

# Whittier Police Department

Whittier PD Custody Manual

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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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## **PHILOSOPHY AND GOALS**

(Agency Philosophy and Goals statement)

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## Chapter 1 - Role and Authority

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## Organizational Structure and Responsibility

### 100.1 PURPOSE AND SCOPE

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

### 100.2 DIVISIONAL RESPONSIBILITY

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

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

#### 100.2.1 ADMINISTRATION DIVISION

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

#### 100.2.2 WHITTIER CITY JAIL

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

#### 100.2.3 JAIL CONTRACT ROLE

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

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

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### *Organizational Structure and Responsibility*

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#### 100.2.4 DISPATCH/RECORDS ROLE IN JAIL OPERATIONS

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

#### **100.3 CHAIN OF COMMAND**

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

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

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

#### **100.4 SUPERVISORY GOAL**

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

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

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



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## Authority and Legal Assistance

### 102.1 PURPOSE AND SCOPE

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

### 102.2 POLICY

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

### 102.3 LEGAL FOUNDATION

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

### 102.4 LEGAL ASSISTANCE

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

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

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# Custody Manual

## 106.1 PURPOSE AND SCOPE

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

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

## 106.1 PURPOSE AND SCOPE

## 106.2 POLICY

The manual of the Whittier Police Department Jail is hereby established and shall be referred to as the Custody Manual (15 CCR 1029).

### 106.2.1 DISCLAIMER

The provisions contained in the Custody Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Whittier 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 Whittier Police Department reserves the right to revise any policy content, in whole or in part.

## 106.3 RESPONSIBILITIES

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

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

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#### 106.3.1 COMMAND STAFF

The command staff should consist of the following:

- Chief
- Jail Manager

#### 106.3.2 OTHER PERSONNEL

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

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

#### **106.4 DEFINITIONS**

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

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

**Department** - The Whittier Police Department

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

**Custody Manual** - The Department Custody Manual

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

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

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

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

**Rank** - The job classification title held by an officer.

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

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

**City:** Shall mean the City of Whittier Police Department Jail

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

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

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

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

**Operator:** Shall mean G4S Solutions.

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

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

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

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

#### **106.5 DISTRIBUTION OF MANUAL**

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

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

#### **106.6 MANUAL ACCEPTANCE**

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

#### **106.7 REVISIONS TO POLICIES**

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

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

#### **106.8 POSITIONAL DEFINITIONS**

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

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

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

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

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

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

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# Annual Facility Inspection

## 111.1 PURPOSE AND SCOPE

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

### 111.1.1 POLICY

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

## 111.2 JAIL MANAGER RESPONSIBILITY

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

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

## 111.3 INSPECTION AREAS

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

- (a) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.
- (b) **Record review** - A review of the records that support jail activities, medical records and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.
- (c) **On-site inspections** - The assessment team should conduct on-site inspections of the facility to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. This will be done in cooperation with the LA County Jail representatives annually in a pre-inspection walk through. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be

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### *Annual Facility Inspection*

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

- (d) **Correction Measures-** After identifying any discrepancies or inadequacies the Jail Manager in cooperation with the Jail Supervisor will initiate the suggested or required corrections or recommendations.
- (e) **Monitor progress** - The Jail Manager should ensure that approved recommendations are being instituted by the responsible program providers.

#### **111.4 FOCAL POINTS FOR INSPECTIONS**

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

- Staff training
- Number of personnel
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- Death in-custody
- Documented suicide attempts
- Classification plan
- Reception and booking
- Communicable disease prevention plan
- Inmates with mental disorders
- Administrative segregation
- Developmentally disabled inmates
- Use of force and restraint devices
- Contraband control
- Perimeter security
- Searches (area and personal)
- Access to telephones
- Access to courts and counsel
- Inmate visiting

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- Inmate mail
- Religious access
- Health care services
- Intake medical screening
- Vermin control
- Detoxification treatment
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food service plan
- Facility sanitation, safety, maintenance
- Tools, key and lock control
- Use of safety and sobering cells
- Standard bedding and linen use
- Mattresses

### 111.4.1 MINORS IN CUSTODY

In addition to the previously described inspection points, detention facilities that hold minors in temporary custody should also include the following inspection points:

- Serious illness of a minor in an adult detention facility
- Minors arrested for law violations
- Written policies and procedures regarding minors in custody
- Care of minors in temporary custody
- Contact between minors and adult prisoners
- Decision on secure detention
- Conditions of secure detention
- Supervision of minors held inside a locked enclosure
- Supervision of minors in secure detention outside a locked enclosure
- Non-secure custody of minors
- Supervision of minors in non-secure custody
- Intoxicated and substance-abusing minors in a lockup



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## *Annual Facility Inspection*

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- Medical receiving and screening of minors
- Classification
- Fingerprints of juveniles
- Photographs of juveniles

## Departmental Directives

### 112.1 PURPOSE AND SCOPE

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

### 112.2 DEPARTMENTAL DIRECTIVE PROTOCOL

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

### 112.3 RESPONSIBILITIES

#### 112.3.1 CHIEF

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

#### 112.3.2 MANAGERS AND SUPERVISORS

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

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

## Drug- and Alcohol-Free Workplace

### 201.1 PURPOSE AND SCOPE

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

### 201.2 POLICY

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

### 201.3 GENERAL GUIDELINES

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

#### 201.3.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

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

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

#### 201.3.2 USE OF PRESCRIBED MEDICATIONS

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

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

### 201.4 EMPLOYEE RESPONSIBILITIES

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

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

## Operation of the Jail Facility

### **201.1 GENERAL DUTIES AND OBLIGATIONS:**

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

### **201.2 SAFETY**

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

### **201.3 SECURITY**

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

### **201.4 RECORDS**

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

### **201.5 UNIFORMS**

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

### **201.6 JAIL ACCESS**

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

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

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

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## Financial Practices

### 202.1 PURPOSE AND SCOPE

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

### 202.2 POLICY

It is the policy and practice of the Whittier Police Department to maintain accurate and up-to-date fiscal records, indicating cost data for the detention facility.

### 202.3 INSURANCE REQUIREMENTS

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

#### 202.3.1 INDEMNITY

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

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

### 202.4 COMPENSATION

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

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

## Supervision of Inmates - Minimum Requirements

### 204.1 PURPOSE AND SCOPE

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

### 204.2 POLICY

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

### 204.3 SUPERVISION OF INMATES

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

When both male and female inmates are held at this facility, a minimum of one male and one female officer should be on-duty in the jail at all times.

Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite sex in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the inmates. Staff used as program resource personnel with inmates should be of the same sex as the inmates when reasonably available. However, at least one staff member of the same sex as the inmates should be on-duty and available to the inmates during all such activities.

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

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

## Prohibition on Inmate Control

### 206.1 PURPOSE AND SCOPE

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

### 206.2 POLICY

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



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# Documentation of Evidence, Contraband, Property Damage and Injuries.

## 212.1 PURPOSE AND SCOPE

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

## 212.2 POLICY

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

## 212.3 INITIAL SEIZURE OF EVIDENCE

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

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

## 212.4 INCIDENT REPORTS

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

- (a) The Officer is responsible immediately after the occurrence of such incident to notify the Custody Manager/Watch Commander of any such incident, so that it is properly reported in writing within 24-hours.

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### *Documentation of Evidence, Contraband, Property Damage and Injuries.*

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- (b) The Officer is required to notify the Custody Manager/Watch Commander of any event of special importance occurring in the detention facility, this would include any incident of potential liability for the City or the Operator, or any allegation of misconduct by an inmate toward a City employee or Operator employee.
- (c) Where personal injury or property damage has occurred, the injured City employee shall be responsible for filing an on-duty injury report, together with such insurance reporting forms as may be required or the Operator is responsible for filing the appropriate form from their respective policy. Where property damage has been incurred, the Officer is responsible for notifying the Custody Manager/Watch Commander so that the appropriate report form (City Property Damage Report) is completed.

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

#### **212.5 PROPERTY BOOKING PROCEDURE**

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

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

##### **212.5.1 NARCOTICS AND DANGEROUS DRUGS**

All narcotics and dangerous drugs shall be booked separately using a separate property form. Paraphernalia shall also be booked separately. All narcotics and dangerous drugs shall be properly weighed by the booking officer. The weight of all narcotics and dangerous drugs shall be

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documented on the booking form. A copy of the booking form shall be placed with the evidence in the designated locker and shall also be distributed in accordance with current evidence booking procedures.

#### **212.5.2 EXCEPTIONAL HANDLING**

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

#### **212.5.3 RECORDING OF PROPERTY**

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

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

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

#### **212.6 RELEASE OR DISPOSITION OF UNCLAIMED FUNDS AND PROPERTY**

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

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

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

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

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

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

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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.

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

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

#### **212.7 DISPOSITION OF PROPERTY**

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

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

#### **212.8 UNCLAIMED MONEY**

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

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

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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).

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# Records, Data Practices and Inmate Information Release

## 214.1 PURPOSE AND SCOPE

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

## 214.2 ACCESS TO CRIMINAL RECORDS

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

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

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

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

## 214.3 STAFF TRAINING

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

## 214.4 PUBLIC INFORMATION PLAN

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

- (a) Name of person arrested.

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### *Records, Data Practices and Inmate Information Release*

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

**Persons to whom such information is to be provided include:**

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

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

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

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

## Inmate Records

### 218.1 PURPOSE AND SCOPE

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

### 218.2 POLICY

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

### 218.3 RECORD MAINTENANCE

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

- Information gathered during the admission process as provided in the Inmate Reception Policy
- Photographs and fingerprints cross referenced to the booking number
- Duration of confinement
- Cash and property receipts
- Classification records, including inmate classification levels and housing restrictions
- Housing history records
- Reports of disciplinary events and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Special visit forms
- Court appearances, documents and the disposition of hearings
- Work documentation
- Program documentation
- Visitation records
- Telephone records



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### *Inmate Records*

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- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments and medications

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

#### **218.3.1 COURT ORDERS OF NAME OR GENDER CHANGE**

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

#### **218.4 RELEASE OF INMATE RECORDS**

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

#### **218.5 ELECTRONIC RECORD MAINTENANCE**

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

#### **218.6 RECORDS RETENTION**

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

## Report Preparation

### 220.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to refresh the officer's memory and to provide sufficient information for a follow-up investigation and successful prosecution along with a written documentation of what occurred for review by the appropriate supervisor. Report writing is the subject of substantial formal and on-the-job training.

### 220.2 REPORT PREPARATION

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

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

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

### 220.3 REQUIRED REPORTING

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

#### 220.3.1 CRIMINAL ACTIVITY REPORTING

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

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### *Report Preparation*

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#### 220.3.2 INCIDENT REPORTING

Incident reports generally serve as an in-house notation of occurrences in the facility to initiate and document extraordinary or unusual events. The Department shall establish a filing system that differentiates between incident reports 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 (15 CCR 1044):

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

#### 220.3.3 DEATHS

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

Reporting of deaths will be handled in accordance with the Reporting Inmate Deaths Policy.

#### 220.3.4 INJURY OR DAMAGE BY DEPARTMENT PERSONNEL

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

#### 220.3.5 USE OF FORCE

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

### **220.4 GENERAL POLICY OF EXPEDITIOUS REPORTING**

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







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## Daily Activity Logs and Shift Reports

### 224.1 PURPOSE AND SCOPE

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

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

### 224.2 POLICY

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

### 224.3 PROCEDURES

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

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

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

### 224.4 SHIFT ACTIVITY LOG

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

- Personnel on-duty
- Bookings and releases
- Formal counts

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### *Daily Activity Logs and Shift Reports*

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- Well-being checks, security checks and inspections and routine activities
- All searches/shakedowns
- Meal service
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or inmate complaint of illness or injury and the action taken
- Supervisor rounds to the housing area and/or to specific inmates
- Unusual inmate behavior
- Discovered contraband
- Unusual occurrences
- Use of emergency equipment
- Any use of force
- Key counts

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

#### **224.5 SHIFT REPORT**

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

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

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

#### **224.6 SUPERVISOR RESPONSIBILITIES**

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



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### *Daily Activity Logs and Shift Reports*

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

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

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





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## Accessibility - Facility and Equipment

### 233.1 PURPOSE AND SCOPE

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

#### 233.1.1 DISABILITY DEFINED

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

### 233.2 POLICY

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

#### 233.2.1 ACCOMMODATIONS

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

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

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## Whittier PD Custody Manual

### *Accessibility - Facility and Equipment*

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#### 233.2.2 ADA COORDINATOR

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

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

#### **233.3 ACCOMMODATIONS**

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

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

#### 233.3.1 MEMBER RESPONSIBILITIES

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

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### *Accessibility - Facility and Equipment*

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

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

#### **233.4 ADA COORDINATOR**

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

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

##### **233.4.1 DISSEMINATION OF INFORMATION**

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

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

#### **233.5 TRAINING**

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

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

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## News Media Relations

### 235.1 PURPOSE AND SCOPE

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

### 235.2 POLICY

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

#### 235.2.1 MEDIA REQUEST

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

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

### 235.3 MEDIA ACCESS

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

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.
- (b) Media representatives may be prevented from interfering with emergency operations and investigations.
  - 1. In situations where media access would reasonably appear to interfere with the facility's security, emergency operations and/or an investigation, every reasonable effort should be made to provide media representatives with information regarding the incident in such a manner that does not compromise

# Whittier Police Department

## Whittier PD Custody Manual

### *News Media Relations*

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the safety and security of the inmates, staff or the facility itself. All data released to the media should be coordinated through the office Press Information Officer or other designated spokesperson.

- (c) No member of this department shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief and the express consent of the person in custody. The supervisor shall obtain a signed waiver from the inmate prior to being interviewed, photographed or videotaped.

#### **235.3.1 PROVIDING ADVANCE INFORMATION**

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

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

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

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

- (a) The full name and occupation of the inmate
- (b) The inmate's physical description, including date of birth
- (c) Date and time of arrest
- (d) Date and time of booking
- (e) Location of arrest
- (f) The factual circumstances surrounding the inmate's arrest
- (g) All charges the inmate is being held on, including outstanding warrants, probation/parole holds
- (h) Amount of bail



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- (i) The time and manner of the inmate's release or the location where the inmate is currently being held
- (j) Court appearance dates
- (k) Arresting agency

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

Any information related to the applicable portions shall be redacted before being provided to the general public. Applicable regulations for the operation of a custody facility can be made available for review by the public and inmates.

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

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

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

#### 235.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the Jail Commander, Watch Commander 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 staff and volunteers of the Department.
  - 1. The identities of custody personnel involved in major incidents may only be released to the media pursuant to consent of the involved personnel or upon a request processed in accordance with the Public Records Act.
- (b) Criminal history information.
- (c) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (d) Information pertaining to pending litigation involving this department.
- (e) Information obtained in confidence.

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### *News Media Relations*

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- (f) Any information that is otherwise privileged or restricted under state or federal law.

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## Administrative and Supervisory Inspections

### 236.1 PURPOSE AND SCOPE

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

### 236.2 POLICY

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

### 236.3 INSPECTIONS

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

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

#### 236.3.1 AREAS TO BE INSPECTED

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

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

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### *Administrative and Supervisory Inspections*

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

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# Community Relations and Public Information Plan

## 237.1 PURPOSE AND SCOPE

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

## 237.2 RESPONSIBILITIES

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

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

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### *Community Relations and Public Information Plan*

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This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility's library or provided by other means for use by inmates. At the discretion of the Chief, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

#### **237.3 PROHIBITED MATERIALS**

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

#### **237.4 TOURS OF THE CUSTODY FACILITY**

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

- (a) Persons who tour this facility must be of an appropriate age as determined by the Chief or their designee.
- (b) A background check for warrants may be conducted before an applicant is approved to participate in a tour.

#### **237.5 POLICY**

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

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## Vehicle Safety

### 243.1 PURPOSE AND SCOPE

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

### 243.2 USE AND SECURITY OF DEPARTMENT VEHICLES

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

#### 243.2.1 USE OF SEAT BELTS

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

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

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

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

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

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

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

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### *Vehicle Safety*

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#### **243.2.2 VEHICLE SECURITY**

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

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

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

#### **243.3 VEHICLE INSPECTIONS**

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

#### **243.4 VEHICLE SAFETY REPAIRS**

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

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

Vehicles that are deemed as unsafe shall not be used until necessary repairs are made.

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

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

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

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



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## *Vehicle Safety*

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### **243.6 TOLL ROAD USE**

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

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

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

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

## Chapter 3 - Emergency Planning

















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## Fire Safety

### 306.1 PURPOSE AND SCOPE

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

### 306.2 POLICY

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

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

### 306.3 FIRE SUPPRESSION PRE-PLANNING

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

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

### 306.4 FIRE PREVENTION EQUIPMENT

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

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

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### *Fire Safety*

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

#### **306.5 FIREFIGHTING EQUIPMENT**

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

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

##### **306.5.1 SELF-CONTAINED BREATHING APPARATUS**

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

#### **306.6 INSPECTIONS**

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

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

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

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

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

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## *Fire Safety*

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### **306.7 EMERGENCY HOUSING OF INMATES**

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





## **Chapter 4 - Inmate Management**

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# Population Management System

## 400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of inmate population accounting that promotes the safety and security of the facility on a daily operational basis.

## 400.2 POLICY

It is the policy of this facility that an inmate population management system should be established and maintained to account for the admission, processing and release of inmates. The Jail Manager or the authorized designee is responsible for ensuring that detailed daily reports of the facility's inmate population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced inmates by categories of adult male, adult female and juvenile male and juvenile female. The Chief or the authorized designee should maintain the data in an accessible format for historical purposes, trend analysis and to respond to funding opportunities (Title 15 CCR § 1040).

### 400.2.1 DATA COLLECTION

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

- (a) Current number of beds in:
  - 1. Compliance with local or state standards
  - 2. General housing
- (b) Average Daily Population (ADP) for:
  - 1. Minimum security
- (c) Highest one-day inmate population
- (d) Number and/or percentage of:
  - 1. Bookings
  - 2. Male inmates
  - 3. Female inmates
  - 4. Felony inmates
  - 5. Misdemeanor inmates
- (e) Number of:
  - 1. Inmate-on-inmate assaults
  - 2. Inmate-on-staff assaults
  - 3. Escapes/attempted escapes



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## *Population Management System*

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























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### *Inmate Reception*

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the arresting officer as evidence in the commission of any crime and placed in the Department's property system.

#### **404.8 INMATE TELEPHONE CALLS**

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

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

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

##### **404.8.1 TELEPHONE CALL PROCEDURES**

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

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

The provisions of Penal Code § 851.5 shall be posted in bold block type in a conspicuous place within the custody facility.

##### **404.8.2 POSTING OF TELEPHONE INFORMATION**

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

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

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

##### **404.8.3 ONGOING TELEPHONE ACCESS**

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

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#### **404.8.4 DOCUMENTING INMATE'S ACCESS TO PHONE CALLS**

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

#### **404.8.5 REASONABLE ACCESS BEYOND REQUIRED CALLS**

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

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

#### **404.9 SHOWERING AND CLOTHING EXCHANGE**

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

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## Inmate Handbook and Orientation

### 406.1 PURPOSE AND SCOPE

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

### 406.2 POLICY

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

#### 406.2.1 INITIAL ORIENTATION

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

- (a) Facility rules and disciplinary sanctions
- (b) Correspondence, visiting and telephone rules
- (c) Medical, dental and mental health services
- (d) Court appearance, where scheduled, if known
- (e) Availability of personal care items and opportunities for personal hygiene
- (f) Emergency procedures (e.g., fires, evacuations)
- (g) Sexual abuse and sexual harassment information including the following (28 CFR 115.33):
  - 1. Facility's zero-tolerance policy
  - 2. Prevention and intervention
  - 3. Instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
  - 4. Treatment and counseling for victims of sexual abuse or sexual harassment
  - 5. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
  - 6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state or national victim advocacy or rape crisis

# Whittier Police Department

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## *Inmate Handbook and Orientation*

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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
  - (h) Contacting foreign consuls
  - (i) Requests for religious accommodations
  - (j) Voting, including registering to vote
  - (k) Direction for pregnant inmates, including the information required in Penal Code § 3407(e)
  - (l) 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)
  - (m) Emergency procedures (e.g., fires, evacuations)

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

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

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

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

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

Inmates who cannot read, are visually impaired, or have intellectual, psychiatric or speech disabilities or limited reading skills, shall have the materials read to them by a staff member or presented to them using audible recorded media.

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

## Inmate Safety Checks

### 408.1 PURPOSE AND SCOPE

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

### 408.2 POLICY

It is the policy of the Whittier Police Department that all correctional staff shall conduct safety checks at least every ■ minutes on all inmates, or more frequently as determined by inmate custody status and/or housing classification.

