incarcerated person.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date, and location of the search.
- Document the names of members present, their gender and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the department's current evidence procedures.
- If appropriate, complete a crime report and/or incident report.
- Ensure the completed documentation is placed in the incarcerated person's file. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.

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 gender as the person being searched.

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

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

- (a) The searching member will instruct the incarcerated person to:
 1. Remove their clothing.
 2. Raise their arms above the head and turn 360 degrees.
 3. Bend forward and run their hands through their hair.
 4. Turn their head first to the left and then to the right so the searching member can inspect the incarcerated person's ear orifices.
 5. Open their mouth and run a finger over the upper and lower gum areas, then raise the tongue so the member can inspect the interior of the incarcerated person's mouth. Remove dentures if applicable.
 6. Turn around and raise one foot first, then the other so the member can check the bottom of each foot.
 7. For a visual cavity search, turn around, bend forward, and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the incarcerated person should be instructed to dress in either their street clothes or jail 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 incarcerated person or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the incarcerated person may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same gender as the person being searched (Penal Code § 4030). Only the necessary members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 1. The facts that led to the decision to perform a physical body cavity search of the incarcerated person.

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2. The reasons less intrusive methods of searching were not used or were insufficient.
 3. The Jail Manager's approval.
 4. A copy of the search warrant.
 5. The time, date, and location of the search.
 6. The medical personnel present.
 7. The names, gender, and roles of any member present.
 8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the incarcerated person's file. A copy of the written authorization shall be retained and made available to the incarcerated person or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the department's current evidence procedures.
- (h) If appropriate, the member shall complete a crime report.

510.5 TRANSGENDER SEARCHES

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

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 incarcerated persons. Housing area searches should be scheduled in a manner that does not create a pattern where the incarcerated persons can predict such searches. During a housing area search:

- (a) All incarcerated persons shall vacate their living areas and be searched by members.
- (b) Incarcerated persons should be escorted to a separate holding area.
- (c) Members shall search living areas of the incarcerated persons, including bedding, personal storage areas, bunks, and other areas with incarcerated person access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) Members shall attempt to identify the incarcerated person who possessed the contraband and file appropriate incident and/or crime reports.
- (f) Any alcoholic beverage possessed by incarcerated persons shall be seized and the appropriate incident and/or criminal charges should be filed.

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- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

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

510.7 PHYSICAL PLANT SEARCHES

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

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

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510.9 TRAINING

The Training Sergeant shall provide training for members in how to conduct pat-down, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with jail facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex incarcerated persons (28 CFR 115.115).

Reporting In-Custody Deaths

511.1 PURPOSE AND SCOPE

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

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 or under supervision in this jail facility (Penal Code § 832.10).

511.2 POLICY

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

511.3 MANDATORY REPORTING

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

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

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

In the event that a juvenile dies while in-custody, the Jail Manager or the authorized designee shall notify the court of jurisdiction and 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 (BSCC) within 10 days of the death (15 CCR 1046(b)(1)).

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.

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

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The Department shall establish policies and procedures for the investigation of any in-custody death. 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 authorized designee
- (b) City Attorney
- (c) District Attorney
- (d) Investigative staff

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- (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)).

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

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

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

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

511.6 RECORD RELEASE REQUIREMENTS

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

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

511.6.1 DELAY OF RELEASE

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

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

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

511.6.2 NOTICE OF DELAY OF RELEASE

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

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

511.6.3 REDACTION

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

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

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

511.7 IN-CUSTODY DEATH PUBLICATION

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

511.7.1 PUBLIC DISCLOSURE CONTENT

(a) When a person who is in custody dies, the agency with jurisdiction over the state or local correctional facility with custodial responsibility for the person at the time of their death shall, consistent with reporting requirements pursuant to Section 12525 of the Government Code, post all of the following on its internet website:

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- (1) The full name of the agency with custodial responsibility at the time of death.
- (2) The county in which the death occurred.
- (3) The facility in which the death occurred, and the location within that facility where the death occurred.
- (4) The race, gender, and age of the decedent.
- (5) The date on which the death occurred.
- (6) The custodial status of the decedent, including, but not limited to, whether the person was awaiting arraignment, awaiting trial, or incarcerated.
- (7) The manner and means of death.

(b)

(1) Subject to paragraph (2), the information shall be posted for the public to view on the agency's internet website within 10 days of the date of death. If any of the information changes, including, but not limited to, the manner and means of death, the agency shall update the posting within 30 days of the change.

(2) If the agency seeks to notify the next of kin and is unable to notify them within 10 days of the death, the agency shall be given an additional 10 days to make good faith efforts to notify next of kin before the information shall be posted for the public to view on the agency's internet website.

Staff and Incarcerated Person Contact

512.1 PURPOSE AND SCOPE

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

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

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

512.2 POLICY

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

512.3 GENERAL CONTACT GUIDELINES

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

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

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

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

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

512.4 ANTI-FRATERNIZATION

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

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

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

Prohibited interactions include but are not limited to:

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

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 incarcerated person.
- 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 incarcerated persons to initiate sexual acts or any salacious conversations, and forward any correspondence from an incarcerated person or former incarcerated person to the Jail Manager or the authorized designee.

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

Members shall promptly notify their immediate supervisor in writing if:

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

Transportation of Incarcerated Persons Outside the Secure Facility

513.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of incarcerated persons 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 incarcerated persons and other persons as required by law.

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

513.3 PROCEDURES

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

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

- (a) Verifying the incarcerated person's identity and obtaining all necessary paperwork for the incarcerated person 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 incarcerated persons being transported.
 2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security for the community in mind.
 3. Emergency response procedures in the event of a collision, breakdown of a transportation vehicle, or other unforeseen event.
 4. Site verification, unloading and reloading instructions, and parking rules at the destination.
- (c) Ensuring that all incarcerated persons are thoroughly searched and appropriate restraints are properly applied.
 1. Incarcerated persons who are known to be pregnant will not be handcuffed behind their backs or placed in leg restraints/irons or waist restraints while being transported (see the Use of Restraints Policy).
 2. Incarcerated persons who are transported to a hospital for the purpose of childbirth shall be transported in the least restrictive way possible and in

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accordance with Penal Code § 3407. The incarcerated person shall not be shackled to anyone else during transport (see the Use of Restraints Policy) (Penal Code § 4023.8(l)).

- (d) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (e) Thoroughly searching the transporting vehicle for contraband before any incarcerated person is placed inside, and again after removing the incarcerated person from the transporting vehicle.
- (f) Ensuring that any known threat or danger the incarcerated person may pose, such as escape risk, suicidal potential, or medical condition, is recorded on the incarcerated person's booking documentation and transported with the incarcerated person to the next facility. The transporting member shall ensure that the threat or danger is communicated to intake personnel at the facility.

513.3.1 TRANSPORTATION LOGS

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

- Name and identification number of the incarcerated person.
- Date and start/stop time of the transport.
- Location where the incarcerated person was transported.
- Name and identification number of the transporting 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 incarcerated person transportation duties receive training appropriate for the assignment.

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

Safety and Sobering Cells

514.1 PURPOSE AND SCOPE

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

514.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

514.2 POLICY

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

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

514.3 SOBERING CELL PROCEDURES

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

- (a) A sobering cell log shall be initiated every time an incarcerated person is placed into a sobering cell. The log shall be maintained for the entire time the person is housed in the cell. Cell logs will be retained in accordance with established department records retention schedules.
- (b) A safety check consisting of direct visual observation that is sufficient to assess the incarcerated person's well-being and behavior shall occur at least once every 30 minutes. Each visual observation of the incarcerated person by members shall be documented.
 1. Supervisors or Watch Commanders should check the logs for completeness every two hours and document this action on the sobering cell log.

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- (c) Under no circumstances shall an incarcerated person be held in a sobering cell for more than six hours without being evaluated by qualified medical personnel to ensure that the person does not have an urgent medical issue.
- (d) Incarcerated persons will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.
- (e) Incarcerated persons will be detained in separate sobering cells based on gender.

Biological Samples

515.1 PURPOSE AND SCOPE

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

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 incarcerated persons must submit a biological sample (Penal Code § 296; Penal Code § 296.1):

- (a) Upon conviction or other adjudication of any felony offense.
- (b) Upon conviction or other adjudication of any offense if the person has a prior felony on record.
- (c) When arrested or charged with any felony.

515.4 PROCEDURE

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

515.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the incarcerated person is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by California DOJ to perform the collection and take steps to avoid cross contamination.

515.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

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

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or approval of legal counsel and only with the approval of the Watch Commander. Methods to consider when seeking voluntary compliance include contacting:

- (a) The incarcerated person's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the incarcerated person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the incarcerated person's next court appearance.
- (d) The incarcerated person's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where the incarcerated person can be transferred to better facilitate sample collection.

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

515.5.1 VIDEO RECORDING

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

If the use of force includes a cell extraction, the extraction shall also be video and audio recorded. The video recording shall be retained by the jail 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:

515.6.1 DOCUMENTATION RELATED TO FORCE

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

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

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 incarcerated person consents.
- (b) A court orders a blood sample following a refusal.

