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COURT HOLDING FACILITIES

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POLICY

I. THE COURT HOLDING FACILITIES

- A. To emphasize humane and lawful treatment of inmates while in the court holding facilities, this policy and procedure has been developed and published for availability to all employees. The Mendocino County Sheriff's Office will endeavor to meet or exceed standards established by the Corrections Standards Authority regarding the operation, staffing and management of this facility. [Title 15, Sec 1012, 1018, 1024, 1027, 1028, 1029, 1032, 1044, 1046, 1050, 1051, 1052, 1053, 1057, 1058, 1068, 1200, 1219, 1220, 1246, 1280]
- B. The Mendocino County Sheriff's Office operates three court holding facilities located in the Fort Bragg Substation, Willits Police Department, and Ukiah Courthouse.

II. DEFINITIONS

- A. **COMMUNICABLE DISEASES:** Diseases including, but not limited to, tuberculosis, hepatitis, venereal disease, AIDS, or other special medical problem identified by the health authority. [Title 15, Sec 1051]
- B. **CONTACT:** Communications, whether verbal or visual, or immediate physical presence. [Title 15, Sec 1302]
- C. **CONTRABAND:** Any object, writing or substance, the possession of which would constitute a crime, pose a danger within the facility, or would interfere with the orderly day-to-day operation of this facility. [Title 15, Sec 1302]
- D. **COURT HOLDING FACILITY:** A local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of a court appearance for a period not to exceed 12 hours. [Title 15, Sec 1006]
- E. **DEVELOPMENTALLY DISABLED:** Those persons who have a disability that originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. The term includes mental retardation, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals. For juveniles, it includes those persons with an IQ of 69 or lower. [Title 15, Sec 1006, 1302]

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- F. **DIRECT VISUAL OBSERVATION/SUPERVISION:** Direct personal view of the inmate in the context of his/her surrounds without the aid of audio/video equipment. Audio/Video monitoring may supplement but not substitute for direct visual observation. Direct visual supervision means staff is constantly in the presence of the inmate. [Title 15, Sec 1027, 1302, 1550]
 - G. **EMERGENCY:** Any significant disruption of normal facility procedure, policies, activities or operation caused by a riot, civil disorder, or other emergent condition, single incident of mass arrest of juveniles, or natural disasters such as flood, fire, or earthquake and which requires immediate action to avert death or injury and to maintain security. [Title 15, Sec 1006, 1302]
 - H. **PROSTHESES:** Artificial devices to replace missing body parts or to compensate for defective bodily function. Prostheses are distinguished from slings, crutches, or other similar assistive devices. [Title 15, Sec 1302]
 - I. **SAFETY CHECKS:** Direct visual observation occurring at least once every fifteen (15) minutes. This requires observation through the eyes of a person, not the lens of a camera or an audio-visual monitor. To accomplish a safety check, it is necessary to see skin and the person breathing. [Title 15, Sec 1027, 1547]
 - J. **USE OF FORCE:** An immediate means of overcoming resistance or to control the threat of imminent harm to self or others. [Title 15, Sec 1302]
- III. **EMERGENCY SUSPENSION OF STANDARDS**
- A. Nothing contained herein shall be construed to prohibit the facility administrator to temporarily suspend any standard or requirement herein prescribed in the event of an emergency which threatens the safety of this facility, adult inmate, staff, or the public.
 - B. Only such regulations directly affected by the emergency may be suspended and only for such time as is reasonably necessary.
 - C. In the event that a suspension of a Title 15 regulation occurs and last longer than three days, the Corrections Standards Authority will be notified of the suspension in writing. In no event shall such a suspension continue more that fifteen days without the approval of the Chairperson of the Corrections Standards Authority for a time specified by him/her. [Title 15, Sec 1012]

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IV. TABLE OF ORGANIZATION

- A. The administration of the court holding facilities is the responsibility of the Sheriff. The Facility Manager is the Corrections Division Commander. The Transportation Supervisor, or transportation deputy in the supervisor's absence, is responsible for the direct supervision of the facility when inmates are in the facility. [Title 15, Sec 1006]
- B. Routine communications will be channeled through the chain of command as established above. In an emergency, or in situations involving an immediate threat to the health or safety of an employee, inmate, or public, the established chain of command may be bypassed for the time and extent necessary to resolve the emergency or threat. [Title 15, Sec 1029(a)(1)]