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 Shift Reports Policy (15 CCR 1027).

### 408.3 SAFETY CHECKS

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

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



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## Special Management Inmates

### 410.1 PURPOSE AND SCOPE

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

### 410.2 POLICY

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

### 410.3 SPECIAL MANAGEMENT INMATES HOUSING CRITERIA

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

Individuals who may be classified as special management inmates include, but are not limited to, inmates who are:

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

#### 410.3.1 GENERAL HOUSING GUIDELINES

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

# Whittier Police Department

## Whittier PD Custody Manual

### *Special Management Inmates*

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

#### **410.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEGREGATION**

Inmates will generally be assigned to segregation through the classification process. The Jail Manager or Watch Commander has the authority to immediately place any inmate into segregation when it reasonably appears necessary to protect the inmate or others (Title 15 CCR § 1081(d))

[REDACTED]

- [REDACTED]
- [REDACTED]
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- [REDACTED]
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#### **410.6 MAINTENANCE OF PRIVILEGES**

Segregation and protective custody shall consist of separate and secure housing but shall not involve any deprivation of privileges other than what is necessary to protect the inmates or staff (Title 15 CCR § 1053).

Inmates who are classified for housing in segregation or protective custody shall, at a minimum, be allowed access to the following programs and services including, but not limited to:



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## Whittier PD Custody Manual

### *Special Management Inmates*

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#### 410.8.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The Jail Manager shall review and evaluate the logs. The logs will be retained by the Department in accordance with established records retention schedules, but in no case less than one year.

## Juvenile Detention Policy

### 412.1 PURPOSE AND SCOPE

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

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

#### 412.1.1 POLICY

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

### 412.2 DEFINITIONS

- [REDACTED]
- **Detention Facility/Lockup:** For the purpose of juvenile confinement, the Whittier Police Department jail shall be defined as a lockup, serving only as a temporary detention facility (Type I Facility). The primary detention location for juveniles will be opposite the Watch Commander's Office on the first floor. Note: A Type I Facility is any jail or detention facility that houses no sentenced adult inmates other than inmate workers.
- [REDACTED]
- [REDACTED]





# Whittier Police Department

## Whittier PD Custody Manual

### *Juvenile Detention Policy*

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behavior and/or custody officer to fulfill part of the criteria for secure detention.

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



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### *Juvenile Detention Policy*

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





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# Whittier Police Department

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## *Juvenile Detention Policy*

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### **412.5 WIC 300 DETENTIONS**

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

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

### **412.6 JUVENILES 13 YEARS OF AGE AND UNDER**

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

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

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

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

#### 412.6.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

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

#### 412.7 JUVENILE MEDICAL TREATMENT

(a) Consent for Treatment

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

(b) Emergency Treatment (15 CCR 1142)

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

#### 412.8 RELEASE OF 602 MINORS

(a) **Detained Minors**

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

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

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

### **412.9 JUVENILE ARRESTS FOR PUBLIC INTOXICATION**

Any minor who displays outward signs of intoxication, or who is known or suspected to have ingested any substance that could result in a medical emergency, shall be medically cleared prior to reception at a facility. Supervision of minors who have been cleared to enter the facility shall



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include safety checks no less than every [REDACTED] minutes until resolution of the intoxicated state. These safety checks shall be documented, with actual time of occurrence recorded.

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



## Use of Force

### 423.1 PURPOSE AND SCOPE

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

#### 423.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Any application of force that is reasonably anticipated and intended to create a substantial likelihood of death or very serious injury.

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

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

### 423.2 POLICY

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

### 423.3 USE OF FORCE

Employees may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Jailers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the inmate, to protect and ensure the safety of inmates, staff and others, to prevent serious property damage, prevent escape, obtain compliance with facility rules and staff orders and to ensure the institution's security and good order or for other lawful purposes (15 CCR 1029(a)(3)).

The Department has provided Whittier Police Officers a number of tools, weapons and training on techniques to use when responding to resistance and violent encounters. G4S is responsible for the training of their employees with regard to use of force and tools available to them as provided by the Contract Company. While various degrees of force exist, each officer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy.

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

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## Whittier PD Custody Manual

### *Use of Force*

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

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

Force shall never be used as punishment or retaliation.

Medical checks will be performed on all inmates who have been subjected to force as soon as practicable, regardless of apparent injury.

Nothing in this policy is intended to require that force options be used in a particular order. However, the force option used must be objectively reasonable under the circumstances to accomplish a lawful objective.

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

When determining whether to apply force and evaluating whether a jailer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to jailers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/inmate factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of jailers available vs. inmates).
- (d) The effects of drugs or alcohol.
- (e) Inmate's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the inmate has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) The seriousness of the suspected offense or reason for contact with the inmate.
- (j) Training and experience of the officer.
- (k) Potential for injury to jailers, inmates and others.
- (l) Whether the inmate appears to be resisting or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the inmate or a prompt resolution of the situation to maintain or restore order.

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- (o) Whether the conduct of the inmate being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Awareness of the inmate's propensity for violence.
- (q) Any other exigent circumstances.

#### 423.3.2 DUTY TO INTERCEDE

Any officer or G4S member present and observing another staff member using force that is clearly not within this policy is expected, when reasonable to do so, to intercede to prevent the use of such force and in all cases report the use promptly to a supervisor.

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

##### 423.4.1 NOISE/FLASH DISTRACTION DEVICES

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

##### 423.4.2 ELECTRONIC CONTROL DEVICES

The use of TASER® devices shall be in accordance with the department Conducted Energy Device Policy. G4S members will not be issued tasers by the Whittier Police Department.

##### 423.4.3 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Manager/Watch Commander or the authorized designee. Department-approved OC spray may be possessed and used only by staff members who have received department-authorized training in its use.

Inmates who have been affected by the use of chemical agents shall be promptly provided with the proper solution to decontaminate the affected areas. Those inmates who complain of severe effects shall be examined by a qualified health care professional.

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

- (a) Custody staff advising the inmate how to decontaminate in the cell.
- (b) Clean clothing if the inmate's clothing was contaminated.
- (c) Monitoring of the in-cell inmate at least every 15 minutes for a period of not less than 45 minutes.

##### 423.4.4 KINETIC ENERGY PROJECTILES

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

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#### **423.5 IMMEDIATE AND CALCULATED USE OF FORCE**

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates.

The destruction of government property may require the immediate use of force by staff in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

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

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

A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Watch Commander for approval and consultation prior to any calculated use of force action.

##### **423.5.1 CONFRONTATION AVOIDANCE PROCEDURES**

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

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

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain
- (d) Department Records Bureau
- (e) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the inmate's medical/mental history (e.g., hypoglycemia, diabetes), any recent incident reports or situations that may be contributing to the inmate's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with staff members who are familiar with the inmate's background or present status. This may provide insight into the cause of the inmate's immediate agitation. It also may

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### *Use of Force*

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identify other staff who have a rapport with the inmate and could possibly resolve the incident peacefully, without the use of force.

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

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

#### **423.6 REPORTING THE USE OF FORCE**

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

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

The report should include:

- (a) A clear, detailed description of the incident, including any application of weapons or restraints.
- (b) The identity of all involved in the incident (e.g. inmates, staff and others).
- (c) The specific reasons for the application of force.
- (d) The threat as perceived by the staff involved.
- (e) Efforts were made to temper the severity of a forceful response, and if there were none, the reasons why.
- (f) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

A video recording is required for all calculated use of force incidents and should include the introduction of all staff 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 immediate psychological and/or physical condition of the involved officer.

#### **423.6.1 NOTIFICATION TO SUPERVISORS**

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

- (a) The application of force appears to have caused physical injury.

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- (b) The individual has expressed a complaint of pain.
- (c) Any application of a control device.
- (d) The individual has been rendered unconscious.

#### **423.7 SUPERVISOR RESPONSIBILITY**

When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) In cases involving the use of deadly force or when serious injury has resulted, obtain an oral statement from the employee. The statement should be restricted to concerns of anything that may present an ongoing threat to the security of the facility or public safety.
- (c) Take appropriate measures to address public safety concerns, document the essence of the oral statements in writing and submit it to the Watch Commander.
- (d) Ensure that the appropriate investigation authority is notified, if needed.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.
- (f) [REDACTED]
- (g) [REDACTED]
- (h) Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas. [REDACTED]
- (i) Identify any witnesses not already included in related reports.
- (j) Review and approve all related reports.



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#### **423.8 USE OF DEADLY FORCE**

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop an escaping inmate when the officer has probable cause to believe that the inmate has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the inmate is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the inmate is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a jailer reasonably believes any of the following:

- 1. The inmate has a weapon or is attempting to access one and it is reasonable to believe the inmate intends to use it against the officer or another.
- 2. The inmate is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the inmate intends to do so.

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

An employee, who intentionally or accidentally uses deadly force, whether on- or off-duty, shall ensure that a supervisor is notified of the incident without delay.

The supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical and security measures are initiated.

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

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#### 423.8.2 DEADLY FORCE REVIEW

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

#### 423.9 USE OF FORCE REVIEW

The Watch Commander shall review all related reports of use of force incidents occurring on his/her command. The review is to determine whether the use of force was in compliance with policy, procedure and applicable law, and to determine if follow-up action or investigation is necessary. The Watch Commander should forward his findings through the chain of command.



























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## Reporting In-Custody Deaths

### 433.1 PURPOSE AND SCOPE

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

#### 433.1.1 DEFINITIONS

Definitions related to this policy include:

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

### 433.2 POLICY

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

### 433.3 MANDATORY REPORTING

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

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

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

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

### 433.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this department, the Watch Commander is responsible for ensuring that the Chief and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

The death investigation will follow the department policy regarding use of the LA County Sheriff's Department for those deaths which may have occurred due to officer actions. Any other deaths occurring in custody will follow the "non-hit" protocol outlined in the department policy (i.e. natural, suicide, accidental, etc).

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

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

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

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

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

#### **433.5 IN-CUSTODY DEATH REVIEW**

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

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

The in-custody death review should be conducted no later than 72 hours after the incident.



## Staff and Inmate Contact

### 435.1 PURPOSE AND SCOPE

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

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

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

### 435.2 POLICY

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

### 435.3 GENERAL CONTACT GUIDELINES

Staff members are encouraged to interact with the inmates under their supervision on a continual basis and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All custody staff, including support staff, contractors and volunteers, will at all times present a professional and command presence in their contact with inmates. Staff shall address inmates in a civil manner. The use of profanity or derogatory comments based on race, gender, age, personal appearance or sexual identity is strictly prohibited.

Custody staff shall not dispense legal advice, opinion, or recommend attorneys, bond agents or other professional services to inmates. Staff shall not allow personal feelings to interfere with the provision of their required functions or the legal rights of the persons incarcerated in this facility. Staff shall not become overly familiar with inmates or their families and friends.

Special favors or privileges that are not permitted or required by department policies or at the direction of supervisory or management staff shall not be provided.

Custody staff shall not engage in sexual acts or salacious conversations or exchange inappropriate notes or letters with inmates.

Staff shall promptly report all attempts by inmates to initiate sexual acts, salacious conversations and forward any correspondence from an inmate or former inmate to the Watch Commander.

Staff shall not allow a condition to exist that implies the inmates are in control of other inmates or any area of the facility.

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Staff shall report all attempts to intimidate or instill feelings of fear to the supervisor.

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

#### **435.4 ANTI-FRATERNIZATION**

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

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

Prohibited interactions include, but are not limited to:

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

##### **435.4.1 EXCEPTIONS**

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

- Whether a relationship existed prior to the incarceration of the inmate.
- Whether the relationship would undermine security and order in the facility and the integrity of the supervision process.
- Whether the relationship would be detrimental to the image and efficient operation of the facility.

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- Whether the relationship would interfere with the proper discharge of, or impair impartiality and independence of, judgment in the performance of duty.

#### **435.5 REPORTING**

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

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

Members shall promptly notify their immediate supervisor in writing if:

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





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## Safety and Sobering Cells

### 439.1 PURPOSE AND SCOPE

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

#### 439.1.1 DEFINITIONS

Definitions related to this policy include:

**Safety cell** - An enhanced protective housing designed to minimize the risk of injury or destruction of property used for inmates 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 inmates who are a threat to their own safety or the safety of others as a result of being intoxicated from any substance, and who require a protected environment to prevent injury or victimization by other inmates.

### 439.2 POLICY

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

A sobering or safety cell shall not be used as punishment or as a substitute for treatment.

### 439.3 SAFETY CELL PROCEDURES

The following guidelines apply when placing any inmate in a safety cell:

- (a) Placement of an inmate into a safety cell requires approval of the Watch Commander.
- (b) In no case should an inmate remain in the safety cell for more than twelve (12) consecutive hours. A review of the inmate should occur every four (4) hours for continued housing in a safety cell. In those instances where continued housing in the safety cell beyond twelve (12) consecutive hours is indicated, either the paramedics or mental health personnel (PET) shall examine the inmate. Thereafter, the inmate shall be medically cleared for continued retention every 24 hours.
- (c) A safety cell log shall be initiated every time an inmate is placed into the safety cell and should be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with department retention schedules but in any case for at least two years.
- (d) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur twice every 30 minutes. Each safety check of the inmate shall be documented.

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- (e) Whenever an inmate suddenly decreases an activity in the cell, such as yelling, screaming, striking the cell interior or other extreme behavior, the inmate will be visually evaluated /inspected immediately. Visual evaluation/inspection is performed to determine obvious deterioration of the inmate's physical/mental condition. Specific activities to be monitored are:
  - 1. (a) Breathing " To determine that the inmate is breathing in a normal manner, not erratic or difficult, and has not vomited, making breathing difficult.
  - (b) Arousal Ability " In those instances where it appears the inmate should be able to give some verbal response to stimulus, the stimulus can be either verbal or physical.
- 2. All visual inspections of the inmate shall be recorded on the "safety cell" log. The information that shall be noted included the date, time and name of the Custody Officer performing the observation. This log will be maintained in the arrestees' case file.
- (f) Inmates should be permitted to remain normally clothed or should be provided a safety suit, except in cases where the inmate has demonstrated that clothing articles may pose a risk to the inmate's safety or the facility. In these cases, the reasons for not providing clothing shall be documented on the safety cell log.
- (g) Inmates in safety cells shall be given the opportunity to have fluids (water, juices) at least hourly. Jailers shall provide the fluids in paper cups that are not to be retained by the inmate. The inmates shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an inmate is provided the opportunity to drink fluids will be documented on the safety cell log.
- (h) Food shall not be served to inmates in the safety cell. If it becomes necessary to feed an inmate housed in the safety cell, that inmate shall be removed from the safety cell to receive the food. The Watch Commander shall review the appropriateness for continued retention in the safety cell at least every eight hours. The reason for continued retention or removal from the safety cell shall be documented on the safety cell log.

#### **439.4 SOBERING CELL PROCEDURES**

The Sobering Cell shall be used specifically for the housing of inmates who are a threat to their own safety or the safety of others due to the state of their intoxication.

The following guidelines apply when placing any inmate in a sobering cell:

- (a) A sobering cell log shall be initiated every time an inmate is placed into a sobering cell. The log shall be maintained for the entire time the inmate is housed in the cell.

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Cell logs will be retained in accordance with department retention schedules but in any case for at least two years.

- (b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least once every ■ minutes. Each visual observation of the inmate by staff shall be documented. Specific activities to be monitored are:
  - 1. Breathing--To determine that the inmate is breathing in a normal manner, not erratic or difficult and has not vomited, making breathing difficult. Custody Jailers are reminded that snoring can be indicative of respiratory distress.
  - 2. Arousal Ability--In those instances where it appears the inmate is asleep, the inmate should be able to give some verbal response to stimulus, and the stimulus can be either verbal or physical.
  - 3. Any inmate with symptoms suggestive of deepening comas such as increasing difficulty to arouse, or inability to be aroused with irregular breathing, or convulsions shall be considered a medical emergency.
- (c) Inmates placed in the Sobering Cell shall be removed, when they are able to continue in the processing/booking procedure. This may be no less than two (2) hours, or up to six (6) hours, based on time of alcohol consumption and quantity. Normally the time is five (5) hours. In no case shall an inmate remain in the Sobering Cell over six (6) hours without an evaluation by medical staff person, or an evaluation by custody staff, pursuant to written medical procedures as out lined in the Medical Observation Checklist, approved by our Contract Medical Facility. In no case shall an inmate stay in the sobering cell beyond twelve (12) hours without a medical evaluation by a medical professional.
- (d) Females and males will be detained in separate sobering cells.
- (e) Whittier City Jail will not retain inmates undergoing withdrawal reactions, judged, or defined by our Contract Medical Facility, as not being readily controllable without medical treatment. Such cases would be immediately transferred to an appropriate available medical treatment facility.

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

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

#### **MEDICAL OBSERVATION CHECKLIST:**



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- (a) Appears to be unconsciousness, in a coma, stupor, or in shock.
- (b) Appears to be disoriented or unable to cooperate may be severely abusive or uncooperative.
- (c) Appears to have a higher, or lower pulse, or respiratory rate from normal observations.
- (d) Appears to be pale and/or clammy.
- (e) Observed or reported severe or acute pain, possibly with sudden or unexplained onset.
- (f) Any injuries requiring immediate care beyond the routine band-aid.
- (g) Any bleeding from the mouth, nose, rectum, etc.
- (h) Coughing up blood.
- (i) Any seizures or other motor or sensory observations.
- (j) Sudden, unexplainable onset of weakness and/or numbness.
- (k) Sudden and extensive onset of hives.
- (l) Stated by the detainee or reported by arresting officer, drug overdoes or consumption of unknowns. Most addicts will inform you they will experience withdrawal.
- (m) Not appropriate for booking if more than minimal assistance is required to walk.
- (n) NOTE: It is obvious that this checklist will reflect symptoms or behavior requiring long-term "detoxification" when only the short-term "sobering up" period is necessary. Use all available means to properly determine the assessment. With your training and experience, the observation initially, and every fifteen (15) minutes, your attention to the needs of this person in DETOX status is mandatory to upgrade your assessment and to provide the appropriate level of medical assistance.

#### MENTAL HEALTH CHECKLIST:

- (a) History of suicide attempts.
- (b) Verbalizing desire, or intention to commit suicide, or to harm or kill someone else.
- (c) Severe withdrawal from contact (reality) or communication.
- (d) Extreme agitation in conjunction with active hallucinations. (Rule out drug/alcohol intoxication/withdrawal).
- (e) Severe panic reaction or irrational behavior, which suggests danger to self or others.
- (f) History of major mental health diagnosis and/or medications on admission queries.
- (g) Depression, i.e.: sleep disturbance, chronic fatigue, change of appetite, or feelings of hopelessness or helplessness.
- (h) Marital or family conflict with secondary psychological symptoms.

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- (i) Bizarre thinking, behavior or appearance.
- (j) If the detainee states he/she feels it is important or urgent that medical staff check him/her.

If DETOX detainee has significant change in their attitude, appearance, or behavior since booking, Jail staff will take action appropriate to observation, either by obtaining medical assistance, or to the extent of suggesting Cite/Release status to appropriate agency.

It is possible that family members will arrive to transport the DETOX detainee upon release. Actions of the detainee are to be closely monitored, and if it appears that the escorting family member may be subjected to hostility (verbal abuse or injury) the Watch Commander will be notified.

Under normal circumstance, any adult arrested by the Whittier Police Department for alcohol intoxication, who does not appear on the Watch Commander's Habitual Drunk List, and who does not have additional charges or warrants, shall be released per section 849(b) (2) P.C. after a minimum of five (5) hours or when sober. The Watch Commander shall have discretion on intoxicated person's release that may go beyond the Habitual Drunk List.

If both Sobering Cells are occupied by male inebriates the female will be booked and then transported in accordance with the La Habra Jail agreement upon approval of La Habra City Jail Watch Commander or transported to a Los Angeles County Jail Facility as soon as possible. If both Sobering Cells are occupied by female inebriates the male will be booked and housed in a regular cell until one of the Sobering Cells becomes available.

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## Biological Samples

### 441.1 PURPOSE AND SCOPE

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

### 441.2 POLICY

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

### 441.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following inmates must submit a biological sample (Penal Code § 296):

- (a) A person, including a juvenile, upon conviction or other adjudication of any felony offense
- (b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record
- (c) An adult arrested or charged with any felony
  - 1. Due to a Court of Appeal decision dated December 3, 2014, we have been advised by the City Attorney not to collect DNA samples from pre-conviction arrestees. This court decision may be subject to review by the California Supreme Court and may ultimately be set aside or modified. Therefore, pending further written notice, this Department will suspend collection of DNA samples from pre-conviction arrestees.