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

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515.6.3 STATE MANDATES

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

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 incarcerated persons to ensure that incarcerated persons 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 incarcerated persons.

516.3 RELEASE PROCEDURE

Incarcerated persons 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. Incarcerated persons 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 incarcerated person is to be released.

Incarcerated persons shall not be released or moved during incarcerated person count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the jail facility.

All incarcerated persons must be positively identified by a member prior to being released from the jail facility. Incarcerated person identities should be verified using intake records bearing the incarcerated person's name, photograph, and jail facility identification number.

Before any incarcerated person may be released, the following conditions must be met:

- (a) The identity of the incarcerated person has been verified.
- (b) All required paperwork for release is present. The member shall review the active incarcerated person file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:
 1. Verifying calculations and release-date adjustments for good time.
 2. Any pending arrangements for follow-up, such as medications needed, appointments or referral to community or social resources.
 3. 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 incarcerated person, the members shall notify the agency that the incarcerated person is available for release.

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- (d) All personal property shall be returned to the incarcerated person during the release process. The incarcerated person must acknowledge receiving their property by signed receipt. Any discrepancies shall be promptly reported to the Watch Commander.
- (e) All jail facility property must be returned by the incarcerated person. Any missing or damaged jail facility property should be documented and promptly reported to the Watch Commander. The incarcerated person shall remain in custody until the Watch Commander reviews the damage and authorizes the release.
- (f) A forwarding address for the incarcerated person should be on file and verified with the incarcerated person for return of mail.
- (g) Incarcerated persons 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 incarcerated person's release, if required.
- (h) If needed, incarcerated persons 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 incarcerated person. 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 incarcerated person's release. The Watch Commander shall ensure all release documents are complete and properly signed by the incarcerated person and the member where required.

At no time will a released incarcerated person 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.

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 incarcerated person being mistakenly released.

Over-detention - Any instance of an incarcerated person being mistakenly detained beyond their 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 incarcerated person regarding over-detention (which could be discovered through a grievance), should immediately notify the Watch Commander (see the Grievances Policy).

The Watch Commander should direct the Records Section to immediately conduct an investigation to determine the correct release date of the incarcerated person and to report the findings to the Watch Commander.

Incarcerated persons who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The 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 incarcerated person regarding over-detention should assist the incarcerated person 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 incarcerated person and to report the findings to the Watch Commander.

If the Watch Commander decides not to release the incarcerated person, the Watch Commander should ensure the incarcerated person receives a grievance hearing within 24 hours of the grievance submission. The hearing documentation should reflect efforts made to investigate the allegation (see the Grievances Policy).

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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 incarcerated person may pose to the community. The threat assessment should be based upon the incarcerated person's criminal history and the reason they are currently in custody, among other factors.

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

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

BODY WORN CAMERAS (BWCs)

518.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of Body Worn Cameras (BWC) by members of the Jail Staff while in the performance of their duties. BWCs include all video recording systems whether body-worn, handheld, or integrated into portable equipment.

The use of the BWCs provides documentary evidence for criminal investigations and prosecutions, internal or administrative investigations, and civil claims/litigation. Custody Staff shall utilize this device in accordance with the provisions of this policy to maximize the effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

518.2 POLICY

The Lompoc Police Department may provide Custody Staff members with access to BWC for use during the performance of their duties. The use of BWCs is intended to enhance the mission of the Department by accurately capturing contacts between Custody Staff members and Incarcerated Persons.

- (a) The BWC shall not be used to record non-work-related activity and shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, jailer's office, or restrooms.
- (b) Unauthorized use, duplication, and/or distribution of BWC files is prohibited. Personnel shall not make copies or duplicate any BWC files in any manner for non-official police use.
- (c) All recorded media, images, and audio from the BWC are property of the City of Lompoc and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police.

518.3 ACTIVATION OF THE BODY-WORN CAMERAS (BWCS)

There are many situations where the use of BWV is appropriate. This policy is not intended to describe every possible circumstance. In addition to the required conditions, Custody Staff should activate the system any time they feel its use would be appropriate and/or valuable to document an incident.

- (a) Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, officers shall activate their BWC cameras prior to making contact in any of the following incidents:
 1. Anytime an Incarcerated Person is removed or escorted from their cell or holding area.
 2. Entering a cell, or holding area occupied by an Incarcerated Person (i.e. conducting a count inside a housing setting, window checks).

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3. Processing of new Incarcerated Persons (except during the supervision of medical screenings or classification interviews).
4. Any phone conversations with the incarcerated Person's attorney.
5. Resistive Inmate Movement (RIM) activations.
6. Searches of a cell, or holding areas.
7. During the on-loading and off-loading of Transportation vehicles.
8. Responding to Incarcerated Persons fighting or disturbances, emergency situations, uncooperative Incarcerated Person(s), use of force situations, unusual or suspicious circumstances, and interactions with Incarcerated persons with a history of uncooperative or unpredictable behavior.
 - (a) The exception would be if the emergency is a medical, non-criminal situation.
9. Custody Staff shall not record Incarcerated Persons while conducting a strip search, conducting a classification or medical interview, during the time medical care or treatment is provided to an Incarcerated Person, or during Incarcerated Person's use of a toilet or shower. There may be circumstances that dictate the need for BWC activation, such as the Incarcerated Person becoming uncooperative or resistive, or the possibility of an allegation of misconduct arising from the contact.
 - (b) It shall be deemed a violation of this policy for an officer to intentionally fail to activate the device or intentionally terminate a recording in order to commit a violation of law or department policy.
 - (c) Officers are not required to obtain consent from an Incarcerated person when:
 1. Dealing with persons who are not incarcerated persons outside of the jail, in a location where there is no reasonable expectation of privacy (e.g., inside the police building or where the Custody Officer is lawfully present and engaged in the performance of official duties).
 - (d) Officers should be aware of certain circumstances when operating the portable recorders or BWC may not be appropriate (none of these circumstances preclude the use of the portable recorders or BWC during enforcement encounters when reasonable suspicion exists that a crime is being committed, or there is a likelihood of force being used):
 1. Anytime a person's private health information is being discussed.
 2. Ambulance responses to accidents and illnesses when victims are not involved in any criminal activity.
 3. When the use of the BWC causes emotional distress to a victim of a crime, such as a rape victim (audio recording of the victim's statements is encouraged).
 - (e) Officers shall have the Body Worn Cameras shut completely off while in Lompoc Police headquarters or the courthouse for any reason other than responding to an emergency, taking enforcement action, or while conducting an investigation.

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- (f) Custody Staff will only use the BWC system issued and approved by the Department for official Custody duties. The wearing of any other BWC for the same purpose is not authorized without the permission of the Chief of Police.
- (g) Personnel shall not remove, dismantle, or tamper with any hardware and/or software component or part of the portable recorders or BWC.

518.4 RESPONSIBILITIES

- (a) Jail Supervisor
 1. Jail Supervisors shall ensure Custody Personnel utilize the BWC according to policy guidelines.
 2. Jail Supervisors shall ensure videos related to critical incidents are uploaded to the Property Evidence Drive.
 3. In order to immediately resolve citizen complaints Jail Supervisors may review video captured by the BWC. In those circumstances where a complaint is resolved with no further action needed, supervisors shall add an additional category of citizen complaint to the video and make an appropriate notes section of the location of the recordings. This will allow Professional Standards personnel to capture incidents that are resolved by BWC.
 4. Jail Supervisors shall not review recordings for the sole purpose and intent of searching for violations of department policy or law not related to a specific complaint, incident, or pattern of behavior.
- (b) Custody Personnel Utilizing the BWC
 1. Personnel utilizing the BWC shall be responsible for the following:
 - (a) Ensuring the battery is fully charged daily and operating properly before going into service.
 - (b) Immediately report unresolved equipment malfunctions and/or problems to their supervisor before going into service.
 - (c) Monitoring system effectiveness and making recommendations for operational improvement and policy revision.
 - (d) Users shall document the existence or absence of a recording in all reports, or other official records of the contact, including an instance where the recorder malfunctioned, or the member deactivated the recording prior to the conclusion of an incident. In such instances, Custody Staff shall, when practical, verbally indicate the reason for the deactivation on the BWC prior to deactivation. In the event the Custody Personnel fails to verbalize the deactivation they shall indicate the reason upon reactivating the BWC.
 - (e) Once the video of evidentiary value is captured, and absent CAD integration, Custody Personnel shall identify BWC files by:
 1. When assigned, note the LPD case number in the Case ID field.

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2. Entering a title. The title should include sufficient information to identify the file, such as the crime code, suspect name, location, event, etc.
3. Select the appropriate category(s).
4. The information may be entered via a handheld device, MDC, or LPD computer workstation.

Note: Custody Personnel should continue to prepare reports in the same manner as prior to the implementation of this camera system. Staff should not substitute "refer to video" for a detailed and thorough report. Staff should avoid using exact quotes but should represent statements in their reports as a summary of what is contained in the statement/video, such as, "In summary the victim related."