V. OPERATION REVIEW AND INSPECTIONS

- A. The Facility Administrator will ensure this policy and procedure is reviewed and updated annually, as needed. The Facility Administrator will annually review, evaluate, and make record of internal and external security measures. [Title 15, Sec 1029(a)(5)]
- B. The operation and inspection of this facility will occur monthly by the Facility Manager, or designee. [Title 15, Sec 1029(a)(2)]
- C. An on-duty supervisor is to inspect the facility weekly. [Title 15, Sec 1029(a)(2)]
- D. Inspections shall include, but are not limited to, a physical check for contraband, weapons, hazards, equipment or security deficiencies, damage, supplies, and unsanitary or fire hazard conditions. [Title 15, Sec 1029(a)(2), (5), (6)]
- E. Problems discovered during an inspection, or otherwise, shall be corrected as soon as practical. Where a health, safety, or security threat exists, the affected area shall not be occupied until the problem has been corrected.
- F. The Corrections Standards Authority, Public Health, Environmental Health, and State Fire Marshal will be conducting inspections annually.

VI. NUMBER OF PERSONNEL

- A. Staffing Plan and Inmates In Custody [Title 15, Sec 1027]

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1. Whenever there is an inmate in the facility, there shall be at least one employee on duty in the facility at all times.
 2. At least one employee shall be immediately available and accessible to an inmate in the event of an emergency.
 - a. Primary responsibility for supervision of an inmate is with the transportation officer.
 - b. The supervising employee will have the primary task of being immediately available and accessible to the inmate, and shall at all times be within hearing distance of any inmate requesting assistance.
 - c. The supervising employee may engage in other duties provided such duties **would not** conflict with the supervision and care of inmates in the event of an emergency.
 3. Whenever one or more female inmates are in the facility, there shall be at least one female employee who shall, in a like manner, be immediately available and accessible to such female(s).
 - a. Female inmates are not to be brought into any of the facilities unless a female employee is present.
 - b. In the event no female employee is present or available, the female inmate may only be brought into the facility upon the approval of a supervisor.
 4. Employees are not to enter the room or cell occupied by an inmate of the opposite sex, except in the company of an employee of the same sex as the inmate. [Penal Code 4021]
 5. Unless otherwise provided for in this procedure, anytime an inmate is in custody, intermittent direct visual supervision of the inmate shall be conducted at least twice every thirty (30) minutes and documented on the Inmate Monitoring Log.
- B. Fire and Life Safety Staff
1. Whenever there is an inmate in custody, there shall be at least one person on duty at the facility who has been trained in fire and life safety as it

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relates specifically to the facilities. [Title 15, Sec 1029, Penal Code 6030(c)]

VII. FIRE SUPPRESSION PREPLANNING

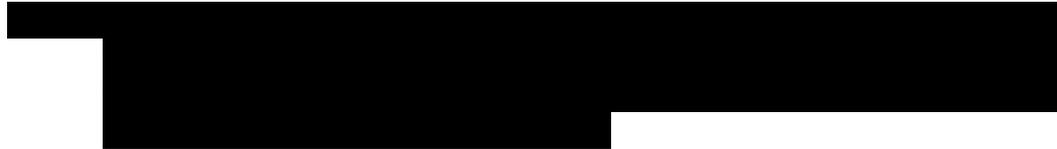
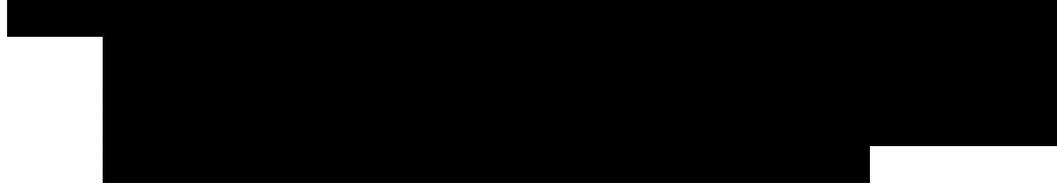
A. Inspections, Fire, and Emergency Housing [Title 15, Sec 1028, 1029(a)(7)(A), 1032]