### 441.4 PROCEDURE

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

#### 441.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the inmate is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated

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DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.

- (c) Use the designated collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

#### **441.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES**

If an inmate refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order or approval of legal counsel and only with the approval of the Watch Commander. Methods to consider when seeking voluntary compliance include contacting:

- (a) The inmate's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the inmate for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the inmate's next court appearance.
- (d) The inmate's attorney.
- (e) A chaplain.

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

#### **441.5.1 VIDEO RECORDING**

A video recording should be made when reasonable any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's established records retention schedule (15 CCR 1059).

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

#### **441.6 LEGAL MANDATES AND RELEVANT LAWS**

California law provides for the following:

##### **441.6.1 DOCUMENTATION RELATED TO FORCE**

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

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

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#### 441.6.2 BLOOD SAMPLES

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

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

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

#### 441.6.3 LITIGATION

The Chief or the authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank.

## Chapter 5 - Inmate Due Process









## Inmates with Disabilities

### 504.1 PURPOSE AND SCOPE

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

#### 504.1.1 DEFINITIONS

Definitions related to this policy include:

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

### 504.2 POLICY

This department will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. In the event an inmate's needs cannot be reasonably accommodated in the Jail, they shall be transferred as soon as reasonably possible to a facility that can accommodate such needs. When an inmate displays or seeks assistance due to physical or mental impairments, Jailers and Custody Staff are to notify the Watch Commander as soon as reasonably practical so arrangements can be made for accommodations.

### 504.3 ACCOMMODATION REQUESTS

Inmates shall be asked to reveal any accommodation requests during the intake classification process. Any such request will be addressed during the classification process.

When possible inmates with disabilities shall be accommodated and placed in the ADA approved cell.

# Inmate Access to Courts, Counsel and Bond Agents

## 506.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates to access the courts and legal counsel, while holding inmates accountable to the rules and regulations that govern conduct in this facility. The staff at every level is reminded the fundamental constitutional right of access to courts does not end when a person is incarcerated.

## 506.2 POLICY

It is the policy of this department that all inmates will have access to the courts and the ability to consult with legal counsel (15 CCR 1068).

## 506.3 INMATE ACCESS

Staff should not unreasonably interfere with inmates' attempts to seek counsel and where appropriate should assist inmates with making confidential contact with attorneys and authorized representatives.

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

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

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

## 506.4 CONFIDENTIALITY

All communication between inmates and their attorneys is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

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Outgoing and incoming legal correspondence shall be routed through the staff, who have received special training in inspecting confidential documents and who are accountable for maintaining confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts, when needed subject to the security and safety needs of the inmates, staff and the facility.

#### **506.5 VISITATION RELATED TO LEGAL DEFENSE**

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

- (a) Visits shall be of a reasonable length of time to discourage any allegation the defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service or other required activities.
- (b) Only materials brought to this facility by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by the staff and shall be routed through the Watch Commander for logging and distribution.

#### **506.6 MAIL**

Legal mail shall be handled in accordance with the Inmate Mail Policy.

##### **506.6.1 PROCEDURE FOR PROCESSING LEGAL/CONFIDENTIAL MAIL**

Legal correspondence is defined as any petition or writ addressed to a court of law asking for some type of relief (e.g., stay of execution, notice of appeal, writ of habeas corpus, petition for court order, etc.).

- (a) Personnel shall not read legal correspondence that is addressed to or from an inmate.
- (b) There shall be no limit to the number of pieces of legal correspondence sent by an inmate. Inmates without funds shall be allowed an unlimited amount of legal correspondence without postage.
- (c) After processing, all legal correspondence shall be deposited with the U.S. Postal Service without delay.

Confidential correspondence is defined as any inmate correspondence with State and Federal Courts, an active member of any State Bar, holder of public office, the State Board of Corrections,

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the Chief of Police or any official of the Police Department. Inmates may correspond, confidentially, with any of the foregoing agencies/persons, subject to the following guidelines:

- (a) Personnel shall not read confidential correspondence but will have the inmate display the contents or the envelope to ensure that no money or contraband is enclosed.
- (b) After this inspection, the inmate will be instructed to seal the envelope and give it to the Custody Officer.
- (c) There shall be no limit to the number of pieces of confidential correspondence sent by an inmate. Inmates without funds shall be allowed to send an unlimited amount of confidential correspondence without postage charges.

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## Foreign Nationals and Diplomats

### 508.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

### 508.2 POLICY

The Whittier Police Department Jail will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Department will investigate all claims of immunity and accept custody of the person when appropriate.

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

### 508.3 DIPLOMATIC AND CONSULAR IMMUNITY

#### 508.3.1 AVAILABILITY OF RESOURCES

The Watch Commander will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for department members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

#### 508.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Whittier Police Department Jail the receiving officer shall first inform the Watch Commander and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting officer. The person should not be brought inside the Whittier Police Department Jail unless doing so would facilitate the investigation of his/her claim of immunity.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that he/she will be detained until his/her identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.

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- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

It will be the responsibility of the Watch Commander to communicate the claim of immunity to the on-duty supervisor of the arresting department (if not the Whittier Police Department). The Watch Commander may assist another agency in determining the person's immunity status.

The Watch Commander is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

#### 508.3.3 REPORTING

If the person's immunity status has been verified, the Watch Commander should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

### **508.4 CONSULAR NOTIFICATIONS**

#### 508.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Manager will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted.

#### 508.4.2 CONSULAR NOTIFICATION ON BOOKING

Department members assigned to book inmates shall:

- (a) Inform the foreign national, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
- (c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that his/her consular officers be notified, then:
  1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
  2. Forward any communication from the foreign national to his/her consular officers without delay.

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- (d) If the foreign national's country is on the list for mandatory notification, then:
1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
  2. Tell the foreign national that this notification has been made and inform him/her without delay that he/she may communicate with his/her consular officers.
  3. Forward any communication from the foreign national to his/her consular officers without delay.
  4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the inmate's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the inmate is requesting asylum. Requests for asylum should be forwarded to the Watch Commander.



## **Inmate Rights - Protection from Abuse**

### **510.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines to ensure that inmates are afforded a safe, healthful environment free from abuse, corporal punishment or harassment, and that inmate property is protected.

### **510.2 POLICY**

It is the policy of this department to make every reasonable effort to protect inmates from personal abuse, corporal punishment, personal injury, disease, property damage and harassment by other inmates or staff. Staff shall take reasonable actions to safeguard vulnerable inmates from others and shall use the classification policies and procedures to make housing decisions that will provide for inmate safety. Abuse of inmates by staff or other inmates will not be tolerated.

The Jail Manager or the authorized designee shall be responsible for including prohibitions against inmate abuse and harassment, rules regarding respect for the property of others, and the prevention of disease in the inmate handbook. All inmates shall receive a copy of the inmate handbook during the booking process, which shall be printed in a language understood by the inmate. The inmate also shall receive verbal instruction on inmate rights during orientation.

### **510.3 RESPONSIBILITY**

It shall be the responsibility of all facility staff to adhere to policies, procedures and practices, and to make every reasonable effort to prevent inmate injury, harassment and abuse, to prevent theft or damage to inmate property and to eliminate conditions that promote disease. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate injuries, investigating the cause of reported injuries and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting required safety checks of all inmate housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Manager.

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- Referring sick or injured inmates to a qualified health care professional without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.

## Prison Rape Elimination Act

### 511.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.11).

#### 511.1.1 DEFINITIONS

Definitions related to this policy include:

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

**Sexual abuse** - Any of the following acts, if the inmate does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- (b) Contact between the mouth and the penis, vulva or anus
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the inmate, detainee or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of an inmate, detainee or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

**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 inmate, detainee or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to an inmate, detainee or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

**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.

#### **511.2 POLICY**

This department has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This department will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

#### **511.3 REPORTING SEXUAL ABUSE, HARASSMENT AND RETALIATION**

Any employee, agency representative, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Staff may also privately report sexual abuse and sexual harassment of inmates (e.g., report to the Jail Manager) (28 CFR 115.51).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member (28 CFR 115.54).

Inmates may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all inmate requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously or from third parties and shall promptly document all verbal reports (28 CFR 115.51).

Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

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#### 511.3.1 REPORTING TO OTHER FACILITIES

If there is an allegation that an inmate was sexually abused while he/she was confined at another facility, the Jail Manager shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Manager shall ensure that the notification has been documented (28 CFR 115.63).

#### 511.4 RETALIATION

All inmates and staff who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation shall be utilized (28 CFR 115.67).

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

The Jail Manager should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

#### 511.4.1 REPORTS BY INMATES

Inmates may report sexual assault or abuse incidents anonymously or to any staff member they choose and shall not be required to use their normal point of contact. Staff shall accommodate all inmate requests to report allegations of sexual abuse and assaults.

Retaliation against an inmate by any staff member for filing a sexual abuse, assault or harassment incident will not be tolerated.

#### 511.5 FIRST RESPONDERS

If an allegation of inmate sexual abuse is made, the first officer to respond shall (28 CFR 115.64):

- (a) Separate the parties.
- (b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).
- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could

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destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).

- (e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.
- (f) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a jailer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a jailer.

Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.16).

### **511.6 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS**

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed department-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practicable, an investigator of the same sex as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an inmate's sexual orientation, sex or gender identity. Investigators should not assume that any sexual activity among inmates is consensual.

The departure of the alleged abuser or victim from the employment or control of the jail or Department shall not provide a basis for terminating an investigation (28 CFR 115.71).

If the investigation is referred to another agency for investigation, the Department shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Department shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71) If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

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Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Inmates alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is under 18 or considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

#### 511.6.1 INVESTIGATIVE FINDINGS

All completed investigations shall be forwarded to the Jail Manager or if the allegations may reasonably involve the Jail Manager, to the Chief of Police, HR Director or City Manager. The Jail Manager, HR Director or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.72).

The staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. Termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.76).

#### 511.6.2 REPORTING TO INMATES

The Jail Manager or the authorized designee shall inform a victim inmate in writing whether an allegation has been substantiated, unsubstantiated or unfounded. If the Department did not conduct the investigation, the Department shall request relevant information from the investigative agency in order to inform the inmate.

If a staff member is the accused (unless the Department has determined that the allegation is unfounded), the inmate shall also be informed whenever:

- (a) The staff member is no longer assigned to the inmate's unit or employed at the facility.
- (b) The Department learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another inmate is the accused, the alleged victim shall be notified whenever the Department learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

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All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

#### **511.7 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND INMATES**

Sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited. The fact that an inmate may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

Any incident involving allegations of staff-on-inmate sexual abuse or sexual harassment shall be referred to the Professional Standards Bureau for investigation.

##### **511.7.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER**

Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with inmates. He/she shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

#### **511.8 SEXUAL ABUSE VICTIMS**

Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR 115.82). Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the inmate and the public, and to prevent escape.

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Department shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Department, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 USC § 14043g(b)(2)(C), to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

#### **511.9 EXAMINATION, TESTING AND TREATMENT**

Examination, testing and treatment shall include the following:

- (a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified



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medical practitioners can perform the examination. The Department shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).

- (b) If requested by the victim, a victim advocate, a qualified department staff member or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals (28 CFR 115.21).
- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).
- (d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.
- (e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.
- (f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.
- (g) Victims shall be provided with follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody (28 CFR 115.83).
- (h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.82; 28 CFR 115.83).
- (i) The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18 (28 CFR 115.81).
- (j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

### **511.10 PROTECTIVE CUSTODY**

Inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there is no reasonably available alternative means of separation. Inmates may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

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If an involuntary protective custody assignment is made because of a high risk for victimization, the Jail Manager shall clearly document the basis for the concern for the inmate's safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these inmates to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged.

Inmates placed in temporary protective custody shall continue to have reasonable access to visitation and other privileges. If restrictions are put in place, the Jail Manager shall document the following:

- (a) The opportunities that have been limited
- (b) The duration of the limitation
- (c) The reasons for such limitations

#### **511.11 SEXUAL ABUSE INCIDENT REVIEW**

An incident review shall be conducted at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and/or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Chief and the PREA coordinator.

The Jail Manager or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

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### **511.12 RECORDS**

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

### **511.13 PRESERVATION OF ABILITY TO PROTECT INMATES**

The Department shall not enter into or renew any collective bargaining agreement or other agreement that limits the department's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

## Inmate Hygiene

### 514.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for providing basic services to inmates.

### 514.2 POLICY

It is the policy of this department that no inmate shall be denied access to hygiene products, medical, dental and mental health services, or outgoing legal correspondence. Inmates requiring emergency medical services shall be transported to the appropriate medical facility. Inmates requiring non-emergency medical care should be transported to the LA County Jail or considered for cite-release. In either case it is the Watch Commander's decision. Treatment for dental ailments shall be available, but at the inmate's expense.

The Jail Manager or the authorized designee shall establish policies and procedures for providing basic services to indigent inmates.

### 514.3 INDIGENT INMATE HYGIENE PRODUCTS

Inmates shall be provided with basic hygiene products upon request. The products shall include the following (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

## Grooming

### 516.1 PURPOSE AND SCOPE

The purpose of this policy is to allow inmates to have freedom in personal grooming, except when a legitimate government interest justifies the development of grooming standards that are based upon orders of the court, inmate classification, safety and security, or health and hygiene.

### 516.2 POLICY

It is the policy of this facility to allow inmates freedom in personal grooming, except when a valid government interest justifies that grooming standards be established. The Jail Manager or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, facility safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the inmate handbook.

### 516.3 SHAVING

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

An inmate may be denied access to razors if he/she appears to be a danger to him/herself or others, or if such access may jeopardize the safety and security of the facility.

Inmates may be restricted from significantly altering their appearance for reasons of identification in court (15 CCR 1267(b)).

### 516.4 SHOWERING

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable (15 CCR 1266).

### 516.5 PERSONAL CARE ITEMS

Inmates are expected to maintain their hygiene using approved personal care items. Personal care items, including disposable razors, toothbrushes, combs and soap, are available from the jail inventory.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (Title 15 CCR § 1265 et seq.).

## Inmate Grievances

### 520.1 PURPOSE AND SCOPE

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

### 520.2 POLICY

It is the policy of this department that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures and allegations of sexual abuse (15 CCR 1073).

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

Retaliation for use of the grievance system is prohibited.

#### 520.2.1 ACCESS TO THE GRIEVANCE SYSTEM

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

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the inmate handbook. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include (15 CCR 1073(a) and (b)):

- A grievance form or instructions for registering a grievance.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.
- A provision of required timeframes for responses.
- A provision for resolving questions of jurisdiction within the facility.
- Consequences for abusing the grievance system.

### 520.3 INMATE GRIEVANCE PROCEDURES

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

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

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### *Inmate Grievances*

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Inmates cannot file a grievance on behalf of another inmate but an inmate may assist another inmate in the preparation of the Department complaint form. Custody staff may take reasonable steps to assist the inmate in the preparation of the complaint form if requested.

Upon receiving a completed inmate Department Complaint form, the staff member shall acknowledge receipt of the grievance by signing the form and giving a copy to the inmate. The staff member receiving the form shall gather all associated paperwork and reports and immediately forward it to a supervisor. The supervisor will forward the copy to the Professional Standards Bureau.

#### 520.3.1 EXCEPTION TO INITIAL GRIEVANCE FILING

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

#### 520.3.2 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a completed Department complaint form from an inmate, the Jail Manager shall ensure that the grievance is investigated and resolved or denied in a timely manner. The Jail Manager shall assign the investigation of the grievance to the sergeant in charge of Professional Standards.

Grievances about food-related matters should be forwarded to the LASD Food Services Unit.

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

#### 520.3.3 APPEALS TO GRIEVANCE FINDINGS

Inmates may appeal the finding of a grievance to the Jail Manager as the final level of appeal within five days of receiving the findings of the original grievance. The Jail Manager will review the grievance and either confirm or deny it. If the Jail Manager confirms the grievance, he/she will initiate corrective actions. In either case, the inmate shall receive a written response to the appeal.

Appeals related to sexual abuse allegations shall be confirmed or denied by the Jail Manager within 10 calendar days.

#### 520.3.4 FRIVOLOUS GRIEVANCES

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that such continued behavior may result in the transfer to the Los Angeles County Sheriff's Department.

## Inmate Voting

### 522.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible inmates the opportunity to vote during elections, pursuant to election statutes.

### 522.2 POLICY

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right. Because inmates are unable to access public voting polls, the Jail Manager or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

Inmates should be advised of voting methods during the inmate orientation.

### 522.3 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they are:

- (a) A citizen of the United States.
- (b) A resident of the county.
- (c) At least 18 years of age at the time of the next election.
- (d) Not been declared mentally incompetent by a court.
- (e) Awaiting or on trial for a criminal offense.
- (f) Serving time for a traffic or misdemeanor offense or as a condition of probation.
- (g) Not convicted of a felony offense and sentenced to serve time in a state prison.
- (h) Not on parole as a result of a felony conviction.

### 522.4 PROCEDURES

Prior to each election, the Jail Manager will designate a jailer to be a liaison between the Department and the local Registrar of Voters. The designated officer will be responsible for assisting inmates who have requested to vote.

#### 522.4.1 REGISTERING TO VOTE

An inmate who is eligible to vote and requests to register should complete a voter application. The application should be submitted to the liaison officer, who will forward the application to the local election official.



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## Whittier PD Custody Manual

### *Inmate Voting*

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#### 522.4.2 REQUESTING AN ABSENTEE BALLOT

An inmate who will be in custody during an election and requests to vote by absentee ballot should complete an application. The completed application should be submitted to the liaison officer, who will forward the application to the local election official.

#### 522.4.3 VOTING

All ballots received shall be delivered to inmates in a timely manner to ensure compliance with the inmate's right to vote. Once the ballot has been delivered to the inmate, it shall be the responsibility of the inmate to mail his/her ballot in accordance with the state's voting requirements. If the inmate is indigent, the jail will mail the ballot; if not, the inmate is responsible for the postage.

#### 522.4.4 REGISTERING BY MAIL

Any inmate who is qualified by age, citizenship, resident, etc., to register to vote through a Deputy Registrar may also register to by mail, while in custody. This registration by mail shall be accomplished by making available to the inmate an "Affidavit of Registration" form. This document may be obtained in quantity by the Jail Manager/Custody Manager from:

Registrar-Recorder County of Los Angeles 5557 Ferguson Drive Los Angeles, CA 90022 (City of Commerce) Telephone 213-724-5930

#### 522.4.5 ABSENTEE VOTING

- Any inmate who is registered to vote may vote, by mail with an absentee ballot.
- This voting shall be accomplished by making available to the inmates, at their request, an "Application for Absent Voter Ballot." This application, which is available in Spanish and English may be completed by the inmate and mailed, at the inmate's expense, to the Registrar-Recorder.
- The Registrar-Recorder will mail Absent Voter Ballots to qualified inmates. These ballots shall be completed, addressed and sealed by the voting inmate and shall not be reviewed by department personnel.

#### **522.5 CAMPAIGN LITERATURE**

Campaign literature and/or sample ballots addressed to inmates shall be delivered without delay.

## **Chapter 6 - Medical-Mental Health**

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## General Medical Care Considerations

### 600.1 PURPOSE AND SCOPE

The Jail Manager/Watch Commander shall have the responsibility to ensure the provision of emergency and basic health care services to all inmates in accordance with minimum jail standards. These services are set forth in writing as follows for all personnel and include routine procedures for:

- (a) Summoning of appropriate medical assistance
- (b) Application of emergency first aid.
- (c) Regular emergency medical care for all inmates.

#### 600.1.1 DEFINITIONS

Definitions related to this entire chapter include:

**Access to care** - An inmate should be seen in a timely manner by a qualified health care professional. The inmate should be given a professional clinical diagnosis and receive treatment that is ordered.

**Clinical practice guidelines** - A systematically developed science-based statement designed to assist practitioners and inmates with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources and reduce the risk of legal liability for negligent care.

**Clinical setting** - An examination or treatment room, either on- or off-site, which is appropriately supplied and equipped to address a patient's health care needs.

**Daily** - Seven days a week, including holidays.

**Direct order** - A written order issued by a qualified health care professional specifically for the treatment of an inmate's particular condition.

**Health appraisal** - A comprehensive health evaluation completed within 14 days of an inmate's arrival at the facility.

**Health authority** - The Responsible Physician, health services administrator or health agency responsible for providing all health care services or coordinating the delivery of all health care services.

**Health care** - The sum of all actions, preventive and therapeutic, taken for the physical and mental well-being of the inmate population. The term health care includes medical, both physical and psychological, dental, nutrition and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

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### *General Medical Care Considerations*

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**Health-trained custody staff** - An officer or other facility employee who has received training from the Responsible Physician or the authorized licensed designee in limited aspects of health care coordination.