518.5 OPERATION

- (a) Custody Staff Officers shall test BWC equipment prior to going into service and ensure the unit is properly charged.
- (b) Custody Staff Officers shall position the camera on the front of their outermost garment, above the belt line, to facilitate optimum recording field of view.
- (c) Custody Staff Officers shall dock their issued camera for automated upload of BWC data files daily at the end of their shift at the docking station to ensure storage capacity is not exceeded and/or to view uploaded audio/video.

518.6 REVIEW OF BODY-WORN VIDEO FILES (BWC)

- (a) Although the data captured by the BWC is not considered Criminal Offender Record Information (CORI), it shall be treated in the same manner as CORI data. All access to the system is logged and subject to audit at any time. Access to the data from the system is permitted on a right-to-know, need-to-know basis. Employees authorized under this policy may review videos according to the provisions of this policy.
- (b) Once uploaded to Property Storage Drive, personnel may view their own audio/video data. The Storage Drive automatically time/date stamps and records each access by the officer's name.
- (c) An employee may review BWC files as it relates to:
 1. Personnel Complaints: Officers are encouraged to consult legal representation and may request to review their video prior to providing a statement pursuant to the administrative inquiry.
 2. Providing a statement pursuant to an administrative inquiry as set forth in Policy 301 Deadly Force Review Boards.
 3. Prior to courtroom testimony or for courtroom presentation.
 4. Their involvement in an incident for the purposes of completing a criminal investigation and preparing official reports.

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- (d) For official use, The Department Media Storage Drive shall only be accessed from Department authorized computers, Department workstations, or MDCs.
 - 1. Exception: Users with Administrative Rights may access from a computer or device outside of the Department for the purpose of completing administrative tasks, such as locking or unlocking users, etc.
- (e) When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.
- (f) Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.
- (g) Recorded files may also be reviewed:
 - 1. Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
 - 2. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
 - 3. By media personnel with permission of the Chief of Police or the authorized designee.
 - 4. In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court

518.7 REPAIR PROCEDURE

- (a) Personnel shall immediately report any recognized problems with the BWC to their immediate supervisor. Personnel shall obtain and assign to themselves a replacement device as soon as practicable before going back into service.
- (b) Upon notification, the supervisor shall contact the System Administrator or designee stating the problem or malfunction.

518.8 CATEGORY AND RETENTION OF RECORDINGS

- (a) Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):
 - 1. Incidents involving the use of force by a Custody Officer
 - 2. Recordings relevant to a formal or informal complaint against a Custody Officer of the Lompoc Police Department

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- (b) Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).
- (c) All other recordings should be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.
- (d) Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).
- (e) Categories: Absent automated CAD integration, employees utilizing a portable recording device or BWC shall identify each video by category. In the event a video is taken that does not fall into a listed category and has no apparent evidentiary or administrative value, the officer may leave the video as uncategorized.
 - 1. Uncategorized
 - 2. Intake
 - 3. Assist
 - 4. Booking
 - 5. Evidence
 - 6. Releases
 - 7. Incident
 - 8. Non-Event
 - 9. Pending Review
 - 10. Training Demo
 - 11. Unmatched
 - 12. Money Counts
 - 13. Transports
 - 14. Cell Checks
- (f) Retention
 - 1. In incidents involving the use of force upon minors, the evidence shall be copied onto electronic media (eg.: CD, DVD) and shall accompany the Use of Force Report. The report and evidence shall be labeled and preserved until the minor is 21 years of age.
 - 2. At the request of the City Attorney's Office, portable recordings or BWC files related to potential liability shall be flagged and preserved until the City determines they are no longer needed.

518.9 BODY-WORN (BWC) FILE REQUESTS

- (a) Internal Departmental Requests:

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1. Any request shall be completed by the system administrator with the approval of the Chief of Police or his designee.
- (b) Non-Department Requests:
 1. All other requests for a BWC file shall be accepted and processed in accordance with federal, state, and local statutes and Departmental policy (Public Records Act, etc.) as set forth in the Public Release Policy.
- (c) Outside Law Enforcement Agency BWC requests.
 1. request shall be completed by the system administrator with the approval of the Chief of Police or his designee for the following purposes only:
 - (a) An administrative investigation into the on or off-duty conduct of one or more of its employees.
 - (b) To assist with a criminal investigation which is conducted by the requesting agency.
- (d) Media Inquires:
 1. Media inquiries and/or requests shall be received and processed in accordance with Policy 345 Media Relations.
- (e) Request for Deletion of Accidental Recordings.
 1. In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording employee may request that the BWC file be deleted by submitting an email request with sufficient information to locate the BWC file to the Support Services OIC overseeing the body worn video program or designee who shall review the file, approve or deny the request, and forward to the System Administrator for action.
- (f) Copying Procedures.
 1. Other than as provided in this policy, members of this Department shall not download any video from the Property Drive onto any computer, device, drive, CD, DVD, or any other format without the express consent of the Chief of Police or his designee.
- (g) Investigators Conducting Criminal or Internal Investigations on LPD personnel Shall:
 1. At the direction of the Division Commander, may advise the System Administrator to restrict access/public disclosure of the BWC file in criminal or internal investigations, when necessary.
 2. Document the reason for access by entering the related Case Number or IA Case number on the BWC "NOTES" field prior to viewing.
 3. Review the file to determine whether the BWV file is of evidentiary value and process in accordance with established procedures.
 4. Investigators shall notify the System Administrator to remove the access restriction when the investigation is closed.

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- (h) A BWC file may be utilized as a training tool for individuals, specific units, and the Department as a whole. A recommendation to utilize a BWC file for such a purpose may come from any source.
1. A person recommending the utilization of a BWC file for training purposes shall submit the recommendation through the chain of command to the Support Services OIC overseeing the body-worn video program.
 2. If an involved officer or employee objects to the showing of a recording, his/her objection will be submitted to the Chief of Police or his designee to determine if the employee's objection outweighs the training value.
 3. After a meeting with the affected employee and his/her chosen LPOA representative, the Chief of Police or designee shall review the recommendation and determine how best to utilize the BWC file considering the identity of the person(s) involved, the sensitivity of the incident, and the benefit of utilizing the file versus other means (e.g. General Order, Training Bulletin, Officer Safety Bulletin, briefing or other training).

Chapter 6 - Inmate Due Process

Incarcerated Persons with Disabilities

600.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of incarcerated persons detained by this department in accordance with the Americans with Disabilities Act (ADA).

600.1.1 DEFINITIONS

Definitions related to this policy include:

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

600.2 POLICY

This department will take all reasonable steps to accommodate incarcerated persons with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. This department prohibits all forms of discrimination based on disability.

600.3 JAIL MANAGER RESPONSIBILITIES

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

- (a) Establishing housing areas that are equipped to meet the physical needs of disabled incarcerated persons, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with incarcerated persons.
- (b) Establishing classification criteria to make housing assignments to incarcerated persons with disabilities.
- (c) Assigning individuals with adequate training to assist disabled incarcerated persons with basic life functions as needed.
- (d) Establishing transportation procedures for moving incarcerated persons with limited mobility.
- (e) Establishing guidelines for services, programs, and activities for the disabled and ensuring that incarcerated persons with disabilities have an equal opportunity to participate in or benefit from all aspects of the jail 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.

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

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

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for incarcerated persons who are deaf or hard of hearing or have a speech impairment.

The Jail Manager is responsible for ensuring the Lompoc Jail Facility jail personnel arranges to have any incarcerated person with disabilities transferred to the Santa Barbara County Jail

600.4 JAILERS' RESPONSIBILITIES

Members performing classification duties should be aware of incarcerated persons 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 incarcerated person with a disability by accommodating the incarcerated person consistent with any guidelines related to the incarcerated person's disability. If there are no current guidelines in place, members receiving a request for accommodation of a disability should direct the incarcerated person to provide the request in writing or assist the incarcerated person in doing so, as needed. The written request should be brought to the on-duty supervisor as soon as practicable 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 incarcerated person with a cold. Such requests need not be made in writing.

600.5 ACCOMMODATION REQUESTS

Incarcerated persons 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 other member as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the incarcerated person's file.

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

Incarcerated Person Rights and Protection

601.1 PURPOSE AND SCOPE

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

601.2 POLICY

It is the policy of this department that all incarcerated persons' rights shall be protected. Members shall make every reasonable effort to protect incarcerated persons from abuse, physical punishment, injury, harassment, intimidation, or loss or damage to personal property by other incarcerated persons or members. These protections extend to administrative decisions, (e.g., classification, access to programs, the availability of services).

601.3 RESPONSIBILITY

It shall be the responsibility of all members to adhere to policies, procedures, and practices to protect incarcerated persons and to ensure reasonable and comparable access to services and programs. These procedures include but are not limited to:

- Following the classification guidelines for incarcerated person housing.
- Closely supervising incarcerated person activities and interceding as needed to prevent violence, harassment, or abuse of incarcerated persons.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all incarcerated person injuries, investigating the cause of reported injuries, and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of incarcerated persons conducting kangaroo courts or dispensing discipline toward any other incarcerated person.
- Conducting required safety checks of all incarcerated person housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Manager.
- Referring sick or injured incarcerated persons to a care liaison without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail facility.
- Documenting all abuse protection efforts in jail facility logs and incident reports as applicable.