**HIPAA** - Health Insurance Portability and Accountability Act

**Mental health staff** - Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

**Physical examination** - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation and percussion of a body to determine the presence or absence of physical signs of disease.

**Qualified health care professional** - Physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals or other persons who, by virtue of their education, credentials and experience are permitted by law to evaluate and care for patients within the parameters of his/her license or certification.

**Responsible Physician** - An individual licensed to practice medicine and provide health services to the inmate population of the facility, or the physician at an institution with final responsibility for decisions related to medical judgment.

**Sick call** - The evaluation and treatment of an ambulatory patient, either on- or off-site, by a qualified health care professional.

**Special needs** - Health conditions that require regular care.

**Standing order** - Written orders issued by a physician that specify the same course of treatment for each patient suspected of having a given condition and the specific use and amount of prescription drugs (e.g., immunizations, insulin, seizure medications).

**Suicidal ideation** - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

**Treatment plan** - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

**Triage** - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered.

### **600.2 POLICY**

It is the policy of this Type I facility that we do not house inmates **long term** with the following conditions:

- (a) Inmates who are currently under a doctor's care and require daily medical treatment consisting of regular and currently prescribed medications, will not be housed in the Jail.

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### *General Medical Care Considerations*

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1. Should it become necessary to detain any of the above in our jail due to an emergency, when medication is necessary, the inmate shall be transferred to the nearest available medical facility where qualified medical personnel will administer the required dosage.
- (b) In addition to inmates covered by the above, under normal circumstances, inmates with the following other medical problems will not be housed in the Jail.
  1. Female, five (5) months pregnant or more. If she is under 5 months please refer to the "Pregnant Inmates" section in this manual .
  2. Lactating females please refer to the "Pregnant Inmates" section in this manual.

#### **600.3 INMATE SICK CALL**

Each morning between the hours of 0700-0800 or during the serving of the breakfast meals, the custody officer shall conduct a daily sick call of all inmates in the Jail. The Watch Commander shall be notified of all medical issues. This sick call shall consist of contacting each inmate, male and female, in an attempt to determine their present welfare. Any inmate found visibly injured or who makes a complain of pain shall be afforded the proper medical treatment. It shall be the policy of the Whittier Police Department to make proper medical treatment available for all inmates of the Jail who are visibly injured or complaint of pain. As the Jail maintains no infirmary, inmates needing medical attention shall be transported to the custody of a Los Angeles County Facility or such authorized facility as may be required.

#### **600.4 MEDICAL PRE-SCREENING**

All inmates booked into a Type I facility should be questioned to determine the following: Initial Medical Screening/Assessment

- (a) Jail staff will screen all inmates immediately upon arrival at the facility utilizing the LA County approved medical questionnaire. This initial screening will be completed to the best available information at the time of arrival, discreetly, apart from other inmates. It will be upgraded at any time information becomes known and maintained in the booking package for subsequent transfer to appropriate facilities.
- (b) All confidential screening inquires will include the questions of communicable diseases, and the inmates' response will be noted on the medical screening form. If, during the screening process, it is determined that a communicable disease may be evident, immediately take the following actions:
  1. Segregate the inmate from all others.
  2. Arresting agency to obtain medical clearance to book into the facility.

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### *General Medical Care Considerations*

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#### **600.5 RECORDS KEEPING**

The Custody Officer is responsible for maintaining complete records on the booking form, or such supplemental notations as required of all complaints of illness or injury; transportation to medical facilities; and all information regarding treatment and other pertinent medical data as may be deemed necessary. When treatment is at a hospital or other medical facility, a copy of the treatment form shall be obtained. All medical information, data or notes are to be included in the inmate's booking package, and copies shall accompany the inmate to the next booking facility.

#### **600.6 NON-PRESCRIPTION MEDICATION**

Non-prescription medication such as aspirin, non-aspirin (Acetaminophen), Ibuprofen and anti-acid may be furnished to inmates at their request for minor complaints of pain. The disbursement of non-prescription medication will be documented on their booking paperwork indicating the date, time and amount.

#### **600.7 CONSULTATION WITH PRIVATE PHYSICIANS**

In addition to the proper medical care guaranteed to all inmates by state law and departmental policies, any inmate upon request, shall be afforded the opportunity to contact and consult with their private physicians regarding medical concerns such inmate may have. The inmate shall be responsible for all charges from their physicians resulting from such consultations.

#### **600.8 PRISONER MEDICAL SERVICE**

In an effort to reduce medical expenditures and still provide proper medical treatment, the costs associated with the inmate's expenses for treatment are referred to his personal insurance company when the conditions were preexisting.

## Access to Health Care

### 602.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all inmates. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked inmates of the procedure to access health care services and how to use the grievance system, if necessary.

### 602.2 POLICY

It is the policy of this department that all inmates, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Whittier Police Department facility will provide medical, dental and mental health services as necessary to maintain the health and well-being of inmates to a reasonable and socially acceptable standard (15 CCR 1200 et seq.; 15 CCR 1208).

### 602.3 ACCESS TO CARE

Inmate medical requests will be evaluated by qualified health care professionals or health-trained custody staff. Health care services will be made available to inmates from the time of admission until they are released.

Unreasonable barriers shall not be placed on an inmate's ability to access health services. Health care that is necessary during the period of confinement shall be provided regardless of an inmate's ability to pay, the size of the facility or the duration of the inmate's incarceration. Such unreasonable barriers include:

- Punishing inmates for seeking care for their health needs.
- Assessing excessive co-payments that prevent or deter inmates from seeking care for their health needs.
- Deterring inmates from seeking care for their health needs by scheduling sick call at unreasonable times.

All routine requests for medical attention shall be promptly routed to a qualified health care professional.

Any incident of an inmate refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in an incident report and a copy sent to the Jail Manager.

### 602.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of inmate complaints and requests on an informal basis whenever possible. To the extent practicable, custody personnel should provide inmates with opportunities to make suggestions to improve programs and conditions.

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## Whittier PD Custody Manual

### *Access to Health Care*

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Inmates will be informed of the grievance process during inmate orientation. The grievance process is also explained in the inmate handbook, which all inmates receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Inmate Grievances Policy (15 CCR 1073(a)).

Custody personnel should minimize technical requirements for grievances and allow inmates to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, inmates may meet with a qualified health care professional or may submit a written correspondence.

Inmate grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The inmate should be provided with a written response in accordance with the schedule set forth in the Inmate Grievances Policy. Responses to inmate grievances should be based on the community standard of health care.

Copies of grievances and the facility's response shall be sent to the Jail Manager, who, in consultation with the Responsible Physician, shall serve as the final authority in response to all inmate grievances.

If an inmate is not satisfied with the response, the inmate may appeal the grievance as outlined in the Inmate Grievances Policy.



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## Emergency Health Care Services

### 608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceeds the licensure or certification of staff who are on-duty, and to define staff training requirements.

### 608.2 POLICY

It is the policy of this department that emergency medical, mental health and dental services are available 24 hours a day. These services may include off-site health care services.

### 608.3 PROCEDURES

Should a prisoner become ill or require on-going medical treatment, not amounting to an emergency, arrangements shall be made for the prisoner to be transported to either LA County Jail or a Medical Center.

#### **Medical Aid/Addicts " Continuation Methadone Program:**

Where there is reasonable cause to believe that a person in custody is addicted to a controlled substance, the staff or other person having such knowledge shall immediately call it to the attention of the Custody Manager/Watch Commander. Pursuant to the Health and Safety Code 11222 it is the duty of the Watch Commander to provide the person so confined with medical aid as necessary to ease any symptoms of withdrawal from the use of the controlled substance. Persons participating in any methadone maintenance program shall be allowed to continue in the program at the discretion of the director of the program. The Watch Commander has the responsibility for determining that an individual is in an authorized methadone program, by verifying that the inmate has a valid methadone program identification card and by contacting the methadone center to determine the inmate's eligibility in the program. Any required medical attention under the foregoing would require transport of the individual to the LA County Jail Medical Ward to continue the program.

Address in the comment section of the medical screening form all positive responses by the incoming inmate. A verbal response that indicates "yes" to any of the medical or mental questions should be queried in detail. Any response signifying that the inmate has hepatitis, venereal disease or tuberculosis shall require the following procedure:

- a. The inmate shall be immediately segregated from the other prisoners.
- b. A minimum of physical contact should occur between officers, custody officers and other inmates.
- c. The inmate shall be transported expeditiously, after the completion of booking, to an LA County Facility.
- d. The facility shall be advised, upon arrival, that the inmate is a possible contagion.

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## *Emergency Health Care Services*

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### **608.4 EMERGENCY PROCEDURES**

In the event of a medical emergency for those requiring immediate action either by observation or request, obtain immediate assistance from Communications for the paramedics or transport to a medical facility. The appropriate medical attention provided is based on what appears to be a need from positive responses to the medical intake screening queries, or from your observation of the individual. Booking cannot delay transportation or treatment. CPR and first aid, if appropriate, will be immediately administered by the custody officer when first observing the need and will continue until medical providers arrive and take charge over the medical care of the inmate.

Should an inmate become ill or require on-going medical treatment, not amounting to an emergency, arrangements shall be made for the prisoner to be transported to either LA County Jail or a Medical Center.

The Jail Manager is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment (Title 15 CCR § 1206(c)):

- (a) Emergency equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.
- (b) The Watch Commander will be contacted and informed of any emergency as soon as practicable.

All custody personnel are required to be familiar with the following first aid procedures.

Summary of visible and/or behavioral symptoms of medical and mental disorder requiring immediate emergency referral.

#### SYMPTOMS:

Persistent chest pain under breastbone radiating to shoulders, arms or neck, gasping shortness of breath; extreme pallor and bluish discoloration of lips, skin and fingernails; prostration; shock, swelling of ankles, indigestion and nausea.

Likely cause: **HEART ATTACK**

First Aid:

- Place victim in comfortable position
- Provide adequate ventilation
- Begin CPR if victim is not breathing
- Check for medical identification and medication
- Call for paramedic assistance as soon as possible

#### SYMPTOMS:

Unconsciousness; paralysis in extremity or one side of body; difficulty breathing or swallowing; loss of bladder or bowel control; pupils unequal in size; loss of or slurring of speech

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## *Emergency Health Care Services*

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Likely cause: **STROKE**

- First Aid: Provide moderate covering
- Maintain open airway
- Resuscitation as required
- Place victim on side as to avoid choking on secretions
- Call for paramedic assistance as soon as possible
- Do not give fluids to victim

### SYMPTOMS:

Paleness; sweating; coldness of skin; dizziness; numbness; nausea; and blurred vision

Likely cause: **NUMEROUS**: Symptoms generally accompany fainting spell or precede loss of consciousness.

First Aid:

- Leave victim lying down
- Loosen tight clothing
- Adequate ventilation
- Keep airways clear
- Do not give liquid or pour water on face
- Check for injuries sustained in falling
- Call for paramedic assistance as soon as possible

### SYMPTOMS:

Rigidity of body muscle; twitching or jerking; loss of breathing; loss of bladder or bowel control; and foaming at the mouth

Likely cause: **CONVULSIONS**

First Aid:

- Prevent victim from injuring him/herself
- Resuscitation as required
- Avoid restraints
- Do not give liquids
- Call for paramedic assistance as soon as possible

### SYMPTOMS:

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Twitching; loss of contact with surroundings; staring at a fixed point; and possible repeated convulsions

Likely cause: **EPILEPTIC SEIZURE**, of either grand or petit mal form.

First Aid:

- Knowledge of the existence of the disease may be available to the custody officer at the time of booking. If so, the condition should be immediately reported to the Watch Commander.
- Mouth-to-nose ventilation may be necessary due to obstruction by the soft palate and the possibility of the jaw being clenched during the seizure. Generally, first aid and procedures are similar to those of convulsions.
- Keep victim from injuring him/herself
- Keep victim lying down Keep airway open. (Do not place objects in mouth or between teeth)
- Prevent vomit from choking victim by turning head or body position.
- Call for paramedic assistance as soon as possible

### SYMPTOMS:

Withdrawn and extremely detached behavior; excessive nervousness; wringing of hands; pacing; excessive, repetitive speech and behavior

Likely cause: **MAY INDICATE MENTAL OR EMOTIONAL DEPRESSION**

First Aid:

- Immediately advise the Watch Commander
- Keep under frequent surveillance

### DRUG ABUSE GENERAL -

Due to the incidence of narcotic or controlled substance offenders in Whittier, all custody personnel are to be observant for the following symptoms or conditions. Any one or combination of these may indicative of **narcotic addiction**:

- Poor balance and staggering gait
- "Tracks" or scabs or veins indicating injections
- Constriction of the pupils, particularly at low light levels
- Slowing of physical movements and reflexes
- Slurring or slow and thick speech
- Dryness of mouth

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- Droopy eyelids
- Reduced comprehension
- Reduced breathing rate
- Blue discoloration of the skin
- Brittle, dry nails
- Excessive itching, particularly in facial area
- Cold skin
- Deepening of voice
- Alternating constriction and dilations of pupils

The presence of any of the above symptoms should be noted on the booking/arrest sheet and brought to the attention of the Watch Commander.

**Withdrawal** " All custody personnel are to be particularly watchful for the following symptoms and conditions, which may be indicative of withdrawal distress:

- Extreme nervousness
- Restless behavior
- Sweating
- Running eyes and nose
- Yawning
- Sneezing
- Itching
- Chills
- Cramps in back of legs and abdomen
- Vomiting and diarrhea

Any of the above symptoms should be immediately brought to the attention of the Watch Commander and noted in the remarks section on the booking/arrest slip. Depending on the severity of the symptoms, the Watch Commander may arrange for paramedic assistance and transportation of the individual to an appropriate medical facility.

#### **608.5 TRAINING**

The OPERATOR shall ensure that all facility staff members who have contact with inmates receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility and health care staff. Training should include, but not be limited to:

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- (a) The location of all emergency medical equipment and medications, and the proper use of the equipment
- (b) How to properly summon internal and external emergency services.
- (c) Recognition of basic life support signs and symptoms, and the actions required in emergency situations.
- (d) Administration of basic first aid.
- (e) Certification in Cardiopulmonary Resuscitation (CPR) in accordance with the recommendations of the certifying health organization.
- (f) Signs and symptoms of mental illness, violent behavior and acute chemical intoxication and withdrawal.
- (g) Suicide intervention techniques.

All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in each staff member's training file in accordance with established records retention schedules.

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## Pregnant Inmates

### 610.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for inmates who are pregnant. This policy is intended to protect the health of the pregnant inmate and her fetus.

### 610.2 POLICY

It is the policy of this department that pregnant inmates have access to health care staff, and they shall be provided with comprehensive prenatal care during their incarceration. All female inmates have the right to summon and receive the services of any physician or surgeon of their choice to determine pregnancy. If a female inmate desires to invoke the privilege for a pregnancy examination, she will be transported and confined at a LA County facility, where such examinations will be conducted under medical supervision.

Prisoners found to be pregnant and desiring abortions, shall be permitted to determine their eligibility for an abortion pursuant to law, and if determined to be eligible, shall be permitted to obtain an abortion (§3405 California Penal Code.)

#### 610.2.1 ADVISEMENT AND COUNSELING

Inmates who are pregnant shall be advised of the provisions of this policy manual, the Penal Code and standards established by Board of State and Community Corrections related to pregnant inmates (Penal Code § 3407(e)).

### 610.3 BOOKING - PREGNANCY SCREENING

If a female indicates she is pregnant, determine the following and be guided by that determination.

- (a) Pregnant, with no pre-natal care, then we cannot accept for temporary housing. Inmate may be booked and only housed pending transportation, which is to be expedited.
- (b) Pregnant, with pre-natal care, then we can retain, allowing the subject to continue with prescribed procedure, only if she is up to the fifth month. For those into their fifth month, we cannot accept for temporary housing. The inmate may be booked and only housed pending transportation, which is to be expedited. As a reminder, pregnant female inmates are to be served 4 servings/cartons of dairy per day. Since meals are served three times a day, pregnant females will be given two cartons of milk during the morning breakfast meal to satisfy this requirement. If the morning meal has passed then the female inmate should receive two cartons of milk at the next meal.

### 610.4 HOUSING

Inmates who are known to be pregnant and under five months pregnant may be housed in any unit appropriate for their classification. It shall also be assured that they have access to a lower bunk.

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#### **610.5 RESTRAINTS**

Inmates who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy.

#### **610.6 SPECIAL CONSIDERATIONS**

(a) Birth Control Measures

1. The Custody Officer is required at the time of booking to inquire of all female inmates whether they require medication or have other special requirements for birth control purposes. When such requirements are stated to exist and the female requests that she be allowed to continue the medication, the female inmate will be transferred to a Los Angeles County Facility.

(b) Lactating Females

1. The Custody Officer is required at the time of booking to inquire of all female inmates whether they are currently lactating. When such a condition is stated to exist, the inmate shall be informed that a breast pump will be made available to her upon request.
2. Lactating females are also to receive a fourth meal service in a 24-hour period with additional milk.

(c) Mental Health Screening

1. When a female, who has given birth within the past year, is charged with murder or attempted murder of her infant, mental health authorities shall be notified as soon as practical.



## Medical Screening

### 622.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked inmates so that medical, mental health and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

### 622.2 POLICY

It is the policy of this department that a medical screening be performed on all inmates upon arrival at the intake area to ensure that existing, emergent and urgent health care, dental or mental health needs are identified, risks are assessed and inmates with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (15 CCR 1051; 15 CCR 1206.5(a); 15 CCR 1207).

### 622.3 ELEMENTS OF MEDICAL SCREENING

The medical screening shall be performed by the Custody Staff and Booking Officer. All completed medical screenings should be forwarded to the Watch Commander for review.

Regardless of training, no inmate should be allowed to conduct health care evaluations or provide treatment to any other inmate.

All inmates shall answer the questions on a LA County Jail medical screening form as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the officer will write refused on the LA County medical screening form inmate signature line and initial with their name and badge number. LASD will not accept inmates who refuse to sign the medical form without the officers initials and badge number on the medical forms.

#### 622.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the inmate's prior jail medical record, if any, and document the following:

- History of infectious or communicable diseases that are considered serious in nature current treatment, symptoms, medications chronic illness or health issues, including communicable diseases, or special health requirements and/or dietary needs
- Acute dental problems
- Past and recent serious communicable disease symptoms (e.g., chronic cough, coughing up bloody sputum, lethargy, weakness, weight loss, loss of appetite, fever, night sweats)
- Mental illness, including psychiatric hospitalizations within the last three months
- Gender issues
- History of or current suicidal ideation

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- Acute allergies
- History of or current prescription or illegal drug use, including the time of last use
- History or current symptoms of substance abuse withdrawal
- Current, recent or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disability, body deformities or other physical abnormalities
- Females who have given birth in the past year and are charged with murder or attempted murder of their infants shall be referred to mental health services at the time of booking (15 CCR 1207.5)

#### **622.4 MEDICAL SCREENING DISPOSITIONS**

Persons who are brought to the facility and are obviously in need of immediate medical attention shall be referred to an emergency medical facility for clearance. Conditions that require a medical clearance prior to booking include, but are not limited to, the following:

- Unconsciousness
- Uncontrolled bleeding
- Significant injuries from a motor vehicle accident
- Significant injuries from an altercation
- Significant injuries from handcuffs or other restraint devices
- Knife wounds, gunshot wounds or lacerations
- Exposure to pepper spray, TASER® device deployment or blunt force trauma during arrest
- Intoxication to a degree that the individual cannot speak coherently or stand or walk unaided
- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Suspected or known complications of diabetes
- Exhibits behavior indicating a potential danger to themselves or others
- Active tuberculosis or other serious contagious diseases
- Actively suicidal

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- Any other medical condition, which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel

Inmates with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This department requires medical clearance from an outside entity when such inmates are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

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## Mental Health and Mentally Disabled

### 624.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all inmates have access to mental health services and that inmates identified as needing these services are referred appropriately.

#### 624.1.1 DEFINITION

Definitions related to this policy include:

**Mental health services** - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

**Developmentally Disabled or Mentally Disordered-** Inmates will be considered developmentally disabled or mentally disordered if they appear to be disabled due to mental retardation, cerebral palsy, epilepsy, autism, or any combination of these handicaps.

### 624.2 POLICY

It is the policy of this department that a range of mental health services shall be available for any inmate who requires them (15 CCR 1206(g); 15 CCR 1207).

### 624.3 MENTAL HEALTH SERVICES

All mentally disordered inmates or inmates of known diminished mental capacity are to be provided segregated facilities when appropriate. The custody officer is responsible for determining, from the inmate and arresting officer, whether special treatment conditions exist. In all cases involving mentally disordered or diminished capacity inmates, the custody staff shall immediately notify the Watch Commander.

- (a) It is the responsibility of the Watch Commander to determine whether to transport to a 72 hours treatment center. Statutory authorization for such a transfer is contained in Penal Code Section 4011.6.
- (b) The method of transport may be a radio car by a sworn officer or ambulance at the discretion of the Watch Commander. The transporting officer shall arrange for adequate security and the welfare of the inmate during such transport.
- (c) It is the responsibility of the custody officer to maintain adequate visual contact of all inmates in custody during the shift. Any abnormal behavior or changes in behavior shall immediately be reported to the Watch Commander. Custody officers are especially cautioned to maintain awareness for symptoms of withdrawal, hallucination and depression.

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#### **624.4 BASIC MENTAL HEALTH SERVICES**

Inmates may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process and self-referral or staff referral.

- (a) Inmates who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources (See appendix H). Arrangements for more comprehensive mental health care may be made, if appropriate.
- (b) Inmates who are identified as being developmentally disabled should be evaluated for special housing needs. The Watch Commander along with classification personnel will establish the best, reasonably available housing option based on the inmates developmental condition. Collaboration with a mental health professional should be considered which best provides for the safety of the inmate and the public.
- (c) Inmates who are suspected or known to be developmentally disabled should receive a mental health appraisal by the qualified health care professional or health-trained custody staff as soon as reasonably practicable but no later than 24 hours after booking. Contact will be made with the regional center within 24 hours, excluding holidays and weekends, when an inmate is suspected or confirmed to be developmentally disabled. Inmates who are developmentally disabled should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing the developmentally disabled (15 CCR 1057).
- (d) The Jail Manager should utilize a site-specific suicide prevention program to ensure the safety of inmates who present a risk of self-harm.

Inmates determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

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## Communicable Diseases

### 630.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for facility staff to assist in minimizing the risk of contracting and/or spreading communicable diseases. The policy offers direction in achieving the following goals:

- (a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD) and other potentially infectious substances.
- (b) Providing appropriate treatment for ill inmates while minimizing the risk of the spread of disease.
- (c) Making decisions concerning the selection, use, maintenance, limitations, storage and disposal of personal protective equipment (PPE).
- (d) Ensuring proper reporting to local, state and federal agencies.
- (e) Establishing procedures for the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment and follow-up care for new inmates, and for inmates or employees who have contracted a communicable disease from an ill inmate.
- (f) Providing appropriate treatment, counseling and confidentiality should an employee become exposed to a communicable disease.
- (g) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

#### 630.1.1 DEFINITIONS

Definitions related to this policy include:

**Aerosol transmissible disease (ATD)** - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

**Aerosol transmissible disease (ATD) exposure** - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

**Airborne precautions** - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for

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infectious agents such as measles, chickenpox, tuberculosis, etc., in addition to medical personnel wearing masks or respirators.

**Bloodborne pathogens (BBP)** - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

**Bloodborne pathogen exposure** - Includes, but is not limited to, the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

**Ectoparasitic infections** - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

**HBV** - Hepatitis B

**HIV** - Human Immunodeficiency Virus

**Medical isolation** - Housing in a separate room with a separate toilet, hand-washing facility, soap and single-service towels, and with appropriate accommodations for showering.

**MRSA**-Methicilin-Resistant Staphylococcus Aureus--Staff infection

**NIOSH** - National Institute for Occupational Safety and Health

**Nosocomial** - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

**OSHA** - Occupational Health and Safety Administration

**Personal protective equipment (PPE)** - Respiratory equipment, garments, gloves and other barrier materials designed to reduce employee exposure to hazards.

**Source control measures** - The use of procedures, engineering controls and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

**Standard precautions** - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes) and mucous membranes. Applies to all inmates receiving care, regardless of diagnosis or presumed infection status.

**Universal precautions** - A set of precautions designed to prevent transmission of HIV, HBV and other bloodborne pathogens when providing first aid or health care.

### **630.2 POLICY**

It is the policy of this department to maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated),

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treatment, follow-up and proper reporting to local, state and federal agencies of communicable diseases. The program is designed to ensure that a safe and healthy environment is created and maintained for all occupants of the facility (15 CCR 1051; 15 CCR 1206.5; 15 CCR 1206(i)).

#### **630.3 COMMUNICABLE DISEASE PROGRAM COMPONENTS**

##### **630.3.1 SURVEILLANCE**

Surveillance takes place throughout the period of the inmate's incarceration and is done in a variety of encounters and inspections. These include, but are not limited to, the following:

- (a) **Medical screening** - Each newly booked inmate shall be evaluated for health care needs and signs and symptoms of infectious disease. The receiving screening includes questions regarding known symptoms of TB, HIV, sexually transmitted diseases (STDs) and HBV. The individual completing the medical screening should observe the inmate for obvious signs of infection (15 CCR 1206.5(a)).
- (b) **Sick call and referrals** - At any time during incarceration, an inmate may request to be evaluated for an infectious disease through the sick call process. Correctional staff can request that an inmate be evaluated if they notice any signs of potentially infectious disease.

##### **630.3.2 IDENTIFICATION**

Any inmate suspected of having a communicable disease will be evaluated by a qualified health care professional as soon as reasonably practicable. Inmates suspected of having communicable diseases will be appropriately isolated until disease confirmation and the period of communicability is determined. Long term housing consideration will be based upon the classification status as well as the behavior, medical needs and safety of inmates and staff. These inmates shall be examined by a qualified health care professional within 24 hours. The instructions of the qualified health care professional regarding care of the patient and sanitizing of eating utensils, clothing and bedding shall be carefully followed (15 CCR 1206.5(a); 15 CCR 1206.5(b)(6)).

##### **630.3.3 TREATMENT**

Qualified health care professionals shall be notified immediately when an inmate either admits to a communicable disease or exhibits symptoms of such. The jailer will notify the on duty Watch Commander and approve a course to determine if the inmate is indeed infectious. Upon a positive diagnosis of a communicable disease by the physician the treating physician will recommend a course of treatment consistent with scientific evidence-based medicine (15 CCR 1206.5(a)). If it is determined that the Whittier Police Department jail cannot adequately house the inmate with the medical needs expressed by the treating physician, arrangements will be made to release the inmate on a citation or transport to the nearest county lock up facility.

##### **630.3.4 STANDARD PRECAUTIONS**

Emergency response personnel often work in unpredictable and uncontrolled situations. To minimize the risk of exposure, safe work practices and appropriate protective equipment must



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be used. Personal protective equipment includes protective equipment for the eyes, face, head, and extremities. The appropriate time and manner for using this equipment are described below. Custody Staff must ensure that any personal cuts, abrasions, wounds, etc., are always properly dressed for their own protection and the subject they encounter. Dressings are considered part of proper use of personal protective equipment.

- (a) **GLOVES:** Gloves should be donned by all personnel before initiating any task in which a possible exposure to infected material may occur. Gloves must be of appropriate latex material, of appropriate quality for the procedures done, and of appropriate size for each person. Gloves should be changed after contact with each person. Employees should replace a torn glove as soon as possible.
- (b) **MASK/EYE PROTECTION:** Masks or masks in combination with eye protection devices should be worn whenever splashes, spray, or droplets of blood or other potentially infectious materials may be generated and eye or mouth contamination can be reasonably anticipated. Glasses with solid side shield would be considered appropriate eye protection.
- (c) **PROTECTIVE CLOTHING:** Appropriate protective clothing such as, but not limited to, disposable pants, shirts or paper suits should be worn in situations where the exposure to possible contaminated fluids is anticipated. This includes cleaning of equipment if there is fear of contamination of clothing.
- (d) **LOCATION OF PERSONAL PROTECTIVE EQUIPMENT** Disposable clothing will be found in the infectious waste kits in the Jail Main Jail Pod.

### **CLEANING AND DISINFECTION OF EQUIPMENT**

- (a) **CLEANING:** Cleaning is the physical removal of dirt and debris. Personnel should use soap and water, combined with scrubbing action. This scrubbing action is the key for rendering all items safe to use. Cleaning is generally sufficient for most equipment and floors. If the equipment has been grossly contaminated with blood/body fluids, it must also be disinfected.
- (b) **DISINFECTION:**
  - 1. Disinfecting is reducing the number of disease producing organisms by physical or chemical means.
  - 2. Personnel should clean the item with soap, water, and then apply a disinfecting solution. A solution such as bleach and water at 1:10 dilution ratio is an acceptable disinfectant for most non-porous material.
  - 3. A fresh disinfectant solution must be made at each use. Do not use bleach solution in the cleaning of clothing or electric equipment.

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4. Remember disinfectants can be toxic or caustic. Disinfecting solutions should have an EPA Registry number and show that they are effective against micro-bacterial tuberculosis.
  5. Routine disposal of germicidal cleaning solutions in the drainage system is acceptable.
- (c) **CLEANING/DISINFECTING AREAS:** Containers designed for the contaminated equipment must have the biohazard symbol.
- (d) **TOXIC CHEMICALS:** Toxic (cleaning/disinfectant) chemicals will be used by trained custodial personnel for use in the jail. The chemicals will be stored in the custodial and chemical supply closet while not in use.
- (e) **BODY FLUIDS/WASTE CLEAN UP:** Cleaning of bodily fluids or waste (blood, urine, vomit, semen and/or feces) in the jail will be completed by trained custodial personnel. However, if an area is heavily soiled a certified biohazard company may be contracted to clean and sanitize the area. The Watch Commander will have that information when callouts are needed.
- (f) **BIOHAZARD:** Contaminated items, such as jail blankets, will be placed in a red plastic "Biohazard" bag and sealed. The Jail Manager will contact the an Environmental Specialist or the Los Angeles County Fire Department Hazmat for direction on disposal.

#### 630.3.5 TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

- (a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles and chicken pox.
1. An inmate requiring airborne precautions should be assigned to a designated respiratory isolation room with special ventilation requirements. The door to this room must be closed at all possible times. The inmate should be transferred to a facility designed to assess and care for medically such individuals as soon as possible. If an inmate must move from the isolation room to another area of the facility, the inmate should wear a mask during transport. Anyone entering the isolation room to provide care to the inmate must wear a respirator.
- (b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air, and usually do not travel beyond a few feet of the inmate. These

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particles are produced when an inmate coughs, talks or sneezes. Examples of disease requiring droplet precautions are meningococcal meningitis, influenza, mumps and German measles (rubella).

1. All staff should wear masks within 3 feet of the inmate. Inmate movement should be restricted to the minimum necessary for effective facility operations. The inmate should wear a mask during transport.
- (c) Contact precautions are designed to prevent the spread of organisms from an infected inmate through direct (touching the inmate) or indirect (touching surfaces or objects the inmate touched) contact. Examples of inmates who might be placed in contact precautions are those infected with the following:
1. Antibiotic-resistant bacteria
  2. Hepatitis A
  3. Scabies
  4. Impetigo
  5. Lice

The following guide shall be used to determine the appropriate precautions that are necessary to reduce the risk of infection transmission while inmates are being transported. Inmates shall receive training on the disease transmission process and will be provided with appropriate barrier devices.

#### Precautions for Inmate Contact and Transportation

	<b>GLOVES</b>	<b>SURGICAL MASKS</b>	<b>N95 MASKS</b>	<b>ISOLATION GOWNS</b>
<b>Contact</b>				
Inmate	No	No	No	No
Personnel	Yes	No	No	Yes
<b>Droplet</b>				
Inmate	No	Yes	No	No
Personnel	No	Yes	No	Yes
<b>Airborne</b>				
Inmate	No	Yes	No	No
Personnel	No	No	Yes	No

#### 630.3.6 REGULATED WASTE

The Department in coordination with the health authority, will provide for the management of biohazardous materials and waste and the establishment of a protocol for the decontamination of equipment used in medical and dental treatment. Precautions may include, but are not limited to:

- (a) Discarding biohazardous waste in red plastic bags marked with the word BIOHAZARD and displaying the international symbol for biohazardous material. Contaminated disposable PPE shall be discarded in these receptacles.

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- (b) Whenever a large amount of fluid blood is present, an absorbent powder should be used to gelatinize the fluid, which should assist in clean up. Standard precautions shall be used when removing the product, that should then be placed in a red biohazard bag.
- (c) Used biohazard bags shall be stored in covered, rigid waste receptacles in designated locations pending removal by a biohazard waste removal contractor when appropriate.
- (d) Records documenting biohazardous waste removal and cleaning logs shall be retained in accordance with established records retention schedules.

#### **630.4 ECTOPARASITE CONTROL**

Ectoparasite control will be initiated, where clinically indicated, immediately following the medical screening or when the inmate manifests signs and symptoms of lice or scabies (15 CCR 1212).

- (a) Any inmate who indicates parasitological infection upon entering the facility shall be treated by a qualified health care professional.
- (b) Any inmate suspected of having lice/scabies may be referred to sick call by a jailer.
- (c) An inmate may access sick call if he/she believes there is a problem with lice/scabies.
- (d) A qualified health care professional shall evaluate any inmate with a lice/scabies complaint. If there are positive findings, the inmate shall be treated for the infestation accordingly.
  - 1. The lice and scabies treatment guidelines will be followed by the qualified health care professional, if a physician's order for the medication administration is obtained.
    - (a) The prescribing physician shall be notified if the inmate is pregnant, as certain medications are contraindicated for pregnant women. An alternative topical application must be prescribed in these situations.
    - (b) Documentation in the medical record should include the patient's symptoms, observations regarding the condition, patient education and prescribed treatment.
  - 2. The inmate's clothing and linen shall be removed from his/her cell placed in a plastic bag and sent to the laundry. These items are considered contaminated and must be disinfected by:
    - (a) Machine washing (hot cycle), machine drying (hot cycle), dry cleaning or ironing, or
    - (b) Storage in a plastic bag for non-washable items for 10-14 days (head lice), seven days (pubic lice). This method is not recommended for body lice.
    - (c) Isolation is not necessary as long as clothing and bedding are properly disinfected and inmates do not share items.
      - 1. An inmate having poor hygiene should be housed in a single cell until 24 hours after beginning treatment.

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2. Gloves are to be used for direct contact until the inmate has been treated and the clothing/bedding have been removed for disinfecting.
3. Cell mates, sexual partners and any personnel having direct hands-on contact with an infected inmate should be evaluated for prophylactic treatment because of the long incubation period of the scabies parasite.

#### **630.5 EMPLOYEE EXPOSURE CONTROL**

All facility staff that may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any inmate and when handling the personal belongings of an inmate.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm and handling contact lenses shall be prohibited in areas where the potential for exposure exists.

##### **630.5.1 IMMUNIZATIONS**

All facility staff employed by the OPERATOR who may be exposed to, or have contact with, a communicable disease shall seek appropriate treatment immunization from the OPERATOR. The ability of staff to provide health care services is predicated on a safe and secure working environment where employees feel safe to do their work, and assures public safety (National Commission on Correctional Health Care (NCCHC) Standards for Health Services in Jails, J-A-01).

Staff shall also receive a TB test prior to job assignment and voluntary annual testing thereafter will be at the discretion of the OPERATOR.

##### **630.5.2 PERSONAL PROTECTIVE EQUIPMENT (PPE)**

The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided to all personnel to assist in the protection against such exposures:

- Disposable latex gloves
- Safety glasses or goggles
- Disposable breathing masks

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The PPE should be inspected at the start of each shift and replaced immediately after each use and when it becomes damaged.

#### 630.5.3 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is not reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container.

Any PPE that becomes punctured, torn or loses its integrity shall be removed as soon as reasonably feasible. The employee shall wash up and replace the PPE if the job has not been terminated. If the situation resulted in a contaminated non-intact skin event, the affected area shall be decontaminated as described below.

A contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container. The gloves shall be included with the waste.

#### 630.5.4 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or body fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required. All hand, skin and mucous-membrane washing that takes place shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms or other locations not designated as a cleaning or decontamination area.

#### 630.5.5 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as reasonably feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as reasonably possible.

If the clothing must be dry-cleaned, place it into a biohazard waste bag, and inform the Jail Supervisor immediately. The Jail supervisor will receive direction from the OPERATOR for replacement of clothing.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of

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replacement of an OPERATOR's employee's boots shall be paid according to labor contract agreements with the OPERATOR.

#### 630.5.6 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as reasonably feasible.

#### 630.5.7 DECONTAMINATION OF THE CLEANING AREA

The main Jail Shower room is the designated location in the facility that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking of cigarettes and consumption of food and drink are prohibited in this area at all times.

### **630.6 SHARPS AND ITEMS THAT CUT OR PUNCTURE**

The health risks posed to officer and custody personnel in handling hypodermic needles/syringes cannot be overemphasized. Extreme care must be taken in handling such evidence.

- (a) All hypodermic needles/syringes seized by this department and held as evidence, or for safekeeping, shall be placed in an approved syringe container. The only containers approved by the Department for syringe storage are the "Sirchie" ECT1 Evidence Collection Tubes located in the jail processing area or property/evidence booking room (downstairs).
- (b) Officers or Custody personnel booking syringes/needles shall follow the instructions in the General Orders and Jail Procedure documents.
- (c) Upon final adjudication of the case, the storage of syringes/needles by this Department, shall be disposed of by Los Angeles County Sheriff's Central Property Unit per our current agreement.

All personnel shall avoid using or holding sharps (needles) unless they are assisting medical personnel or collecting them for evidence. Unless required for reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when possible, shall be into a "Sirchie" ECT1 Collection Tube.

All sharps and items that cut or puncture (e.g., broken glass, razors, knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other body fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be touched, protective gloves shall be worn.

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#### **630.7 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS**

In actual or suspected employee exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employees.

- All exposure incidents involving City of Whittier employees shall follow the precedures in the Whittier Policy Manual (sec 412.3).
- All OPERATOR EMPLOYEES will follow their OPERATOR's protocol for reporting incidents.

##### **630.7.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE**

To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee's immediate supervisor; who will forward the information to their employer. Employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases (15 CCR 1206.5(b)(8)).

##### **630.7.2 SUPERVISOR REPORTING REQUIREMENTS**

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

- (a) Name and employee identification number of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) What potentially infectious materials were involved
- (e) Source of material or person
- (f) Current location of material or person
- (g) Work being done during exposure
- (h) How the incident occurred or was caused
- (i) PPE in use at the time of the incident
- (j) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the employee of the laws and regulations concerning disclosure of the identity and infectious status of a source, and of information contained in this policy regarding source testing.

If the ECO is unavailable to seek testing of the person who was the source of the exposure, it is the responsibility of the exposed employee's supervisor to ensure testing is sought according to the guidelines in this policy.



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#### 630.7.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any employee who was exposed or who suspects he/she was exposed to HIV or to hepatitis B or C should be seen by a physician or qualified health care professional as soon as reasonably possible.

The doctor or qualified health care professional should be given the supervisor's report and the employee's medical records relevant to the visit and examination. The blood of the exposed employee shall be tested.

The qualified health care professional will provide the ECO and/or the Department's risk manager with a written opinion/evaluation of the exposed employee's medical condition. This opinion should only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition that could result from the exposure incident and whether further treatment or evaluation will be required.
- Whether communicable disease testing from the source is warranted, and if so, which diseases the testing should include.

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

#### 630.7.4 CONFIDENTIALITY OF REPORTS

Most of the information involved in this process must remain confidential. The ECO shall ensure that all records and reports are kept in the strictest confidence. The ECO shall be responsible for maintaining records containing the employee's treatment status and the results of examinations, medical testing and follow-up procedures.

The Department's risk manager shall be responsible for keeping the name and Social Security number of the employee and copies of any information provided to the consulting health care professional on file.

This information is confidential and shall not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (15 CCR 1206.5(b)(5)).

#### 630.7.5 SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed employee or when it is otherwise appropriate.

There are five methods to obtain such testing. It is the responsibility of the ECO to ensure the proper testing and reporting occurs. These methods are:

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- (a) Obtaining voluntary consent from any person who may be the source of an exposure to test for any communicable disease.
- (b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C.
- (c) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing.
- (d) Seeking a court order when the person who may be the source of an exposure will not consent to testing and the exposure does not fall under a statutory scheme for testing. This covers testing for any communicable disease as deemed appropriate by a qualified health care professional and documented in the request for the court order.
- (e) Under certain circumstances, a court may issue a search warrant for testing an adult when an employee of the Whittier Police Department qualifies as a crime victim.