601.4 INCARCERATED PERSON ACCESS TO COURTS AND COUNSEL

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

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

- Confidential attorney visiting areas that include the means by which the attorney and the incarcerated person can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate incarcerated persons and those who cannot speak or read English, or who have disabilities that would impair their ability to access courts or counsel.

The Jail Manager shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the orientation material that is provided during incarcerated person orientation.

601.4.1 CONFIDENTIALITY

All communication between an incarcerated person and their 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 incarcerated person.

Incarcerated persons may seek the assistance of other incarcerated persons in writing writs and other legal correspondence to the courts, when needed, subject to the security and safety needs of the incarcerated persons, members, and the jail facility.

601.4.2 INCARCERATED PERSON REQUEST FOR ASSISTANCE

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

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

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

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601.4.3 VISITATION RELATED TO LEGAL DEFENSE

Visits with incarcerated persons that are related to legal defense, including attorneys, paralegals, and investigators, will be permitted only in the areas designated for legal visitation or by way of video visitation to ensure confidentiality (15 CCR 1068(b)). Contact visits may be approved by the Jail Manager for special circumstances.

- (a) Visits shall be of a reasonable length of time to discourage any allegation that the incarcerated person's defense was hindered due to the length of time allowed for the legally authorized visit. The length of these visits should not interfere with the security, order, and discipline of this jail 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 Mail Policy.

601.5 VOTING RIGHTS

Incarcerated persons who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual incarcerated persons who have lost the right to vote, sentenced incarcerated persons also maintain this right.

Because incarcerated persons 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 incarcerated persons to vote in local, state, and federal elections, pursuant to election codes (15 CCR 1071).

Incarcerated persons should be advised of voting methods during the orientation.

601.5.1 VOTING REQUIREMENTS

Incarcerated persons 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 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.

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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 incarcerated persons who have requested to vote.

601.5.3 REGISTERING TO VOTE

An incarcerated person 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 incarcerated person 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 incarcerated persons in a timely manner to ensure compliance with the incarcerated person's right to vote. Once the ballot has been delivered to the incarcerated person, it shall be the responsibility of the incarcerated person to mail their ballot in accordance with the state's voting requirements. If the incarcerated person is indigent, the jail facility will mail the ballot; if not, the incarcerated person 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 incarcerated person commissary.

601.7 TRAINING

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

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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

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- Any display by the department member or contractor of their 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).

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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

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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).

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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

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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, they 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).

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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 Administrator. The Chief of Police or City Administrator 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

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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

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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 incarcerated person grooming standards are based upon legitimate governmental interests.

603.2 POLICY

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

603.3 HAIRCUTS

Incarcerated persons 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. Incarcerated persons who significantly alter their appearance may be required to submit to additional booking photos.

Incarcerated persons shall not cut names, numbers, or other designs into their hair. Incarcerated persons 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.

Incarcerated persons shall generally be permitted to receive hair care services once per month after being in custody for at least 30 days.

603.4 SHAVING

Incarcerated persons may shave daily. Facial hair shall be clean and well groomed. Long beards may allow incarcerated persons to conceal weapons or contraband. Incarcerated persons may be required to trim facial hair if it poses a security or safety risk. Incarcerated persons may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Incarcerated persons with facial hair who work around food shall wear appropriate facial coverings.

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

603.5 NAILS

Nail clippers will be kept at the Main Control and will be issued to incarcerated persons upon request. incarcerated person workers are required to keep their nails clean and trimmed.

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Incarcerated persons with long nails may be required to trim their nails if there is a security concern and the incarcerated person is admitted to housing.

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 incarcerated persons. 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

Incarcerated persons are expected to maintain their hygiene using approved personal care items.

No incarcerated person will be denied the necessary personal care items. For sanitation and security reasons, members should not allow personal care items to be shared.

Grievances

604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which incarcerated persons may file grievances and receive a formal review regarding the conditions of their confinement.

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

604.2 POLICY

It is the policy of this Department that any incarcerated person may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene, and sanitation needs, recreation opportunities, classification actions, rule violations, program participation, and telephone, mail, and visiting procedures (15 CCR 1073).

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

604.3 ACCESS TO THE GRIEVANCE SYSTEM

All incarcerated persons shall be provided with a grievance process for resolving complaints arising from jail facility matters with at least one level of appeal.

Incarcerated persons will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the orientation materials. Information regarding the grievance process will be provided to incarcerated persons in the language they understand.

The information will include (15 CCR 1073):

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

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604.4 GRIEVANCE PROCEDURES

Members shall attempt to informally resolve all grievances at the lowest level. All attempts to resolve a grievance shall be documented in the incarcerated person's file. If there is no resolution at this level, the incarcerated person may request a grievance form.

The incarcerated person should be advised to complete the form and return it to any member. A grievance should be filed by an incarcerated person within 14 days of the complaint or issue.

Incarcerated persons cannot file a grievance on behalf of another incarcerated person but an incarcerated person may assist another incarcerated person in the preparation of a grievance. Members may take reasonable steps to assist the incarcerated person in the preparation of a grievance if requested.

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

604.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Incarcerated persons may request to submit the grievance directly to a supervisor or mail it directly to the Jail Manager if they reasonably believe the issues to be grieved are sensitive or that their safety would be in jeopardy if the contents of the grievance were to become known to other incarcerated persons.

Incarcerated persons with limited access to mail privileges, who are in administrative 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 incarcerated person grievance form, the supervisor shall ensure that the grievance is investigated and resolved or denied in a timely manner, as established by the Jail Manager. The supervisor shall assign the investigation of the grievance to the manager in charge of the department the incarcerated person is grieving.

Grievances related to medical care should be investigated by the Responsible Physician or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to the Watch Commander. Any appeals of the findings of the medical staff shall be forward to the Jail Manager as the final level of appeal.

Grievances about food-related matters should be investigated by the Watch Commander and the findings forwarded to the Jail Manager, along with any recommendations. Any appeals shall be forwarded to the Jail Manager as the final level of appeal.

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

604.4.3 APPEALS TO GRIEVANCE FINDINGS

Incarcerated persons may appeal the finding of a grievance to the Jail Manager within five days of receiving the findings of the original grievance. The Jail Manager will review the grievance and either confirm or deny it. If the Jail Manager confirms the grievance, corrective actions will be initiated. In either case, the incarcerated person shall receive a written response to the appeal.

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 incarcerated person's official record and maintained throughout the person's period of incarceration.

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

604.4.5 FRIVOLOUS GRIEVANCES

Incarcerated persons shall use the grievance process only for legitimate problems or complaints. If there is concern that an incarcerated person is abusing the grievance process, the person shall be informed that continued behavior may result in a transfer to the county jail.

604.4.6 REVIEW OF GRIEVANCES

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

604.5 GRIEVANCE AUDITS

The Jail Manager should perform an annual audit of all incarcerated person grievances and complaints filed the previous calendar year. The Jail Manager should forward a memorandum to the Chief 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.

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Grievances

604.6 TRAINING

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

Discipline

605.1 PURPOSE AND SCOPE

This policy addresses the discipline process within the jail facility.

605.2 POLICY

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

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 incarcerated persons (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 incarcerated persons.
- (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. Incarcerated person 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 incarcerated person requests for care (15 CCR 1207)
 - 5. Emergency and nonemergency medical and dental care for incarcerated persons (including first-aid kits and Automated External Defibrillators) (15 CCR 1206(c))
 - 6. Communicable/infectious diseases (15 CCR 1206(i);15 CCR 1206.5; 15 CCR 1051)

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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 incarcerated persons 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 incarcerated person, such as orthotics or eyeglasses (15 CCR 1206(d); 15 CCR 1207)
 12. Continued care for incarcerated persons being released or transferred (15 CCR 1206(n))
 13. Care records and privacy (15 CCR 1205)
 14. Notification of family or guardians (15 CCR 1206(e))
 15. Informed consent (15 CCR 1214)
 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 safety or care
 19. Care of pregnant and lactating people (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 people 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 incarcerated person'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 incarcerated person health care. Final clinical decisions are the sole province of the Responsible Physician (15 CCR 1200; 15 CCR 1204).

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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 INCARCERATED PERSON CARE

The Health Care Adviser, Responsible Physician and the Jail Manager shall work cooperatively to maintain adequate incarcerated person 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 incarcerated person care, including:
 - (a) A continuous quality improvement program.
 - (b) A clinical performance enhancement process to evaluate a provider's care.
 - (c) Review of incarcerated persons' 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.

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700.6 CARE LIAISONS

The Responsible Physician and the Jail Manager shall ensure that a member or a non-member designee is available to act as a care liaison for incarcerated persons whenever there are no qualified health care professionals in the jail facility. Responsibilities for care liaisons include (15 CCR 1206(k)):

- (a) Reviewing initial screening forms.
- (b) Triageing nonemergency health care requests.
- (c) Reviewing sick call requests.
- (d) Coordinating health care referrals as needed.
- (e) Assisting incarcerated persons being released with follow-up health care referrals, appointments, and necessary medications.