#### 630.7.6 EXPOSURE FROM A NON-INMATE

Upon notification of an employee's exposure to a non-inmate (e.g., visitor, attorney, volunteer, vendor) the ECO should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is provided, the following steps should be taken:

- (a) A qualified health care professional should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the qualified health care professional deems appropriate.
- (b) The voluntary informed consent obtained by the qualified health care professional must be in writing and include consent for three specimens of blood. The ECO should document the consent as a supplement to the Exposure Control Report.
- (c) The results of the tests should be made available to the source and the exposed employee.

If consent is not obtained, the ECO should promptly consult with the City Attorney and consider requesting that a court order be sought for appropriate testing.

#### 630.7.7 EXPOSURE FROM AN INMATE

If the ECO receives notification from an employee of a potential exposure from an inmate, the ECO should take the following steps:

- (a) Seek consent from the person who was the source of the exposure and seek a court order, if consent is refused.
- (b) Take reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer will order testing.

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- (c) Remain in contact with the county health officer to determine whether testing of the inmate will occur and whether the testing satisfies the medical needs of the employee.
- (d) The results of the tests should be made available to the inmate and the exposed employee.

Since there is potential for overlap between the two statutory schemes, the ECO is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

If the exposed employee is not covered by either statutory scheme, the ECO should seek consent or a court order in the same manner as for a non-inmate.

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# Orthopedic Devices, Prosthetic Devices or Eyeglasses

## 632.1 PURPOSE AND SCOPE

This policy acknowledges the high priority of inmate health and recognizes that some inmates will require adaptive devices to assist them with daily living activities on a temporary or permanent basis.

The Whittier Police Department has established this policy for physicians and dentists to review and evaluate the need for adaptive devices, while considering facility security concerns regarding the use of such items.

When a physician or dentist determines that the medical condition of an inmate indicates that an adaptive device is clinically appropriate, the parameters of this policy will determine if authorization for the use of such items during incarceration should be granted, and if any equipment modifications are indicated for safety or security purposes.

### 632.1.1 DEFINITIONS

Definitions related to this policy include:

**Adaptive device** - Any orthotic, prosthetic or aid to impairment that is designed to assist an inmate with the activities of daily living or that is clinically appropriate for health, as determined by the Responsible Physician or dentist.

**Aids to impairment** - Includes, but is not limited to, eyeglasses, hearing aids, pacemakers, canes, crutches, walkers and wheelchairs .

**Orthoses** - Specialized mechanical devices, such as braces, shoe inserts or hand splints that are used to support or supplement weakened or abnormal joints, limbs and/or soft tissue.

**Prostheses** - Artificial devices designed and used to replace missing body parts, such as limbs, teeth or eyes.

## 632.2 POLICY

It is the policy of the Department that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices should be permitted or supplied in a timely manner when the health of the inmate would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability recognized under the American with Disabilities Act (ADA) (42 USC § 12101 et seq.), as determined by the Responsible Physician or dentist (15 CCR 1206(d); 15 CCR 1207).

## 632.3 MEDICAL OR DENTAL ORTHOSES, PROSTHESES OR ADAPTIVE DEVICES

The following applies to inmates with any orthopedic or prosthetic devices (Penal Code § 2656):

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- (a) An inmate shall not be deprived of the possession or use of any orthopedic, orthodontic, or prosthetic device that has been prescribed or recommended and fitted by a physician or dentist (see the following exception).
- (b) Any such device that may constitute an immediate risk of bodily harm to any person in the facility or that threatens the security of the facility should be brought to the attention of the Watch Commander or Jail Manager. If the Watch Commander or Jail Manager has probable cause to believe such a device constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the Watch Commander or Jail Manager may remove the device and place it in the inmate's property.
- (c) The Watch Commander or Jail Manager shall return the device to the inmate if circumstances change and the cause for removal no longer exists.
- (d) The Watch Commander or Jail Manager shall have the inmate examined by a physician within 24 hours after a device is removed.
- (e) The Watch Commander or Jail Manager should review the facts with the ADA Coordinator and shall address the issue in conjunction with the Inmates with Disabilities Policy.
- (f) The physician shall inform the inmate and the Watch Commander or Jail Manager if the removal is or will be injurious to the health or safety of the inmate. When the Watch Commander or Jail Manager is so informed but still does not return the device, the Watch Commander or Jail Manager shall inform the physician and the inmate of the reasons and promptly provide the inmate with a form, as specified in Penal Code § 2656, by which the inmate may petition the Superior Court for return of the appliance. The Jail Manager shall promptly file the form with the Superior Court after it is signed by the inmate. The Jail Manager should consider the following alternatives to removal of the device:
  - 1. Reclassifying the inmate to another housing unit or administratively segregating the inmate from the general population.
  - 2. With physician or dentist approval, modify the adaptive device to meet the medical needs of the inmate and the safety and security needs of the facility.
  - 3. Transport to the Los Angeles County Jail Facility.

Once an adaptive device has been approved for use, the qualified health care professional shall enter the authorization into the inmate's health file. If the inmate requires special housing, the qualified health care professional shall document this in writing and notify custody or classification personnel appropriately. The qualified health care professional shall document the general condition of the prosthesis and have the inmate sign in the medical record that he/she received the prosthesis.

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

Inmates may be required to provide co-payments for adaptive devices supplied by the facility (Penal Code § 4011.1; Penal Code § 4011.2). Any repair or replacement of any adaptive device may be the responsibility of the inmate. If the adaptive device supplied or repaired is medically necessary and the inmate is indigent, funds for the repair shall be sought through the Inmate Welfare Fund.

#### **632.4 REQUESTS FOR MEDICAL AND DENTAL PROSTHESES**

All requests for new or replacement medical or dental prostheses shall be individually evaluated by the Jail Manager. Considerations for approval shall be based upon:

- Medical needs of the inmate.
- The anticipated length of incarceration.
- The safety and security of the facility.

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## Detoxification and Withdrawal

### 634.1 PURPOSE AND SCOPE

Significant percentages of inmates have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those inmates who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

#### 634.1.1 DEFINITIONS

Definitions related to this policy include:

**Alcohol withdrawal** - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

**Detoxification** - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

### 634.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this department to provide proper medical care to inmates who suffer from drug or alcohol overdose or withdrawal.

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

The Watch Commander will consider if the inmate should be kept. The Watch Commander should consider transporting the inmate to either a medical facility or Los Angeles County Jail (15 CCR 1213).

Inmates who are booked into the facility who are participating in a narcotic treatment program shall, with the approval of the director of the program, be entitled to continue in the program until conviction (Health and Safety Code § 11222).

### 634.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the Watch Commander, who shall ensure that a qualified health care professional examines the inmate.

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#### **634.4 PROCEDURE**

Inmates who are observed experiencing severe, life-threatening intoxication (overdose) or withdrawal symptoms will be promptly seen by a physician. Depending on the severity of the symptoms, the Watch Commander may arrange for paramedic assistance and transportation of the individual to an appropriate medical facility.

If detoxification is eminent the Watch Commander should consider cite and release, transfer to a medical facility or transporting the inmate to LA County Jail.

Any of the above symptoms should be immediately brought to the attention of the Watch Commander and noted in the remarks section on the booking/arrest slip.

#### **634.5 ALCOHOL WITHDRAWAL SYMPTOMS CHART**

The following chart describes typical symptoms of mild, moderate and severe withdrawal. It is to be used as a guide for determining when to refer inmates to a qualified health care professional. Not all symptoms are always present.

	<b>MILD</b>	<b>MODERATE</b>	<b>SEVERE</b> (Delirium Tremens)
<b>ANXIETY</b>	Mild restlessness and anxiety	Obvious motor restlessness	Extreme restlessness and agitation with appearance of intense fear is common
<b>APPETITE</b>	Impaired appetite	Marked anorexia	Often rejects all food and fluid except alcohol
<b>BLOOD PRESSURE</b>	Normal or slightly elevated systolic	Usually elevated systolic	Elevated systolic and diastolic
<b>CONFUSION</b>	Oriented, no confusion	Variable confusion	Marked confusion and disorientation
<b>CONVULSIONS</b>	No	May occur	Severe convulsions are common
<b>HALLUCINATIONS</b>	No hallucinations	Often vague, transient, visual and auditory hallucinations and delusions, often with insight, often occurring only at night	Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences
<b>MOTOR CONTROL</b>	Inner "shaky"	Visible tremulousness	Gross uncontrollable shaking
<b>NAUSEA</b>	Nausea	Nausea and vomiting	Dry heaves and vomiting
<b>PULSE</b>	Tachycardia	Pulse 100-120	Pulse 120-140
<b>SLEEP</b>		Marked insomnia and nightmares	Total wakefulness



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<b>SWEATING</b>	Restless insomnia	sleep	or	Obvious	Extreme
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## Suicide Prevention and Intervention

### 648.1 PURPOSE AND SCOPE

This policy establishes the suicide prevention and intervention program to identify, monitor and, when necessary, provide for emergency response and treatment of inmates who present a suicide risk while incarcerated at the department detention facilities (15 CCR 1219).

This policy is intended to reduce the risk of self-inflicted injury or death by providing tools to the staff that will allow a timely and organized emergency response to suicide, suicide attempts or an inmate's unspoken indications that suicide is being considered. The three key components of this plan are evaluation, training and screening with intervention.

### 648.2 POLICY

It is the policy of this department to minimize the incidence of suicide by maintaining a comprehensive suicide prevention and intervention awareness posture designed to identify inmates who are at risk of suicide and to intervene appropriately whenever possible (15 CCR 1029(a)(8); 15 CCR 1219).

### 648.3 STAFF TRAINING

All facility staff members who are responsible for supervising inmates shall receive periodic training on suicide risk identification, prevention and intervention, to include, at minimum:

- The provisions of this policy.
- Identification of the warning signs and indicators of potential suicide, including training on suicide risk factors.
- Identification of the demographic and cultural parameters of suicidal behavior, including incidence and variations in precipitating factors.
- Responding to suicidal and depressed inmates.
- Housing observation and suicide watch-level procedures.
- Follow-up monitoring of inmates who attempt suicide.

Recommendations for modification to suicide training should be directed to the Jail Manager, who shall review the recommendations and approve, if appropriate.

### 648.4 SCREENING AND INTERVENTION

All inmates shall undergo medical and mental health screening during the intake process. A portion of the intake medical screening is devoted to assessing inmates at risk for suicide. Upon an inmate entering the facility, he/she should be assessed by custody staff for the ability to answer medical and mental health screening questions.

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Any inmate who appears to be unable to answer the initial medical screening questions shall be reported to the Watch Commander before acceptance into the jail. Inmates who refuse to answer these questions shall be placed under observation until the screening can be completed or until sufficient information is obtained to allow the staff to make appropriate decisions concerning housing and care.

All jail personnel are to be particularly watchful for the inmate who exhibits symptoms which would indicate that he/she is suicidal.

The typical profile of a high-risk inmate would be:

Male, white, 22 years old, single, arrested for public intoxication, under the influence at the time of incarceration. No significant history of prior arrests. Suicides most frequently occur within the first three (3) hours of incarceration.

Other persons at risk:

- Prominent persons charged with embarrassing crimes
- Persons held for alcohol or drug related crimes
- All juveniles held in adult facilities
- Persons with a history of self-destructive acts or who state that he/she wants to kill themselves
- Persons who appear very depressed

Staff members shall promptly refer any inmate or arrestee who is at risk for suicide to the Watch Commander. The inmate shall remain under direct and constant observation in a safe setting until the Watch Commander makes appropriate health care and housing decisions.

#### **648.4.1 ISOLATION**

The use of isolation enhances the chances of a suicide and it should, therefore, be avoided. Inmates exhibiting suicidal behavior should be placed in the general population of the jail and checked every 15 minutes by personal contact.

#### **648.5 SUICIDE WATCH**

Inmates should only be housed on suicide watch with the approval of the Watch Commander. Inmates placed on suicide watch shall be closely monitored and housed in a cell that has been designed to be suicide resistant. Prior to housing the inmate, the staff should carefully inspect the cell for objects that may pose a threat to the inmate's safety.

All staff members should coordinate their efforts to ensure that inmates do not have the means or the opportunity to injure themselves.

An observation log shall be maintained for each inmate on suicide watch. A staff member shall be designated to make a direct visual observation of the inmate twice every 30 minutes at approximately 15-minute intervals. A Watch Commander must observe the inmate at least once

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every five hours. Each staff member who is required to observe the inmate shall make notations in the observation log documenting the time of observation and a brief description of the inmate's behavior.

An inmate classified as actively suicidal must be continuously monitored by direct visual observation of an officer. While monitoring may be supplemented by video monitoring, it may never be a substitute for direct visual monitoring. When reasonably possible those inmates admitting they are suicidal can be transferred to the Los Angeles County Jail.

The status of suicidal inmates should be readily identifiable in a manner discernible by staff. When standard-issue clothing presents a security or medical risk to the inmate or others, the inmate shall be supplied with a security garment that is designed to promote inmate safety and not cause unnecessary humiliation and degradation. Use of the security garment shall be documented in the inmate's health record. Suicidal inmates shall not be permitted to retain undergarments or any other item that can be fashioned into an implement for hanging (e.g., plastic bags, shoelaces or sheets). Inmates shall not be permitted to keep personal property while housed on suicide watch and shall not be permitted to possess razors or other sharp objects, such as pencils, items with staples or any other item that may be used to cause a self-inflicted injury. Physical restraints should only be used as a last resort measure. The decision to use or discontinue use of restraints should be made in consultation with qualified health care professionals.

Inmates who are not actively suicidal but who have expressed suicidal thoughts or have a recent history of self-injurious behavior should be observed by staff at irregular intervals, not to exceed every 15 minutes.

#### 648.5.1 INTERVENTION

Any suicide attempt is a medical emergency. Staff should take action to facilitate emergency medical care if the inmate is suicidal. Staff should take reasonable and appropriate precautions to mitigate the ability of the inmate to injure him/herself, and should consider establishing and maintaining a non-threatening conversation with the inmate while awaiting transport to a mental health facility or Los Angeles County Jail.

Following a suicide attempt, staff should initiate a medical emergency response and initiate and continue appropriate life-saving measures until relieved by qualified health care professionals. The jail staff maintains a "Suicide Emergency Kit" which contains equipment necessary to reasonably address most suicide attempts. Jail staff shall notify dispatch so fire personnel can be notified and can respond to the jail for treatment and transport if necessary to a local hospital.

#### 648.5.2 NOTIFICATION

In the event of an attempted or completed suicide, the Watch Commander and Jail Manager should be promptly notified. The Watch Commander or Jail Manager should notify the Chief and command staff.

The location where a suicide or attempted suicide has occurred should be treated as a crime scene after the inmate has been removed from the cell or after emergency medical care is rendered.

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The area should be secured and access-controlled to preserve evidence until the appropriate investigation can be completed.

All suicides or attempted suicides shall be documented in an incident report and forwarded to the Professional Standards Bureau. All suicide attempts will be documented in an Attempt Suicide report. All in-custody deaths, including those resulting from suicide, should be investigated and documented in accordance with the Reporting Inmates Deaths Policy.

#### **648.6 TRANSPORTATION**

Inmates at risk for suicide pose additional challenges during transport. The transportation staff should take reasonable steps to closely monitor at-risk inmates whenever they are transported or held in any cell that is not designated as a suicide-watch cell. All additional security and monitoring measures implemented by the staff should be documented in the inmate's record. The transporting officer should ensure that the suicide threat or other danger is communicated to personnel at the receiving facility.

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## Pharmaceutical Procedures

### 698.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

#### 698.1.1 DEFINITIONS

Definitions related to this policy include:

**Administration** - The act of giving a single dose of a prescribed drug or biological substance to an inmate. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

**Controlled substances** - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

**Delivery** - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose and instructions for taking the medication, the name of the prescribing physician and expiration dates). Under these circumstances, a single dose at a time can be delivered to the inmate, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

**Dispensing** - Those acts of processing a drug for delivery or administration to an inmate pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

**Distributing** - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

**Dose** - The amount of a drug to be administered at one time.

**Drug** - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States or any supplement that is intended for

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use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

**Pharmaceutical operations** - The functions and activities encompassing the procurement, dispensing, distribution, storage and control of all pharmaceuticals used within the jail, the monitoring of inmate drug therapy, and the provision of inmate/patient drug information.

#### **698.2 POLICY**

It is the policy of this department that pharmaceutical operations meet all federal, state and local legal requirements and be sufficient to meet the needs of the facility population (15 CCR 1216).

#### **698.3 NON-PRESCRIPTION MEDICATION**

Limited over-the-counter non-prescription medication is available to inmates in the facility upon request by the inmate. All over-the-counter non-prescription medication shall be approved by the Jail Manager and shall be reviewed annually (15 CCR 1216(c)).

Inmates may not possess any non-prescription medication in their cell. All non-prescription medication will be given to the inmate by jail staff and consumed in their presence. Staff will ensure all non-prescription medication is given according to directions on the product and shall log on the inmate booking form what was given, when it was administered, and why.

#### **698.5 PER DOSE MEDICATION ADMINISTRATION**

- (a) The custody staff member will confirm the inmate's identity prior to administering any non-prescription medication by comparing the name/booking number and picture from booking paperwork with the inmate's identification badge/armband.
  - 1. Inmates should have a fluid container and adequate fluid to take the medication being administered.
  - 2. [REDACTED]
  - [REDACTED]
  - [REDACTED]
- (b) No inmate should be deprived of prescribed medication as a means of punishment
- (c) Any inmate under active care of a doctor in which prescribed medications are required for the inmate's continued health should be seen by a health care professional as soon

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as reasonably possible. It is the policy of the Whittier Police Department that we do not dispense prescription medication unless it is done by a health care professional. If a temporary transfer to a local health facility to administer a prescribed medication, under the supervision of a health care professional, best meets the needs of the inmate and the police department this can be considered. Otherwise, any inmate requiring more than a single dosage during the duration of their stay in the Whittier Police Department Jail should be transferred to the Los Angeles County Jail for long term care and custody.



## Chapter 7 - Environmental Health

## Sanitation Inspections

### 700.1 PURPOSE AND SCOPE

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

### 700.2 RESPONSIBILITIES

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

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control, safety surveys)
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the facility.
- (c) Procedures, schedules and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the facility, and instructions on how to operate, dilute or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.
- (f) Training requirements for custody staff and inmate workers on accident prevention and avoidance of hazards with regard to facility maintenance.

Consideration should be given to general job descriptions and/or limitations relating to personnel or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Department or by contract with private firms.

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

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and to equipment by submitting a work order to a supervisor. Watch Commanders will conduct cleaning inspections on a daily basis. The Jail Manager or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

### 700.3 SAFETY DATA SHEETS

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet

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(SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous materials and substances, including instructions on safe handling, storage, disposal, prohibited interactions and other details relative to the specific material.

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

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

#### 700.3.1 SDS USE, SAFETY AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and inmates shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)):

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

#### 700.3.2 SDS DOCUMENTATION MAINTENANCE

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

Supervisors shall review SDS information in their work areas semiannually to determine if the information is current and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the Maintenance Supervisor or the authorized designee.

#### 700.3.3 SDS RECORDS MASTER INDEX

The Maintenance Supervisor or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of SDS information.

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He/she will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semiannual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, current list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

#### **700.3.4 CLEANING PRODUCT RIGHT TO KNOW ACT**

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

#### **700.4 POLICY**

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

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# Hazardous Waste and Sewage Disposal

## 702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Department recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures and precautions, but on adequate supervision and the responsible behavior of the staff, officers and trustees. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

### 702.1.1 DEFINITION

Definitions related to this policy include:

**Hazardous waste** - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

**Infectious waste** - Material that poses a threat or risk to public health or safety by living organisms (e.g. blood, mucus, saliva, bodily secretions, etc)

## 702.2 POLICY

It is the policy of this department that any sewage and hazardous waste generated at the facility shall be handled, stored and disposed of safely and in accordance with all applicable federal and state regulations and in consultation with the local public health entity. The Jail Manager or the authorized designee shall be responsible for:

- Contracting with a hazardous waste disposal service.
- Developing and implementing a storage and disposal plan that has been reviewed and approved by a regulatory agency.
- Including hazardous waste issues on internal health and sanitation inspection checklists.
- Developing and implementing procedures for the safe handling and storage of hazardous materials until such time as the contractor removes the items from the facility.
- Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage and disposal of such items.