Screening and Evaluations

701.1 PURPOSE AND SCOPE

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

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

701.2 POLICY

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

701.3 INCARCERATED PERSONS 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 incarcerated person upon their initial arrival at the jail facility. 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) Identification of those persons who may be in a behavioral crisis.
- (e) Pregnancy and associated issues (15 CCR 1207.5).
- (f) Communicable disease risk assessment, including tuberculosis and other airborne diseases (15 CCR 1206.5(a); 15 CCR 1207).
- (g) Special needs, such as a learning disability, that would significantly impair an incarcerated person's ability to adapt to the jail facility environment (see the Incarcerated Persons with Disabilities Policy).
- (h) Other health care information as designated by the Responsible Physician or Health Care Adviser.
- (i) Observations of the following:

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

Any incarcerated person who appears to be unable to adequately answer the initial medical screening questions shall be referred to a care liaison to determine whether the incarcerated person should be examined by an on-site qualified health care professional or, if one is not available, whether the incarcerated person should be transported to receive a medical clearance before acceptance into the jail facility.

Incarcerated persons requiring separation for suspected communicable disease pursuant to 15 CCR 1051 shall be separated until transferred or cleared by the qualified health care professional.

Incarcerated persons 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 a care liaison for review.

701.5 TRANSFER SCREENINGS

A qualified health care provider shall review the health record of any incarcerated person transferred into this facility within 12 hours.

Incarcerated persons 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 incarcerated person who appears to be in need of medical, dental, mental health, or developmental disability treatment at any time during incarceration (15 CCR 1208).

Any findings that may significantly impact the health, safety, or welfare of the incarcerated person 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 incarcerated persons in meeting their health care needs following release or transfer to another facility, as provided by state law (15 CCR 1209; Penal Code § 4011.6; Penal Code § 4011.8).

Suicide Prevention and Intervention

702.1 PURPOSE AND SCOPE

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

702.2 POLICY

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

702.3 MEMBER RESPONSIBILITIES

Any member who identifies an incarcerated person who displays suicidal signs shall immediately notify a supervisor and a care liaison. The incarcerated person shall be personally monitored until a mental health professional approves another form of monitoring.

The care liaison 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 incarcerated persons at risk for suicide.
- (f) Appropriate cells, clothing, and effects for incarcerated persons at risk for suicide.
- (g) Communication between members and care providers.
- (h) Responses to suicide attempts, including first-aid measures.
- (i) Notification requirements.
- (j) Documentation requirements.
- (k) Care for affected members and incarcerated persons.
- (l) Facility inspections for physical or operational modifications that may reduce the risk of incarcerated person suicide.
- (m) Communication between members and arresting/transporting officers.

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

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702.5 PRECAUTIONARY STEPS

The following incarcerated persons should be placed on suicide watch:

- Any incarcerated person who has expressed suicidal thoughts
- Any incarcerated person who has a recent history of self-injurious behavior
- Any incarcerated person who has attempted to commit suicide or committed an act in furtherance of suicide

Incarcerated persons placed on suicide watch shall be housed in a cell that has been designed to be suicide resistant. Prior to placing a suicidal incarcerated person in any cell, members should carefully inspect the area for objects that may pose a threat to the incarcerated person'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 incarcerated person to a designated medical or mental health facility.

Until the incarcerated person is evaluated by a mental health professional, the incarcerated person shall be subject to continuous direct visual observation. The Responsible Physician or the authorized designee will determine when the incarcerated person no longer requires continuous direct visual observation.

An incarcerated person will be removed from suicide watch when the Responsible Physician or a mental health professional determines the incarcerated person no longer poses a threat to themselves. The incarcerated person shall be referred to classification for an appropriate housing assignment. The fact that the incarcerated person was on suicide watch shall be communicated by classification members to housing members whenever and wherever an incarcerated person is assigned, throughout the person's incarceration.

702.6 OBSERVATION LOGS

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

702.7 DOCUMENTATION

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

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

702.8 SUICIDE ATTEMPTS

Any suicide attempt is a medical emergency and life-saving measures shall be initiated by a trained member until they are 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 REPORTING SUICIDE ATTEMPTS

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 incarcerated persons to discuss post-incident thoughts and reactions should be provided.

702.10 TRANSFER AND RELEASE

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

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

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

Aids to Impairment

703.1 PURPOSE AND SCOPE

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

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 incarcerated person would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability (42 USC § 12101 et seq.; 15 CCR 1206(d); 15 CCR 1207).

703.3 ADAPTIVE DEVICES

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

The removal of the appliance shall be reported to the supervisor and documented in the incarcerated person's health care chart and behavior log. The appliance shall be returned to the incarcerated person when the risk abates. A jail 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 incarcerated person shall be examined by a physician or dentist to determine whether the removal of the adaptive device may be injurious to the health or safety of the incarcerated person. If the Jail Manager determines that an adaptive device should not be returned because of safety or security concerns, and as a result, the health or safety of the incarcerated person is a concern, options include:

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

Any adaptive devices that are brought to the jail facility by family members or others after the person 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.

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Aids to Impairment

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 incarcerated person
- 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 incarcerated person's health care record. If the incarcerated person 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 incarcerated person sign in the medical record that they received the device.

Health Care Records and Confidentiality

704.1 PURPOSE AND SCOPE

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

704.2 POLICY

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

704.3 RECORDS TO BE KEPT

The Health Care Adviser should establish the format of health care records. Individual incarcerated person health care records should include but not be limited to (15 CCR 1205):

- (a) Initial screening and subsequent health assessment records.
- (b) Incarcerated person 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 incarcerated person.
- (g) Instructions for incarcerated person 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 incarcerated person's health and treatment, including general custody records. Relevant information should be included in all mental health, medical and dental records of an incarcerated person, 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 incarcerated person's health care records and to the person's care. These records shall be maintained apart from the incarcerated person's other records.

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Health Care Records and Confidentiality

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

704.6 PRIVACY OFFICER

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

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

704.6.1 INCARCERATED PERSON AUTHORIZATION

Written authorization by the incarcerated person is generally required for the transfer of health care records outside the Department. If the incarcerated person 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 incarcerated person.
- The health and safety of others, including other incarcerated persons, 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 incarcerated person health care records in their custody at all times.

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

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

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).

Incarcerated person health care information may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet posting and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the 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 incarcerated person health care records shall be kept in a secured area when unattended by authorized personnel. An area is unattended when staff is physically outside the office area and unable to maintain record security. This includes but is not limited to breaks, lunch, or meetings outside the jail facility.

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

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

704.8 TRAINING

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

Availability and Standards of Care

705.1 PURPOSE AND SCOPE

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

705.2 POLICY

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

705.3 INCARCERATED PERSON ACCESS TO HEALTH CARE

Incarcerated persons may access health care in the following manner:

- (a) Sick call will be:
 1. Conducted by the Health Care Adviser.
 2. Scheduled so an incarcerated person's custody status (e.g., at court, work assignment, other release program) does not preclude their access (15 CCR 1211).
- (b) Incarcerated persons may request health care at any time by completing and submitting the appropriate request form. All such written requests shall be forwarded to a care liaison as soon as practicable but always before the end of the receiving member's shift. The care liaison shall forward all requests to a qualified health care professional as appropriate (15 CCR 1211).
- (c) Incarcerated persons may request care for an emergency medical condition in any manner, to any member. All such requests should be addressed appropriately and immediately by the member, including prompt notification to a care liaison and/or the appropriate medical care provider.
- (d) Incarcerated persons 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 incarcerated person is complaining about the care provided by that person.
 1. A supervisor shall be notified as soon as practicable when there is a claim that an incarcerated person is being denied emergency care for an emergency medical condition.
 2. All care-related complaints shall be reviewed daily by health-trained staff.
- (e) Incarcerated persons 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 Administrator.
- (f) Costs, including those related to security procedures, will not be used as justification for withholding necessary or emergency medical care.

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705.4 INCARCERATED PERSON PRIVACY

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

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 incarcerated person health care needs that may significantly impact the health, safety or welfare of the incarcerated person or others. Information regarding ongoing treatment plans shall be communicated to members to the extent necessary to coordinate and cooperate in the ongoing care of the (15 CCR 1210).

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

705.5.1 USE OF INCARCERATED PERSONS FOR HEALTH CARE-RELATED ACTIVITIES

Incarcerated persons who have received appropriate training may perform limited duties that involve assisting other persons, but only while they are under the direct supervision of qualified health care professionals or members.

- (a) Duties that incarcerated persons serving as assistants may perform include:
 - 1. Cleaning health care areas and equipment.
 - 2. Assisting disabled incarcerated persons with activities of daily living.
- (b) Incarcerated persons shall not be:
 - 1. Used for the provision of health care to other incarcerated persons.
 - 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 incarcerated person.

705.6 MEDICAL CARE

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

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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 incarcerated persons. A determination regarding whether a procedure is elective or is a component of a current, medically necessary standard of treatment will be made only by the Responsible Physician. Procedures that are elective may be approved by the Jail Manager or the authorized designee after verification that the incarcerated person will pay all associated costs.

705.6.2 PREGNANT INCARCERATED PERSONS

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

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

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

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

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

If the pregnant incarcerated person decides to have an abortion, the person shall be offered, but not forced to accept, all due medical care and accommodations until no longer pregnant. A

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pregnant incarcerated person who decides to have an abortion shall be referred to a licensed professional as specified in Business and Professions Code § 2253(b) (Penal Code § 4023.8(c)).

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

705.6.3 FOLLOW-UP CARE

The Responsible Physician or the authorized designee should review all discharge and other orders issued for incarcerated persons 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 incarcerated persons receive education and instruction for any self-care that may be required to meet their individual health care needs.

705.6.4 HEALTH EDUCATION

Incarcerated persons 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 incarcerated persons 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 should refer any incarcerated person showing signs of behavioral crisis or with a developmental disability to a care liaison, who will arrange for an appropriate referral (15 CCR 1206).

The following mental health care will be provided to incarcerated persons:

- (a) Counseling and crisis intervention
- (b) Management of acute psychiatric episodes
- (c) Stabilization and treatment of behavioral crisis
- (d) Medication support services
- (e) Appropriate care of incarcerated persons with developmental disabilities (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 incarcerated person or others, separation may be necessary while the incarcerated person awaits the evaluation or transfer to another facility for diagnosis or treatment (15 CCR 1052).

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705.8 DENTAL CARE

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

Dental care that is a necessary standard of treatment will be available to all incarcerated persons. 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 incarcerated person's expected release date and available resources. Procedures that are elective may be approved by the Jail Manager or the authorized designee. The incarcerated person will bear the cost.

705.9 EMERGENCY CARE

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

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

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 incarcerated persons. 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 INCARCERATED PERSONS FOR HEALTH CARE

Incarcerated persons shall be safely transported to all health care appointments. When an incarcerated person 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.

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705.13 EVIDENCE COLLECTION

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

Qualified health care professionals of this jail 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 incarcerated person 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 incarcerated persons. 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 incarcerated persons 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 incarcerated person population. These will include but not be limited to:
 1. Proper screening of incoming incarcerated persons (15 CCR 1206.5; 15 CCR 1207).

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- (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 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 incarcerated persons shall be addressed (15 CCR 1206.5).
 - (c) Symptoms that require segregation of an incarcerated person 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 incarcerated person 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 incarcerated persons 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)

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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)
6. Management of incarcerated persons 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 incarcerated persons 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.

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- (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.
- (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

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- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., cleanup, notifications)

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 their 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 their 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).

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- (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 INCARCERATED PERSONS

706.6.1 SUSPECTED EXPOSURE OF AN INCARCERATED PERSON

Members who become aware that an incarcerated person may have been exposed should, as soon as practicable:

- (a) Take steps to reduce exposure to other incarcerated persons.
- (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 incarcerated person as needed, and obtain recommendations regarding isolation or quarantine of the incarcerated person.
- (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 incarcerated person as soon as possible following the incident. The supervisor shall ensure the incarcerated person receives appropriate medical assistance and that steps are taken to protect other incarcerated persons and members.

All incidents involving a suspected exposure shall be thoroughly documented.

706.6.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Any exposed incarcerated person 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 incarcerated persons and members.
- (c) Medical confidentiality requirements.
- (d) Provisions for incarcerated person consent that address the limits of confidentiality.

706.6.4 INCARCERATED PERSON CONFIDENTIALITY

Any information regarding incarcerated persons 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 incarcerated person, or when it is

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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 incarcerated person. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7501 et seq.; Penal Code § 7510 et seq.).
- (c) Filing a report with the county health officer when an incarcerated person requests testing of another incarcerated person. 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 incarcerated person.
 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 they refuse.

Chapter 8 - Environmental Health

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 incarcerated workers on accident prevention and avoidance of hazards with regard to jail facility maintenance.
- (g) Supervision of the members and incarcerated persons to ensure proper implementation of the procedures and to ensure that no incarcerated person supervises or assigns work to another incarcerated person.
- (h) All incarcerated person responsibilities, which should be included in the incarcerated person orientation materials.
- (i) Detailed processes for the procurement, storage, and inventory of cleaning supplies and equipment.
- (j) A process for the preventive maintenance of equipment and systems throughout the jail facility.

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

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air filters and cleaning ducts or pest control, are more appropriately handled by the Department or by contract with private firms.

Incarcerated persons engaged in sanitation duties shall do so only under the direct supervision of qualified members. When incarcerated work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic, or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

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

Reports for budget resources above and beyond already budgeted maintenance items shall be reported to the Chief 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 incarcerated person)
 - 4. Pour water down floor drains to test for flow
- (c) Monthly cleaning:
 - 1. Walls
 - 2. Ceilings
 - 3. Bunk pans

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800.4.1 INSPECTION CHECKLIST

The Jail Manager or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly and monthly basis throughout the jail 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 incarcerated workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals, and areas of responsibility.

800.5 INCARCERATED PERSON SAFETY

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

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

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

800.5.1 INVESTIGATION OF REPORTED INCARCERATED PERSON INJURY

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

800.5.2 INVESTIGATION REPORTS

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

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

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800.5.3 ANNUAL REVIEWS

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

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

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

The Chief 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 incarcerated person clothing, personal effects, and living areas, including specific guidelines for treating an infested incarcerated person, will be established (15 CCR 1264).

800.6.1 PEST CONTROL SERVICES

The Jail Manager or the authorized designee shall be responsible for procuring the services of a licensed pest control professional if necessary to perform inspections of the jail 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 incarcerated person who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Incarcerated persons with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for incarcerated persons undergoing treatment for lice should be used.

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

Clothing, bedding and other property that is suspected of being infested shall either be removed from the jail 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

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- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

800.6.3 LABELING AND SECURE STORAGE OF COMPOUNDS

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

800.7 SAFETY DATA SHEETS (SDS)

Materials and substances used in the operation and maintenance of the jail 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 incarcerated persons shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)(1)(ii)):

- (a) Supervisors shall conduct training for all members and incarcerated persons on using the SDS for the safe use, handling and disposal of hazardous material in areas they supervise.
- (b) Upon completion of the training, members and incarcerated persons shall sign the acknowledgement form kept with each SDS in their work areas.
- (c) Members and incarcerated persons using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material in their workplace.

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800.7.2 SDS DOCUMENTATION MAINTENANCE

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

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

800.7.3 SDS RECORDS MASTER INDEX

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

800.7.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and incarcerated persons shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

800.8 WATER SUPPLY TESTING

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

The Jail Manager shall ensure that the jail 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 incarcerated persons 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.

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.

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

Incarcerated Person Hygiene

801.1 PURPOSE AND SCOPE

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

801.2 POLICY

It is the policy of 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 hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all incarcerated persons but for the safety of members and visitors.

801.3 STORAGE SPACE

There should be adequate and appropriate storage space for incarcerated persons' bedding, linen, or clean clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum incarcerated person population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the jail 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 incarcerated person 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 (16 CFR 1633.1 et seq.).
 1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk.
 2. Mattresses will be cleaned and disinfected when an incarcerated person is released or upon reissue. Mattresses shall meet the most recent requirements of the state fire marshal, the California Department of Consumer Affairs' Bureau of Household Goods and Services test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1272).

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3. Mattresses shall be free of holes and tears. Mattresses with holes, tears, or that lack sufficient padding shall be replaced upon request with mattresses that meet the requirements of 15 CCR 1270 (15 CCR 1271).
- (c) Two sheets or one sheet and a clean mattress cover.
 1. Two blankets or sleeping bag may be issued in place of one mattress cover or one sheet at the request of the incarcerated person.
- (d) One clean washcloth, hand towel, and bath towel.
- (e) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Watch Commander shall review the daily activity log at least once per shift.

The Jail Manager or the authorized designee shall conduct both scheduled and unannounced inspections of the jail 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 incarcerated person 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 (e.g., shorts, undershirts, bras, two pairs of panties)
- (d) Footwear

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

All issued and exchanged clothing shall be clean and free of holes or tears, reasonably fitted, durable, and easily laundered and repaired. Undergarments shall be clean, free of holes or tears, and substantially free of stains. Individuals shall be able to select the garment type more compatible with their gender identity and gender expression (15 CCR 1260).

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

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

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

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 incarcerated person shall have neat and clean clothing appropriate to the season.

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

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

801.4 LAUNDRY SERVICES

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

801.5 ACCOUNTABILITY

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

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

801.6 PERSONAL HYGIENE OF INCARCERATED PERSONS

Personal hygiene items, hair care services, and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among incarcerated persons in compliance with the requirements established by state laws as part of a healthy living environment.

Each incarcerated person held more than 24 hours shall be issued, at a minimum, the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper

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- Sanitary pads, panty liners, and tampons as requested at no cost and no maximum allowance (Penal Code § 4023.5)

The Jail Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the incarcerated person's gender. Additional hygiene items shall be provided to persons upon request, as needed.

Personal care items shall be issued within the first 12 hours of a housing assignment. Incarcerated persons shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Incarcerated persons, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Manager or the authorized designee may suspend this requirement for any person who is considered a danger to themselves or others.

801.7 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 incarcerated person population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Jail Manager shall ensure that the rules are included in the orientation materials.