## 702.3 DISPOSAL PROCEDURE

### 702.3.1 SEWAGE DISPOSAL

All solid and infectious waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

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The following procedure will be followed when the substance is known and found in the jail area: (i.e. spit, blood, mucus, bodily secretions, etc) :

- Jailers will isolate all prisoners from exposure to the waste immediately upon discovery.
- If waste is found in a cell with a floor drain the sewage will be hosed off and into the floor drain unless it is toxic. If there is no floor drain, the sewage will be removed from the infected area with a damp cloth towel. When doing so the jailer will use protective latex gloves. The infected area will then be washed with bleach and a fresh smelling cleaning agent.
- All waste will be flushed using the public sewer system, except toxic waste (see below).
- All gloves, towels, and other disposable equipment will be thrown in the red biohazard waste recepticals.
- The contract waste vendor will be called to replace the biohazard bags.
- Incidents of waste disposal by staff will be logged in the incident log indicating personnel invovled, inmate involved, and cell number cleaned.

In all cases should departmental personnel come in bodily contact with waste in which there is an exposure, the exposed personnel will follow the department's general policy for treatment, testing, and disposal requirements.

For cases of known or unknown toxic waste (paint, oil, chemical, etc) spills, the watch commander will be notified immediately. The watch commander will contact the contract emergency waste vendor and isolate the area of the spill until it is safely removed, cleaned and sanitized. The Jail Manager will be notified and the jail supervisor will note the incident in an incident report to the Jail Manager noting the type and kind of waste, time and date, involved staff and inmates, cell number or area, and time waste was cleaned.

When any kind of solid, toxic or infectious waste is found in a department vehicle (unit, detective car, jail van, etc) it will be isolated and treated by the contract emergency waste vendor as indicated above for toxic waste spills. The vehicle will be taken out of service and isolated until it is cleaned and put back into service by the watch commander.

#### **702.3.2 HAZARDOUS WASTE**

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. Staff shall use universal standard precautions when in contact with hazardous materials, at a minimum, unless directed otherwise.

#### **702.4 SAFETY EQUIPMENT**

The Jail Manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times.

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## *Hazardous Waste and Sewage Disposal*

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### **702.5 SUPERVISOR RESPONSIBILITY**

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Manager in the event of an exposure to staff, inmates or visitors according to General Policy..

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## Housekeeping and Maintenance

### 704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

### 704.2 POLICY

The Jail Manager shall establish housekeeping and maintenance plans that address all areas of the facility. The plan should include, but is not limited to (15 CCR 1243(m); 15 CCR 1280):

- Schedules that determine the frequency of cleaning activities on a daily, weekly or monthly timetable, by area of the facility.
- Supervision of the staff and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, inmate supervision).
- Development of inspection forms.
- A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- A process for the preventive maintenance of equipment and systems throughout the facility.
- Staff supervision of the provision and use of cleaning tools and supplies.

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

### 704.3 SANITATION SCHEDULE

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]





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### *Housekeeping and Maintenance*

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- (a) Put on disposable gloves.
- (b) Clean gross debris, if any, from handcuffs.
- (c) Spray Barbicide on handcuffs until wet.
- (d) Let handcuffs sit wet for five minutes.
- (e) After five minutes dry any residual moisture, rinsing is not necessary.
- (f) Handcuffs are ready for use.
- (g) Place all disposable material used in the process into the red biohazard containers.

## Physical Plant Compliance with Codes

### **706.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish the timeline, process and responsibilities for facility maintenance, inspections and equipment testing in compliance with all applicable federal, state and local building codes.

### **706.2 POLICY**

It is the policy of this department that all construction of the physical plant (renovations, additions, new construction) will be reviewed and inspected in compliance with all applicable federal, state and local building codes. All equipment and mechanical systems will be routinely inspected, tested and maintained in accordance with applicable laws and regulations.

### **706.3 COMPLIANCE WITH CODES AND STATUTES**

Plumbing, sewage disposal, solid waste disposal and plant maintenance conditions will comply with rules and regulations imposed by state regulatory entities governing such practices.

### **706.4 PLUMBING - FLOOR DRAINS**

Floor drains must be flushed weekly and all traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

## Vermin and Pest Control

### 710.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

### 710.2 POLICY

It is the policy of this department that vermin and pests be controlled within the facility (15 CCR 1280). The Jail Manager or the authorized designee shall be responsible for developing and implementing this policy for the sanitation and control of vermin and pests, and to establish medical protocols for treating inmate clothing, personal effects and living areas, with specific guidelines for treating an infested inmate (15 CCR 1264).

### 710.3 PEST CONTROL SERVICES

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

### 710.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for inmates undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

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

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

- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore, some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

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### *Vermin and Pest Control*

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Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the inmate and proper application of the appropriate product. The area used to delouse inmates needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated and the treatment used.

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## **Inmate Hygiene, Bedding and Clothing Policy**

### **714.1 PURPOSE AND SCOPE**

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

### **714.2 POLICY**

It is the policy of the Whittier Police Department facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors. The Jail Manager shall ensure the basic necessities related to personal care are reasonably provided to each inmate at the time of housing.

### **714.3 STORAGE SPACE**

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

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Manager should be notified if additional storage space is needed.

#### **714.3.1 BEDDING ISSUANCE**

Upon entering a living area of the Whittier Police Department jail, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, nontoxic fire-retardant mattress (16 CFR 1633.1 et seq.).
  1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an inmate is released or upon reissue.
  2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).

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### *Inmate Hygiene, Bedding and Clothing Policy*

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- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One pillow and pillowcase.

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

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

#### **714.3.2 BEDDING AND LINEN EXCHANGE AND HANDLING**

The following guidelines concerning the exchange of freshly laundered or dry-cleaned bedding and linen shall be adhered to by custody staff and trustees:

- (a) Clean bedding and linen will be kept in a separate location from soiled/dirty bedding/linen and will be clearly marked.
- (b) When handling bedding/linen, gloves worn for handling dirty bedding will be used and thrown away. The same pair of gloves will not be used to handle clean and dirty bedding and linen.
- (c) Clean bedding and linen when received from the contract laundry service will be stocked immediately in the clean bedding/linen area so as not to commingle it with dirty bedding/linen.
- (d) Bedding and linen shall be laundered/dry-cleaned and sanitized after each use utilizing the department contract laundry service.
- (e) When handling suspected bedding/linen infected with lice or scabbies please follow the protocols listed in section 710.
- (f) All bedding/linen suspected of being exposed to a biohazard will be appropriately placed in a red biohazard bag. Handling of all bedding exposed to a biohazard will follow our biohazard handling policy.

#### **714.4 LAUNDRY SERVICES**

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

#### **714.5 INMATE ACCOUNTABILITY**

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

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

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### *Inmate Hygiene, Bedding and Clothing Policy*

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#### **714.6 PERSONAL HYGIENE OF INMATES**

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

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Manager or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers.

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

#### **714.7 AVAILABILITY OF PLUMBING FIXTURES**

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

The minimum number of plumbing fixtures provided for inmates in housing units is:

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



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#### **714.8 INMATE SHOWERS**

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

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

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

#### **714.9 INMATE CLOTHING REGULATIONS**

All clothing taken from an inmate shall be recorded on the Arrest/Booking form under "Property" with a notation IF the items are held as evidence or contaminated.

Items of evidence will then be handled per Department standard procedures.

All contaminated clothing shall immediately be sealed in plastic bags and marked as to what type of contamination is suspected. The sealed bags are then to be placed in the Red Biohazard Containers for proper processing and/or disposal. If proper disposal methods are in doubt, the Los Angeles County Health Department shall be contacted for instructions. In the case of a suspected contagious disease, and the Health Department is not available, contact Presbyterian Hospital Emergency Room staff.

All clothing taken from an inmate as safekeeping should be recorded on the Arrest/Booking form under "Property" with a notation of "Inmate Property Storage." The following considerations should be followed and items placed in Inmate Property Storage.

Items that could be used to cause damage to the facility or its equipment will be confiscated. (i.e.: jackets with zippers).

Items that could be used to cause injury to themselves or others will not be allowed in the cell (i.e.: including and not limited to shoestrings; strings in jackets, pants, shorts, blouses or shirts; metal wire in undergarments.)

If the inmate property storage items are too bulky to fit in the plastic jail property bag or jail storage bins the property needs to be inventoried (WPD Property card completed) and booked into Property/Evidence located in the Property/Evidence Room with an annotation on the booking form.

#### **Jail Clothing**

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In the event that an arrestee has no clothing on or only undergarments, at the time they enter the jail, jail issue clothing shall be given to the arrestee. The inmate will not be released from the jail without suitable clothing and at no time will they be released in their undergarments. The preferred jail issue clothing is a disposable type jump suit and when necessary disposable footwear.

#### **Special Clothing**

Trustees will be issued suitable additional clothing to enable them to perform such special work assignments as car washing, special cleaning details, etc.

#### **Clothing Exchange**

The Custody Officer shall provide for the regular exchange of clean inmate clothing. Outer garments, except footwear, shall be exchanged at least once each week, unless work, climatic conditions, or illness necessitates more frequent exchanges. Under garments and socks shall be exchanged twice each week.

#### **714.10 RESPONSIBILITIES**

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

## **Chapter 8 - Food Services**

## Food Services

### 800.1 PURPOSE AND SCOPE

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

### 800.2 POLICY

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

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq. (15 CCR 1245(a)) (Appendix F).

### 800.3 MENU PLANNING

All menus and dietary requirements shall be planned by the LA County Sheriff Department's Correctional Food Services Unit. The Jail maintains a contract with the LA County Sheriff's Department for the supply of all meals. All menus shall meet or exceed the nutritional requirements described in Title 15 Section 1242 Minimum Standard for Local Detention Facilities.

All copies of menus are provided to the Jail Supervisor and maintained in the Jail Manager's Office. The Custody Manager shall maintain records of all food costs for the operation of the Jail.

### 800.4 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift, but shall be checked and recorded at least once daily. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature below 41 degrees. All freezers, other than during the defrosting cycle, must maintain a temperature of 0 degrees or lower.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected (15 CCR 1245(a)).

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#### **800.5 RELIGIOUS AND SPECIAL DIETS**

The Watch Commander shall be notified of those inmates requesting a religious meal. To the extent reasonably practicable, the Watch Commander will make sure the inmate's request is documented on his booking paperwork and will be transferred to the Los Angeles County Jail where such meals are readily available. They will provide special religious diets for inmates in compliance with 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).

Special diets will be reasonably accommodated such as vegetarian, however all other special diets will be accommodated by transferring the inmate to the LA County Jail.

#### **800.6 FOOD SERVICES REQUIREMENTS**

All reasonable efforts shall be made to protect inmates from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (15 CCR 1230).

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

#### **800.7 MEAL SERVICE PROCEDURE**

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 approved by the Jail Manager.

Inmates must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time to include a high quality protein, such as meat, fish, eggs or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals, approved snacks will be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

Generally, all inmates should receive a meal (a beverage and meal) upon booking regardless of their housing status. However inmates who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Inmates on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal (15 CCR 1240). Lactating or pregnant females shall receive an extra meal and milk daily.

Custody staff will prepare all meals wearing gloves. Frozen meals will be microwaved in microwaves in the jail kitchen. Each meal will remain sealed in the delivered plastic cover. Four meals will be placed in the microwave at a time and heated for 16 minutes, ensuring the meal is

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cooked thoroughly. At least one meal will be tested with a food thermometer probe to ensure it is the mandated temperature. Heated meals will be removed from the microwave and placed on the plastic serving cart. The amount of time will not exceed 30 minutes. Custody staff will ensure the cart is clean before and after every food service. All meals will be served with milk. After the appropriate meal is placed on the serving cart they are transported to each housing unit and served. Each inmate will be served by custody staff through the meal serving doors. Opening the housing door should generally be avoided.

The custody officer shall supervise the preparation and delivering of meals to the inmates. Any person handling frozen meals, bread, beverages and butter, will wear food service gloves and appropriate head gear (if food is uncovered). The custody officer will wash their hands with hot water and soap prior to putting on the food service gloves.

All frozen meals delivered to the jail will be kept in a freezer at 0 degrees or colder until placed in the microwave to heat. Beverages and bread are to be kept in the refrigerator until time for service. The custody officer shall test the temperature of the food periodically. Hot food shall be reasonable warm (140 degrees F.), and cold food reasonably cold, to limit the growth of bacteria that could cause food borne illness. Meals are to be heated in the sealed packages and immediately delivered covered to the inmate for consumption. All food shall be prepared in accordance with the manufacturers directions. All hot meals shall be prepared in a microwave oven. Inmate meals shall be served no later than 31 minutes after the food has been prepared in the station.

Utensils, containers and unconsumed food shall be collect not sooner than 31 minutes after service and no later than 60 minutes after service. At the end of the meal period inmates will return all uneaten food items, trash, and eating utensils for disposal. No food shall be kept in the housing unit beyond the meal period. The same number of serving utensils shall be collected as were dispersed during initial serving. Any utensils unaccounted for shall trigger a cell search for the remaining utensils for inmate and staff safety. At no time should a custody officer search a cell by themselves. If a search is required the watch commander or supervisor should be notified and the cell search shall be documented.

#### **800.8 EMERGENCY MEAL SERVICE PLAN**

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

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

During an emergency suspension, the Watch Commander and Jail Manager shall transfer inmates to the Los Angeles County Jail to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Manager shall notify the Board of State and Community Corrections

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(BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

In the event that the inmate food supply drops below that which is needed to provide meals for two days, the Jail Manager or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

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

#### 800.8.1 EMERGENCY PROCUREMENT PLAN

Custody Officer will notify Watch Commander/Custody Manager when there is an emergency food shortage. Arrangements for an emergency purchase of food from the LASD-Correctional Food Services can be notified to prepare an order for pickup of additional menu items or the nearest Smart & Final .

#### **800.9 FOOD SUPPLY AND EQUIPMENT MAINTENANCE**

##### Food Supply:

- (a) All frozen meals to be served in the jail shall be kept in a freezer until placed in the microwave for cooking. It is the responsibility of the Jail Supervisor to provide the Jail Manager or their designee, with a total food inventory each Tuesday morning so that a minimum one (1) week supply can be maintained at all times.
- (b) Any time the supply of milk is below 31 servings (1 day meal service); it is the responsibility of the custody officer on duty to notify the Custody Manager who will see that the supply of milk is immediately replenished. At no time will milk be served on or past the expiration date on the carton.
- (c) Food supplies shall be purchased at the following locations:
  1. Frozen Meals: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213)893-5109 email: [FoodServicesWhittierPD@lasd.org](mailto:FoodServicesWhittierPD@lasd.org)
  2. Bread: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213)893-5109 email: [FoodServicesWhittierPD@lasd.org](mailto:FoodServicesWhittierPD@lasd.org)
  3. Milk & Juice: Los Angeles County Sheriff's Department Correctional Food Services Unit CRDF Lynwood, CA (213) 893-5109 email: [FoodServicesWhittierPD@lasd.org](mailto:FoodServicesWhittierPD@lasd.org)

# Whittier Police Department

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## *Food Services*

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- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]



## Food Services Training

### **802.1 PURPOSE AND SCOPE**

The purpose of this policy is to reduce the risk of potential injury to staff and contractors in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

### **802.2 POLICY**

The Whittier Police Department ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff (15 CCR 1230; 15 CCR 1243(g); 15 CCR 1245(a)).

### **802.3 TRAINING**

The Jail Manager will be responsible for ensuring all jail staff attends a food handling class at least every other year.

# Food Services Worker's Health, Safety and Supervision

## 806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and inmate workers.

## 806.2 POLICY

The Whittier Police Department will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All inmate food services workers will be properly supervised by custody staff to ensure safety and security at all times (15 CCR 1243(h)).

## 806.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The jail supervisor is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered and served only under close supervision.

The food preparation area must remain clean and sanitary at all times.

## 806.4 MEDICAL SCREENING

The Jail Manager shall work cooperatively with the health authority to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed (Title 15 CCR § 1230) :

- (a) All custody staff shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections and other illnesses transmissible by food or utensils.
- (b) Custody staff shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes provided by the CONTRACTOR.
- (c) A supervisor shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.
- (d) Any person working in any food services area who is diagnosed by a health practitioner with a contagious illness shall be excluded from the food services areas until the physician has provided a clearance to return to work.
- (e) All food handlers shall wash their hands when reporting for duty and after using toilet facilities.

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Services Worker's Health, Safety and Supervision*

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- (f) Food handlers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.
- (g) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.
- (h) Smoking at any time is prohibited in any food services area.
- (i) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.
- (j) All custody staff handling food shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

All food handlers are prohibited from handling food or working in any food services area if he/she reports symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining.

## Food Preparation Areas

### 808.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

### 808.2 POLICY

It is the policy of this department to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

### 808.3 COMPLIANCE WITH CODES

The Jail Manager is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (15 CCR 1245(a)).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross contamination and remain free from vermin infestation (Health and Safety Code § 114259).

### 808.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state and local building codes, comply with food and agricultural laws and standards and include any required approvals from any local regulatory authority (Health and Safety Code § 113700 et seq.).

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation and methods of meal services.

Floors, floor coverings, walls, wall coverings and ceilings should be designed, constructed and installed so they are smooth, non-absorbent and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and inmates to perform necessary tasks (Health and Safety Code § 114252).

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Preparation Areas*

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Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes shall be provided if necessary (Health and Safety Code § 114149(a)).

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies and be stored in compliance with the provisions of Health and Safety Code § 114047.

#### **808.5 TOILETS AND WASHBASINS**

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and inmate workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the inmate population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and inmate workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The jail supervisor shall be responsible for procedures to ensure:

- (a) All fixtures in the toilet facilities are clean and in good operating condition.
- (b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used by women shall have at least one covered waste receptacle.
- (c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times (Health and Safety Code § 113953.3).

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Preparation Areas*

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If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

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## Food Budgeting and Accounting

### 810.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment and supplies for the delivery of food services.

### 810.2 POLICY

The Whittier Police Department food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards (15 CCR 1243(i)).

### 810.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The Jail Manager is responsible for establishing a per meal, per inmate budget for food, equipment and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The Jail Manager is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

### 810.4 PROCEDURE

The food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

- (a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.
- (b) Establishing a per meal, per inmate cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory (15 CCR 1243(i)).
- (c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:
  1. Meals prepared and served for each meal period.
  2. Meals served per location.
- (d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.
- (e) Bulk-purchasing nonperishable items to maximize the budget dollars (15 CCR 1243(b)).

# Whittier Police Department

Whittier PD Custody Manual

## *Food Budgeting and Accounting*

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- (f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:
  - 1. Following planned menus.
  - 2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
  - 3. Producing and portioning only what is needed.
  - 4. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
  - 5. When reasonably practicable, responding to the inmate's food preferences.
  - 6. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
  - 7. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment.
- (g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging.
- (h) Establishing accounting procedures for financial statements and inventory control.
- (i) Maintaining records of invoices, purchase orders, meal count sheets, therapeutic and religious diet records, inventory of food, supplies and equipment for the required period of time, as mandated by the governing body of the facility.

### **810.5 MONTHLY REPORTING**

The Jail Supervisor is responsible for ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the number of (15 CCR 1243(j)):

- (a) Meals prepared and served for each meal period.
- (b) Meals served per location.
- (c) Special diets will be accommodated such as vegetarian, however all other special diets will be accommodated by transferring the inmate to the LA County Jail.

A monthly report summarizing all data should be provided to the Jail Manager. The Jail Manager will keep records of money spent on food and food related items on a monthly basis. The food budget is approved by the Chief of Police and submitted to the City Council as part of the City of Whittier Police Department annual budget.

All meal records shall be retained in accordance with department retention schedules and state statutory regulations.



## Food Services Facilities Inspection

### 814.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and inmates.

### 814.2 POLICY

It is the policy of the Whittier Police Department that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law (15 CCR 1245(a)).

### 814.3 CLEANING AND INSPECTIONS BY STAFF

The jail supervisor shall ensure the food preparation areas and all equipment in the food services area are inspected weekly. Water temperature of all fixtures, including washing equipment, shall be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for food preparation area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods. The food services manager is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules.

#### 814.3.1 SAFETY INSPECTION CHECKLIST

The following items shall be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.
- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Services Facilities Inspection*

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- All workers wear safe clothing, hair coverings, gloves and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- Water temperatures for hand sinks, washing sinks and dishwashing machines meet minimum acceptable temperatures.
- All hand-washing stations have free access, soap, hot and cold running water under pressure and a method to dry hands.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate and periodically reviewed and verified by the Jail Supervisor
- Foods are labeled and stored properly using the first-in first-out system (FIFO).
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

## Food Storage

### 816.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, Health and Safety Codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

### 816.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas, in compliance with state and local health laws and standards (15 CCR 1243(c); 15 CCR 1245(a)).