801.7.1 SCHEDULE FOR HAIR CARE SERVICES

Incarcerated persons 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, incarcerated persons will be given orientation materials that detail how to request hair care services.

801.8 AVAILABILITY OF PLUMBING FIXTURES

Incarcerated persons confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for incarcerated persons in housing areas is:

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

801.9 SHOWERS

Incarcerated persons will be allowed to shower upon assignment to a housing area and every other day thereafter or more often if possible. Absent exigent circumstances, no person shall be prohibited from showering at least every other day following assignment to a housing unit. If

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showering is prohibited, it shall be approved by the Jail Manager or the authorized designee, and the reasons for prohibition shall be documented (15 CCR 1266). There should be one shower for every 20 incarcerated persons unless federal, state, or local building or health codes differ. Showering facilities for persons housed at this jail facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of incarcerated persons and members, and shall be recorded and maintained (24 CCR 1231.3.4).

Transgender and intersex incarcerated persons shall be given the opportunity to shower separately from other incarcerated persons (28 CFR 115.42).

801.10 DELOUSING MATERIALS

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

801.11 ADDITIONAL PRIVACY REQUIREMENTS

Incarcerated persons shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite gender shall announce their presence when entering a housing unit (28 CFR 115.15).

Chapter 9 - Food Services

Food Services

900.1 PURPOSE AND SCOPE

The Department recognizes the importance of providing nutritious food and services to incarcerated persons to promote good health, reduce tension in the jail 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 persons housed in the jail facility.

900.2 POLICY

It is the policy of this department that food services shall provide incarcerated persons with a nutritionally balanced diet in accordance with federal, state, and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in the 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

900.3 FOOD SERVICES

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

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

900.4 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 incarcerated persons who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals.

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

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900.7 RELIGIOUS DIETS

The Watch Commander, to the extent reasonably practicable, will provide special diets for incarcerated persons in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

900.8 FOOD SERVICES REQUIREMENTS

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

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

900.9 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 incarcerated persons receive meals that meet nutritional guidelines.

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

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

900.10 EMERGENCY MEAL SERVICE PLAN

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

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

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.

Dietary Guidelines

901.1 PURPOSE AND SCOPE

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

901.2 POLICY

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

901.3 REVIEW OF DIETARY ALLOWANCES

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

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 the DGA guidelines. A registered dietitian must approve menus before they are used.

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

901.4 MENU CYCLE PLANNING

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

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

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

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

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

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

Chapter 10 - Inmate Programs

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 incarcerated persons. 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 incarcerated persons a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of incarcerated persons may include faith-based services, out of cell time 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 incarcerated persons the schedule of programs and services
- (e) Developing policies and procedures and establishing rules for incarcerated person participation in the programs and services
- (f) Developing and maintaining records on the number and type of programs and services offered, as well as incarcerated person 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 incarcerated persons are not denied access to educational and vocational programs based solely on indigent status

1000.4 SECURITY

All programs and services offered to benefit incarcerated persons shall adhere to the security and classification requirements of this jail facility.

1000.5 DISCLAIMER

Incarcerated person programs are provided at the sole discretion of the Lompoc Police Department in keeping with security interests, available resources, and best practices.

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Nothing in this policy is intended to confer a legal right for incarcerated persons to participate in any program offered other than what is required by law or that which is medically required.

1000.6 INCARCERATED PERSON WELFARE FUND AND COMMISSARY

Any welfare fund or commissary operation should be in compliance with state law. Incarcerated persons who have funds posted to their incarcerated person accounts may purchase approved items that are not furnished by the jail facility. The Chief of Police may expend money from the incarcerated person welfare fund to provide indigent incarcerated persons with essential clothing and limited transportation expenses upon release.

All excess funds derived from the operation of the commissary should be deposited into the incarcerated person welfare fund or otherwise used for the benefit of the incarcerated persons. 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 incarcerated person 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.

Exercise and Out of Cell Time

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that this department will have sufficiently scheduled exercise and out of cell time periods as required by law.

1001.1.1 DEFINITIONS

Definitions related to this policy include:

Exercise - The opportunity for physical exertion.

Out of Cell Time - 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 incarcerated persons with access to exercise opportunities, exercise equipment, and out of cell time activities in accordance with state laws or requirements.

1001.3 SECURITY AND SUPERVISION

Members supervising the incarcerated persons during exercise recreation time shall document when each incarcerated person has the opportunity to exercise or have recreation time, and when each person actually participates.

Members shall be responsible for inspecting recreation equipment to ensure it appears safe for use. Broken recreation equipment or equipment that is in an unsafe condition shall not be used. Incarcerated persons will not be permitted to use equipment without supervision. All equipment shall be accounted.

1001.4 RESPONSIBILITIES

The Jail Manager or the authorized designee should be responsible for developing a schedule to ensure accessibility to and availability of out of cell time for all incarcerated persons.

Mail

1002.1 PURPOSE AND SCOPE

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

1002.2 POLICY

This department will provide ample opportunity for incarcerated persons to send and receive mail, subject to restriction only when there is a legitimate government interest.

1002.3 MAIL GENERALLY

Incarcerated persons may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of members, visitors, or other incarcerated persons, or pose an unreasonable disruption to the orderly operation of the Jail Facility (15 CCR 1063(a)).

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

1002.4 CONFIDENTIAL CORRESPONDENCE

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

This jail 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 incarcerated person (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 incarcerated person that involves (15 CCR 1083(f)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims, or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the jail facility, members, or the public.

The District Attorney or City Attorney should be consulted in cases where criminal charges are considered against an incarcerated person or there is an apparent liability risk to the Department that relates to suspension or restriction of mail privileges.

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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 incarcerated persons. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for incarcerated persons no longer in custody should not be opened.

Outgoing general mail may not be sealed by the incarcerated person and may be read by members when:

- (a) There is reason to believe the mail would:
 - 1. Interfere with the orderly operation of the jail facility.
 - 2. Be threatening to the recipient.
 - 3. Facilitate criminal activity.
- (b) The incarcerated person is on a restricted mail list.
- (c) The mail is between incarcerated persons.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an incarcerated person is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

Incarcerated persons are allowed to correspond with other incarcerated persons in this jail 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.

Incarcerated persons shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the incarcerated person's file in accordance with established records retention schedules.

Cash, government checks, and money orders contained in incoming incarcerated persons mail shall be removed and credited to the person's account. Personal checks may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

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.

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

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

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

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

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

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

1002.7 NEWSPAPERS

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

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1002.8 FORWARDING OF MAIL

Any non-legal mail received for a former incarcerated person should be returned to the sender with a notation that the incarcerated person is not in custody. Obvious legal mail should be forwarded to the former incarcerated person's new address if it is reasonably known to the jail facility. Otherwise, legal mail should be returned to the sender.

1002.9 INDIGENT INCARCERATED PERSON REQUESTS FOR WRITING MATERIALS

Indigent incarcerated persons shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Manager. Writing materials should include the following (15 CCR 1063):

- (a) At least four pre-stamped envelopes for correspondence with family and friends
- (b) Eight sheets of writing paper
- (c) One pencil

Indigent incarcerated persons shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts and legal counsel department (15 CCR 1063(e)).

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

Telephone Access

1003.1 PURPOSE AND SCOPE

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

1003.2 POLICY

The Jail Facility will provide access to telephones for use by incarcerated persons consistent with federal and state law. The Jail Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All incarcerated persons will be provided a copy of the telephone usage rules as part of their orientation during the booking process.

1003.3 PROCEDURE

Incarcerated persons in housing will be permitted reasonable access to public telephones at scheduled times for collect calls unless such access may cause an unsafe situation for the jail facility, members, or other incarcerated persons. The Jail Manager shall ensure a notice is conspicuously posted near the telephones informing the incarcerated persons that non-attorney calls may be monitored and recorded.

Incarcerated persons are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a jail facility emergency, or as directed by the supervisor or the Jail Manager, all telephones will be turned off.

For security reasons, incarcerated persons who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Teletypewriter or other communication devices (e.g., videophones, third-party communications assistant) will be made available to incarcerated persons known to have, or perceived by others as having, hearing or speech impairments to allow equivalent telephone access as incarcerated persons without these disabilities (15 CCR 1067).

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify additional limitations. Reasons for denial of telephone access shall be documented and a copy placed into the incarcerated person's file. The rules governing the use of the telephone will, in addition to being provided to incarcerated persons during orientation, be posted near the telephones.

Members should monitor the use of public telephones to ensure incarcerated persons have reasonable and equitable access and that the rules of use are observed. Any incarcerated person refusing to cooperate with the telephone rules may have their call terminated or telephone privileges suspended.

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Telephone Access

Requirements relating to the use of telephones during booking and reception are contained in the Reception and Housing Policy.

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 incarcerated person, the supervisor may direct that a person 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 incarcerated person is not calling a number that has been restricted by a court order or by request of the recipient. Such a call should be recorded to the same extent authorized for calls that are not court-ordered.

1003.5 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of custody, whether the incarcerated person has been charged, tried, convicted, or sentenced, reasonable and non-recorded telephone access to an attorney shall be provided to the person at no charge to either the attorney or to the incarcerated person, in accordance with the Incarcerated Person Rights and Protection Policy.

1003.6 TELEPHONE CONTRACTS AND CHARGES

The Jail Manager or the authorized designee is responsible for ensuring that rates charged to incarcerated persons are similar to those charged in the general public and that incarcerated persons are afforded a range of feasible calling options.

Visitation

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for incarcerated person visits and visitors. Visitation is a privilege and is based on space availability, schedules, and on-duty staffing.

1004.2 RESPONSIBILITIES

The Jail Manager shall develop written procedures for incarcerated person 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 incarcerated persons are allowed at least two visits totaling at least one hour per week, and non-sentenced incarcerated persons will be afforded a visit no later than the calendar day following arrest. These procedures are subject to safety and security requirements.

Court orders granting a special incarcerated person visitation are subject to city legal review and interpretation.

1004.3 PROCEDURES

The Department shall provide adequate facilities for visiting that include appropriate space for the screening and searching of incarcerated persons and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

Limitations on the number of visitors and allotted visiting time are determined by:

- The jail 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 incarcerated persons and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to incarcerated persons and visitors with developmental disabilities to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

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.

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- (a) The registration form must include the visitor's name, address, and the relationship to the incarcerated person.
- (b) A valid identification shall include the following:
 - 1. A photograph of the person
 - 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity (e.g., attorney license/ Supreme Court card, police identification, a business card/letterhead of business with the visitor's name).

Failure or refusal to provide a valid identification is reason to deny a visit.

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 incarcerated person visitation that includes daytime, evening, and weekend hours. Each incarcerated person shall receive a copy of the visitation schedule in their orientation materials. The visiting hours will also be posted in the public area of the jail facility (15 CCR 1062).

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 (15 CCR 1062):

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or incarcerated person violates jail facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying the visitor 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 incarcerated person's file and another copy will be forwarded to the Jail Manager (15 CCR 1062).

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1004.7 GENERAL VISITATION RULES

All visitors and incarcerated persons will be required to observe the following general rules during visitation.

- (a) A maximum of two adults will be permitted to visit an incarcerated person at any one time.
- (b) An incarcerated person may refuse to visit with a particular individual.
- (c) Those incarcerated persons who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the jail 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 them 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) Incarcerated persons will be permitted to sign legal documents, vehicle release forms, or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.

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 incarcerated person
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

1004.9 ATTORNEY VISITS

Incarcerated persons shall have access to any attorney retained by or on behalf of the incarcerated person, or to an attorney the incarcerated person desires to consult, in a private interview room.

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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)).

1004.10 POLICY

It is the policy of the Lompoc Police Department to allow incarcerated person visitation, including video visitation when applicable, as required by law.

Religious Programs

1006.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of incarcerated persons to exercise their religion and for evaluating accommodation requests for faith-based religious practices of incarcerated persons (15 CCR 1072).

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 incarcerated person's sincerely held religious beliefs.

1006.2 POLICY

It is the policy of this department to permit incarcerated persons to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the jail facility.

1006.3 CHAPLAIN

The Chief of Police should appoint an individual to serve as the chaplain for the jail facility. The chaplain should be responsible for assisting the Jail Manager with supervising, planning, directing, and coordinating religious programs. The chaplain 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 incarcerated persons.
- (e) Distributing a variety of religious texts.
- (f) Developing and maintaining liaisons with a variety of religious faiths in the community.

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- (g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.
- (h) Seeking donations for religious programs from the community, when appropriate.
- (i) Working with incarcerated person 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

Incarcerated persons are not required to identify or express a religious belief. An incarcerated person may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring their religious belief in writing to the chaplain. Incarcerated persons seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the 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 incarcerated persons of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work with the chaplain to determine the sincerity of the religious claim of an incarcerated person. Requests should be denied only if the denial or reason for denial would further a compelling 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 incarcerated person requests for religious accommodations and related determinations shall be fully documented in the incarcerated person'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 incarcerated person violates the terms or conditions under which the accommodation was granted.

1006.4.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Incarcerated persons may appeal the Jail Manager's denial, suspension, or revocation of an accommodation through the incarcerated person appeal process.

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1006.4.3 ACCOMMODATION REQUESTS REGARDING GROOMING, RELIGIOUS CLOTHING, AND HEADWEAR

Individuals in custody have the right to a religious accommodation with respect to grooming, religious clothing, and headwear in observance of their sincerely held religious belief, at all times and throughout the jail facility, except if in furtherance of a compelling governmental interest regarding security that may impact the jail facility, staff, the individual, or others in custody. Religious grooming, clothing, and headwear accommodations shall only be denied when doing so would be the least restrictive means of furthering these governmental interests (Penal Code § 2607). (See the Reception and Housing Policy.)

1006.5 DIETS AND MEAL SERVICE

The Jail Manager should provide incarcerated persons requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the jail facility. The chaplain shall provide a list of incarcerated persons authorized to receive religious diets to the Jail Manager (see the Food Services Policy).

1006.6 HAIRSTYLES AND GROOMING

Unless it is necessary for the health and sanitation of the jail facility, incarcerated persons who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair (Penal Code § 2607).

Any incarcerated person whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

1006.7 RELIGIOUS TEXTS

Religious texts should be provided to the requesting incarcerated person, if available, and if the texts do not pose a threat to the safety, security, and orderly management of the jail 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

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- (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.
- 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

Incarcerated persons who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify incarcerated persons and maintain security (Penal Code § 2607). (See the Reception and Housing Policy for additional guidance.)

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.

Incarcerated persons wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite gender, if they so desire. Religious garments that substantially cover the incarcerated person's head and face shall be temporarily removed during the taking of booking and identification photographs.

1006.12 FAITH- AND MORALS-BASED COUNSELING

The Jail Manager shall be responsible for establishing a plan for incarcerated persons to receive faith- and morals-based counseling from the chaplain or religious volunteers. Incarcerated persons should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs, and other secular volunteer programs.

No incarcerated person shall be required to participate in any such program.

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1006.13 COMMUNITY RESOURCES

The chaplain may minister their particular faith and any other similar faiths to incarcerated persons but should also establish contacts with clergy of other faiths who can provide services to incarcerated persons of other religious denominations.

Whenever the chaplain is unable to represent or provide faith-based services to an incarcerated person, 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 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 incarcerated person for participating or not participating in any religion or religious practice. Incarcerated persons are not required to participate in religious programs or activities. Members will not allow their personal religious beliefs to influence them in the daily management of the incarcerated person population, particularly as it relates to religious practices.

1006.16 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

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

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

Chapter 11 - Facility Design

Space and Environmental Requirements

1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

1100.2 POLICY

It is the policy of this department to comply with federal and state laws, codes and correctional standards in matters relating to jail space and environmental requirements. Any designs for renovations, modifications, additions, or new construction within the jail 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 incarcerated persons and direct visual observation of all cells, dayrooms, and out of cell time areas. Electronic surveillance may be used to augment the observation of incarcerated persons but shall not be used as a substitute for personal communication.

All 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 incarcerated person housing area doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the jail facility in the event of an emergency.

1100.4 ENVIRONMENTAL REQUIREMENTS

1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for members and incarcerated persons to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of incarcerated persons to sleep.

1100.4.2 NATURAL LIGHT

All incarcerated person living areas should provide incarcerated persons with exposure to natural light, unless prohibited by security concerns.

1100.4.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow incarcerated persons to sleep. Nothing in this policy is intended to limit or impair in any way members' ability to monitor the jail facility in a manner that is consistent with safety and security and good correctional practices.

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Space and Environmental Requirements

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, incarcerated persons 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 incarcerated person 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 incarcerated persons or fraction thereof, and tables and sufficient seating for all incarcerated persons at capacity (24 CCR 1231.3.4; 24 CCR 1231.2.9). Where incarcerated persons 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 incarcerated persons 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 incarcerated persons 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 corridors, stairwells, all incarcerated person 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 their 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**

**CALCULATED USE OF FORCE TO OBTAIN BIOLOGICAL SAMPLE
LOMPOC JAIL - AUTHORIZATION FORM**

Officer: Click or tap here to enter text.	Agency Case #: enter text.
Date: Click here to enter a date.	Time: enter text.
Location: Click here to enter text.	
Charges: Click here to enter text.	
Suspect(s): Click here to enter text.	
Pursuant to Penal Code Section 298.1, authorized law enforcement, custodial, or corrections personnel including peace officers, may employ reasonable force to collect blood specimens, saliva samples, or thumb or palm print impressions from individuals who are required to provide such samples, specimens or impressions pursuant to Penal Code Section 296 and who refuse following written or oral request.	

Officer's use of force Narrative:

Click here to enter text.

Officer completing the form: Click here to enter text.

Correctional Officer Signature

Date

I have reviewed the facts presented to me regarding the inmate's refusal to submit to the collection of biological samples as required by Penal Code Section 298.1. Attempts have been made to gain voluntary compliance from the inmate and has refused. The inmate has also been informed of the consequences of his/her refusal.

Jail Supervisor / Watch Commander

Date:

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