### 816.3 PROCEDURES

The Jail Supervisor shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

Custody Staff should consider the following:

- (a) When receiving food deliveries, food services staff shall inspect the order for quality and freshness, and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from vermin infestations and are maintained at the appropriate temperature for the type of food being carried.
- (b) If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and credit the invoice.
- (c) Any food destined for return to the vendor should be stored separately from any food destined for consumption. The Jail Supervisor will contact the vendor and arrange for replacement of the unacceptable food items.
- (d) Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

#### 816.3.1 INVENTORY

Fresh food inventory will be kept for no more than one week and replaced weekly with a fresh delivery. Frozen food will be kept for no more than two weeks. The Jail practices the First-in, First-out (FIFO) method of inventory and storage to avoid spoilage and efficient use of all supplies in a manner that is fiscally responsible.

Food will not be stored in any of the following ways:

- In locker rooms

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Storage*

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- In restrooms
- In dressing rooms
- In refuse rooms
- In mechanical rooms
- Under sewer lines that are not shielded to intercept potential leaks or breaks.
- Under leaking water lines, including leaking automatic fire sprinkler heads or under lines on which water has condensed.
- Under stairwells
- Under other sources of contamination.

Inmate meals are counted and inventoried on a daily basis to ensure there is an adequate number of meals on hand to provide for jail population levels. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### **816.4 REFRIGERATED AND FROZEN STORAGE**

Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy and meat items, to extend shelf life. Freezers shall be maintained at 0 degrees or below.

All freezer and refrigerator storage areas should have a thermometer to monitor temperatures. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

No open food containers will be stored in the refrigerator. No Custody Staff food will be stored in the inmate food refrigerator.

##### **816.4.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS**

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include dismantling and cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (15 CCR 1243(m)).

##### **816.4.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS**

The storage of soaps, detergents, waxes, cleaning compounds, insect spray and any other toxic or poisonous materials are kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

# Whittier Police Department

## Whittier PD Custody Manual

### *Food Storage*

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#### **816.5 WASTE MANAGEMENT**

The jail manager shall develop and maintain a waste management plan that ensures the garbage is removed daily (15 CCR 1243(I)). General waste will be picked up each day and discarded in department waste receptacles. Waste after each feeding program will be collected within 30 minutes of food service by jail staff.

## **Chapter 9 - Inmate Programs**

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## Inmate Welfare Fund

### 902.1 PURPOSE AND SCOPE

The Department is authorized to maintain a fund derived from proceeds from the telephones and other inmate-related commerce activities, to be used primarily to provide welfare and education programs for the benefit of the inmate population. This policy establishes guidelines for maintaining and administering the Inmate Welfare Fund.

### 902.2 INMATE WELFARE FUND

The Jail Manager in cooperation with the City Controller will establish and maintain an Inmate Welfare Fund where proceeds derived from inmate telephones and other income intended for the support of inmate programs, is deposited.

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general inmate population and enhancing inmate activities and programs. This includes capital construction and improvement projects in support of such programs, services and activities (Penal Code § 4025).

### 902.3 INMATE WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Inmate Welfare Fund account:

- (a) Proceeds from the operation of inmate telephones
- (b) Donations
- (c) Interest income earned by the Inmate Welfare Fund

### 902.4 EXPENDITURE OF INMATE WELFARE FUNDS

The Inmate Welfare Fund shall be used solely for the welfare and benefit of the inmate population or as otherwise permitted by law.

Expenditures permitted from the Inmate Welfare Fund include, but are not limited to, the following:

- (a) Education programs
- (b) Recreational goods and services, such as:
  - 1. Recreational equipment, games and sporting goods
  - 2. Library books
- (c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of inmates or to facilitate inmate programs
- (d) Welfare packages for indigent inmates
- (e) Alcohol and drug treatment programs

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Welfare Fund*

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- (f) Envelopes, postage and personal hygiene items for indigent inmates
- (g) Approved non-prescription, over-the-counter health aids for inmate use
- (h) Libraries designated for inmate use
- (i) Visiting room equipment, supplies and services
- (j) Inmate activity programs, including:
  - 1. Music equipment and supplies
  - 2. Activities equipment, supplies and services
  - 3. Repair of equipment purchased from the Inmate Welfare Fund
  - 4. Materials for faith-based programs

#### **902.4.1 PROHIBITED EXPENDITURES OF INMATE WELFARE FUND**

Except as permitted by law, the Inmate Welfare Fund shall not be used to fund activities associated with any of the following:

- (a) Security-related functions, including staff, safety equipment, radios, weapons or control devices that are specifically designated for use by the custody staff in maintaining the security, safety and order in the facility
- (b) Food service, staff costs, equipment and supplies
- (c) Medical/dental services, staff costs, equipment and supplies
- (d) Maintenance and upkeep of department facilities not otherwise permitted by law
- (e) Janitorial services and supplies
- (f) Transportation to court, medical appointments or other reasons not related to inmate programs
- (g) Any other normal operating expenses incurred by the day-to-day operation of the Department

#### **902.4.2 EXPENDITURE FOR REENTRY PROGRAMS**

Expenditures from the Inmate Welfare Fund are also permitted for programs that assist indigent inmates with the reentry process within 30 days of release. These programs include work placement, counseling, obtaining proper identification, education and housing (Penal Code § 4025.5).

#### **902.5 FINANCIAL ACCOUNTING OF INMATE WELFARE FUNDS**

The Jail Manager or his/her designee in cooperation with the City Controller shall maintain an accounting system to be used for purchasing goods, supplies and services that support inmate programs.



# Whittier Police Department

Whittier PD Custody Manual

## *Inmate Welfare Fund*

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### **902.6 POLICY**

It is the policy of this department to maintain and administer an Inmate Welfare Fund that supports inmate programs.

## Inmate Mail

### 918.1 PURPOSE AND SCOPE

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

### 918.2 POLICY

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

### 918.3 MAIL GENERALLY

Inmates may, at their own expense, send and receive mail without restrictions on quantity.

However, inmates are only allowed to store a limited number of letters as determined by the Jail Manager in their cell. Excess mail, having the potential to jeopardize the safety of staff, visitors or other inmates, or mail in quantities that pose an unreasonable disruption to the orderly operation of the facility will be stored with the inmate's personal property and returned at his/her release.

### 918.4 CONFIDENTIAL CORRESPONDENCE

Inmates may correspond confidentially with courts, legal counsel, officials of this department, elected officials, the Department of Corrections, jail inspectors, government officials or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the inmate. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

### 918.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Manager whenever staff becomes aware of mail sent by an inmate that involves (15 CCR 1083(h)):

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

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

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Mail*

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#### **918.6 PROCESSING AND INSPECTION OF MAIL BY STAFF**

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. All incoming and outgoing mail should be held for no more than 24 hours; packages should be held for no more than 48 hours. Mail processing may be suspended on weekends, holidays or during any emergency situation resulting in the suspension of normal facility activities. An emergency situation may include, but is not limited to, a riot, escape, fire, natural disaster, employee action or other serious incident.

Assigned officers should open and inspect all incoming general mail of current inmates and may read the correspondence as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for inmates no longer in custody should not be opened.

Except for confidential correspondence, outgoing mail may not be sealed by the inmate and may be read and inspected by staff when:

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

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

Inmates are allowed to correspond with other inmates in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

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

Cash, government checks and money orders contained in incoming inmate mail shall be removed and placed in the inmate's personal property. The inmate shall be notified of the items being placed in his property and shall have him sign the booking sheet acknowledging receipt and amount. Personal checks may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Mail*

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#### 918.6.1 DESIGNATION OF STAFF AUTHORIZED TO READ MAIL

Only staff members designated by the Jail Manager are authorized to read incoming and outgoing non-confidential mail. These staff members should receive training on legitimate government interests for reading and censoring mail and related legal requirements (15 CCR 1063).

#### 918.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available. The impact the correspondence may have on other inmates and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

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

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

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

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

#### **918.7 BOOKS, MAGAZINES, NEWSPAPERS AND PERIODICALS**

Unless otherwise in conflict with this policy and prohibited by the Jail Manager, inmates are permitted to purchase, receive and read any book, newspaper, periodical or writing accepted for distribution by the U. S. Postal Service (15 CCR 1066(a)).

Publications, magazines or newspapers shall be accepted only if they are mailed directly from the publisher to a named inmate. A local daily newspaper in general circulation, including a non-English publication shall be made available to interested inmates (15 CCR 1066(b)).

#### **918.8 REJECTION OF MAGAZINES AND PERIODICALS**

The Department may reject magazines, periodicals and other materials that may inhibit the reasonable safety, security and discipline in the daily operation of this facility. Generally, books,

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Mail*

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newspapers and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include, but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, pictures or descriptions of sexually explicit activities .
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; the manufacture or use of weapons, narcotics or explosives or any other unlawful activity.
- Material that could lead to sexual aggression, an offensive environment for inmates.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Watch Commander whenever a decision is made to reject books, magazines or periodicals. The Jail Manager or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

#### **918.9 FORWARDING OF MAIL**

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

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## Inmate Telephone Access

### 920.1 PURPOSE AND SCOPE

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

### 920.2 POLICY

The Jail will provide access to telephones for use by inmates consistent with federal and state law. The Jail Manager or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

#### 920.2.1 SPECIFIC CONSIDERATIONS FOR PHONE CALLS

Prisoners have an absolute right to complete a minimum of **three** telephone calls immediately upon being booked and no later than **three** hours after arrest. All telephone calls within the local dialing area shall be free of charge.

- (a) Custody Staff has the primary responsibility for making sure that the prisoner receives his/her authorized telephone calls. Custody Staff shall complete the "Telephone Calls" section on the reverse of the booking sheet. Custody Staff shall check that the Arrest Record accurately reflects the status of all legally authorized calls. Custody Staff shall insure that incomplete, or additional calls legally required, are completed by the inmate. Refer to Section 851.5 of the Penal Code)

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

- (a) Bail bondsman, for initial contact or change in bail status.
- (b) Attorney, for initial contact or change in status of case.
- (c) A relative or other person.
- (d) When the inmate is identified as a custodial parent with responsibility for a minor child they shall be entitled to two additional calls to arrange child care in the parent's absence.
- (e) An emergency call due to a death in an inmate's family.

### 920.3 PROCEDURE

Inmates housed in general population will be permitted reasonable access to public telephones while in their housing unit for collect calls unless such access may cause an unsafe situation for the facility, staff or other inmates. All calls, with the exception of calls to a verified attorney, are monitored and recorded.

Inmates are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Telephone Access*

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In the event of a facility emergency, or as directed by the supervisor, Watch Commander or Jail Manager, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations. Reasons for denial of telephone access shall be documented and a copy placed into the inmate's file. The rules governing the use of the telephone will be provided to inmates during orientation.

The staff should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated, telephone privileges suspended.

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception Policy.

#### **920.4 COURT-ORDERED TELEPHONE CALLS**

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for by any non-legal calls that are not court-ordered.

#### **920.5 ATTORNEY-CLIENT TELEPHONE CONSULTATION**

At all times through the period of custody, whether the inmate has been charged, tried, convicted or is serving an executed sentence, reasonable and non-recorded telephone access to an attorney shall be provided to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Access to Courts and Counsel Policy.

Foreign nationals shall be provided access to the diplomatic representative of their country of citizenship. Staff shall assist them upon request. Domestic and international calling cards are available through the inmate commissary.

#### **920.6 TELEPHONE CONTRACTS AND CHARGES**

The Jail Manager or the authorized designee is responsible for ensuring that all contracts involving telephone services for inmates comply with all applicable state and federal regulations, that rates and surcharges are commensurate with those charged to the general public for similar services, and that the broadest range of calling options is provided, in accordance with sound correctional management practices.

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## Inmate Visitation

### 922.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

### 922.2 POLICY

It is the policy of the Whittier Police Department to allow inmate visitation, including video visitation when applicable, as required by law.

### 922.3 PROCEDURES

The Department shall provide adequate facilities for visiting that include appropriate space for the screening and searching of inmates and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Jail Manager shall develop written procedures for inmate visiting, which shall provide for as many visits and visitors as facility schedules, space and number of personnel will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Video visitation if applicable (Penal Code § 4032).

The visiting area shall accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special inmate visitation are subject to city legal review and interpretation.

#### 922.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, address and the relationship to the inmate.
- (b) A valid identification shall include the following:



# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Visitation*

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1. A photograph of the person
  2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification or a business card/letterhead of the business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

#### **922.4 AUTHORIZATION TO SEARCH VISITORS**

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

The area designated for a visitor to be searched prior to visiting with an inmate shall have a notice posted indicating that any cellular telephone, wireless communication device or any component thereof shall be confiscated for the period of the visitation and returned to the visitor upon departure from the facility (Penal Code § 4576(b)(3)).

#### **922.5 VISITING SCHEDULE**

The Jail Manager shall designate a person to develop a schedule for inmate visitation that includes daytime, evening and weekend hours. Each inmate shall receive a copy of the visitation schedule in the inmate handbook at orientation. The visiting hours will also be posted in the public area of the facility.

#### **922.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES**

The Jail Manager or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause, including, but not limited to, the following:

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or inmate violates facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the facility.
- (e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of

# Whittier Police Department

## Whittier PD Custody Manual

### *Inmate Visitation*

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the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Manager.

#### **922.7 GENERAL VISITATION RULES**

All visitors and inmates will be required to observe the following general rules during visitation.

- (a) A maximum of two adults and two children will be permitted to visit an inmate at any one time. Children visiting inmates must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.
- (b) Each inmate, (including pre-arraigned prisoners) shall be allowed at least two visits per week.
- (c) An inmate may refuse to visit with a particular individual.
- (d) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (e) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.
- (f) Inappropriate clothing, such as transparent clothing, halter-tops, excessively tight or revealing clothing, hats and bandannas or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable will not be permitted.
- (g) All visitors must have footwear.
- (h) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.
- (i) Food or drink is not permitted in the visitor's area.
- (j) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Watch Commander. Transactions of this nature will not constitute a regular visit.
- (k) Visiting privileges may be changed or canceled at any time as circumstances warrant.
- (l) Visitation shall be conducted during normal designated visiting hours except in cases of emergencies or attorney/bondsmen interviews
- (m) Visiting is permitted no later than the calendar day following the arrest.
- (n) Minimum Visiting Days and Hours. (Title 15 Sec 1062)

# Whittier Police Department

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### *Inmate Visitation*

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1. Minimum of 1 hour per week.
  2. [REDACTED]
  3. Emergency visiting is subject to the approval of the on-duty Watch Commander.
- (o) Visiting is based on a first-come first-serve schedule only and may be changed or cancelled at any time as circumstances in the Jail facility warrant.

#### **922.8 SPECIAL VISITS**

The Watch Commander may authorize special visitation privileges, taking into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the inmate
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

#### **922.9 ATTORNEY VISITS**

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a confidential area. Staff shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the facility is compromised.

#### **922.10 JUVENILE INMATE VISITATION**

Juveniles who are incarcerated or detained in the facility will be allowed initial visits at any time by the parents, guardians and/or attorneys. Subsequent visits shall be as unrestrictive as reasonably practicable.

## Religious Programs

### 934.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates (15 CCR 1072).

#### 934.1.1 DEFINITIONS

Definitions related to this policy include:

**Compelling government interest** - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Department, as opposed to something merely preferred, that can be furthered only by the policy under review.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Department adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

**Religious exercise** - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

**Substantial burden** - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Department that places an inmate in a position of having to choose between following the precepts of his/her religion and forfeiting benefits otherwise generally available to other inmates, or having to abandon one of the precepts of his/her religion in order to receive a benefit.
- The Department puts considerable pressure on an inmate to substantially modify his/her behavior in violation of his/her beliefs.

### 934.2 POLICY

It is the policy of this department to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate governmental objectives of the facility.

### 934.3 DIETS AND MEAL SERVICE

In the event a religious diet or service is requested, the Watch Commander or Jail Manager should seek to transfer the inmate to the Los Angeles County Jail, which can more adequately accommodate religious diets and services.

# Whittier Police Department

## Whittier PD Custody Manual

### *Religious Programs*

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#### 934.3.1 PROHIBITION ON USE OF ALCOHOL OR DRUGS FOR RELIGIOUS OBSERVANCE

Illegal substances are prohibited from use in religious services under RLUIPA. Otherwise legal substances, such as alcohol, may be permitted in religious rituals provided that:

- There is a recognized legitimate religious practice of which the consumption of a substance is an essential aspect of the religious practice.
- No reasonable alternative (such as non-alcoholic) means exists to exercise such an essential aspect of an inmate's faith and this imposes a substantial burden on an inmate's faith.
- The quantity of the substance consumed as part of the ritual will not intoxicate or impair the inmate.
- Adequate controls on the substance and limits upon the quantity are provided by the chaplain and approved by the Jail Manager.
- The activity will not otherwise disrupt facility safety or control interests.

Limited exceptions may be made in writing by the Jail Manager based upon the chaplain's recommendation that there is significant compelling reason to permit ceremonial consumption.

#### **934.4 HAIRSTYLES AND GROOMING**

Unless it is necessary for the health and sanitation of the facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

#### **934.5 RELIGIOUS TEXTS**

Religious texts should be provided to the requesting inmate, if the texts available do not pose a threat to the safety, security and orderly management of the facility.

#### **934.6 UNAUTHORIZED PRACTICES OR MATERIAL**

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security
- (c) Self-mutilation
- (d) Use, display or possession of weapons
- (e) Self-defense or military training

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## Whittier PD Custody Manual

### *Religious Programs*

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- (f) Disparagement of other religions
- (g) Nudity or sexual acts
- (h) Profanity
- (i) Use of illegal substances or controlled substances without a prescription

#### **934.7 RELIGIOUS SYMBOLS AND IMPLEMENTS**

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

#### **934.8 RELIGIOUS GARMENTS AND CLOTHING**

Inmates who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify inmates and maintain security.

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband.

Inmates wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex, if they so desire. Religious garments that substantially cover the inmate's head and face shall be temporarily removed during the taking of booking and identification photographs. And when reasonably available and safe a jailer of the same gender should take the booking photo ensuring that staff and inmates of the opposite gender do not have visual contact with the inmate while the headcovering or headscarf is removed. The headcovering or headscarf should be returned to the inmate for use unless a significant safety concern exists.

To the extent reasonably practicable, alternative housing may be considered to accommodate an inmate's need for religious attire, while meeting the security needs of the facility.

#### **934.9 STAFF RESPONSIBILITIES**

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

## Chapter 10 - Facility Design







## Smoking and Tobacco Use

### 1002.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Whittier Police Department facilities or vehicles.

### 1002.2 POLICY

The Whittier 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 Whittier Police Department to prohibit the use of tobacco by employees while on-duty or at any time the employee is acting in an official capacity for the Department.

### 1002.3 EMPLOYEE USE

Tobacco use by employees is prohibited any time employees are in public view representing the Department.

Smoking and the use of other tobacco products is not permitted inside any city facility, office or vehicle.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside city facilities and vehicles.

### 1002.4 ADDITIONAL PROHIBITIONS

Smoking and use of other tobacco products is not permitted inside department facilities or any department vehicle, or any other city building (Labor Code § 6404.5).

No person shall smoke tobacco products within 20 feet of a main entrance, exit or operable window of any public building, including any department facility or a building on the campuses of the University of California, California State University and the California community colleges, whether present for training or any other purpose (Government Code § 7596 et seq.).

## Crowding

### 1006.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the inmate population to the number of beds constructed in each inmate classification level. Occasionally, emergencies occur that will require the jail to exceed its approved bed capacity. This policy establishes the approved bed capacity of the facility, addresses temporary population excess and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

### 1006.2 POLICY

It is the policy of the Whittier Police Department to manage the inmate population, to the extent as is reasonably possible to avoid exceeding the facility's approved bed capacity. The approved bed capacity of this facility is 31. The Chief is responsible for ensuring that the number of inmates does not exceed the approved bed capacity.

The facility has a sufficient number of housing units in an appropriate configuration so that inmates can be separated according to the facility's classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the inmate population to the approved bed capacity as soon as reasonably practicable. The Department will take affirmative action to address excess population. In the event that the inmate population remains over capacity or continues to increase, the jail manager in conjunction with the jail supervisor will examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

### 1006.3 INMATE POPULATION REPORTS

The Jail Manager or the authorized designee is responsible for ensuring that detailed daily logs of the facility's inmate population and other demographic information are completed and maintained by the staff. These logs shall reflect the monthly, average daily population of sentenced and non-sentenced inmates by categories of male, female and juvenile as of midnight of each day. The number of inmates occupying holding cells shall also be counted at midnight each day. An inmate population report summarizing this information shall be created daily and distributed to the Chief and the Jail Manager. The Jail Manager shall provide the Board of State and Community Corrections with applicable inmate demographic information as described in the Jail Profile Survey (15 CCR 1040).

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