1. The State Fire Marshal, or designee, will conduct a biennial fire safety inspection of the court holding facility. The holding facility manager, or designee, will conduct a monthly fire inspection and retain a record of such inspection for two years. The inspection will include, but is not limited to, an examination of all fire extinguishers to ensure they are in place and fully charged, all smoke detectors and emergency equipment, and a physical inspection of the facility for fire hazards.
2. There are two major dangers associated with fire in a detention facility: (1) injury or damage to persons or property caused directly by the fire; and (2) injury or damage to persons or property cause by smoke and/or toxic substances. Both dangers must be considered in any fire situation and all fires must be treated as extremely dangerous.
3. In the event of a fire, or suspected fire, dial 9-9-1-1 and notify the duty supervisor. Primary consideration is to be given to persons over property. All inmates are to be immediately evacuated, secured in a transportation vehicle. Depending on the circumstances, the inmates may return to the jail.
 - a. Staff should not attempt to extinguish a fire prior to evacuation, unless the location and circumstances of the fire poses no or little threat to staff and inmates, and the fire can be safely and immediately extinguished using fire protection equipment readily at hand.

B. Evacuation

1. The **Fort Bragg Substation Facility's** primary route for inmate evacuation is through the door into the Sallyport and out the Sallyport rollup-door to the parking lot. A secondary evacuation route is through the south facility door into the staff hallway, and out the staff exit door to the parking lot. A third evacuation route is through the north facility door, into the hallway behind the courtroom and out the northeast door to the parking lot.

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4. Evacuation Plan maps are posted at all of the facilities.

VIII. COURT HOLDING FACILITY TRAINING

- A. Within six (6) months of assignment, all custodial personnel and supervisors responsible for supervising inmates in a court holding facility will complete eight (8) hours of specialized training in applicable jail standards, jail operations, liability, inmate segregation, emergency procedures and planning, and suicide prevention. [Title 15, Sec 1024]
- B. An eight (8) hour refresher course will be given every two (2) years. [Title 15, Sec 1024]

IX. INCIDENT REPORTS

- A. A supervisor shall be notified without unreasonable delay when an incident occurs in the facility that results in physical harm, or serious threat of physical harm, to an employee or inmate or other person.
 1. Examples of an "incident" may include acts of physical or threatened violence, use of force, exposure to a communicable disease, or an escape or plan of escape. [Title 15, Sec 1044]
- B. The notified supervisor shall look into the incident and cause written documentation to be prepared which includes the names of the persons involved, a description of the incident, the action(s) taken, and the date and time of occurrence. Whenever practical, the documentation should be completed prior to the end of shift and submitted to the Facility Manager within 24 hours of the incident. [Title 15, Sec 1024]

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X. RECORD MAINTENANCE AND RETENTION

- A. Inmate logs, incident reports, and inspection reports will be collected and filed on a monthly basis. The Corrections Division Records Clerk will retain such records according to law. [Title 15, Sec 1027, 1029(a), 1040, 1044]

XI. DISCIPLINE

- A. Any inmate that violates established jail rules will be subject to discipline, if found guilty through the due process procedures. [Title 15, Sec 1081]
- B. All disciplinary actions will be administered at the jail, not at the Court Holding Facility.

XII. CONTRABAND CONTROL

- A. Inmates are searched prior to and after being transported. At any point an employee has reason to believe that an inmate is in control or possession of contraband, an appropriate search of the cell and inmate shall be conducted.
- B. If contraband is discovered, an incident report is to be completed and forwarded to the Facility Manager. [Title 15, Sec 1029(a)(6)]

XIII. KEY CONTROL

[REDACTED]

XIV. WEAPONS, AMMUNITION AND CHEMICAL AGENTS

[REDACTED]

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XV. CLASSIFICATION

- A. Classification Plan [Title 15, Sec 1050]
 - 1. All court holding facilities shall operate under the same guidelines as set forth in the Corrections Division - Policy and Procedure 501.00 - *Inmate Classification*.
 - 2. Each court holding facility has a Classification Code Flow Chart.

XVI. COURT REMANDS

- A. When a person is remanded into custody, the transporting deputy will complete the Medical Prescreening Questionnaire and the Classification Questionnaire prior to transporting the remand back to the jail.
- B. If the remand claims to have a contagious disease, they will be separated from any other inmates while in the court holding facility and transported separately back to the jail.
- C. Remands that are determined to have gang affiliations, a history of sexual crimes, an assaultive history or prior escape history as a result of the Classification Questionnaire will be housed separately from other inmates while in the court holding facility and should be transported separately back to the jail unless they can be physically separated from other inmates in the transport vehicle.

XVII. ADMINISTRATIVE SEGREGATION

- A. The need for administrative segregation is based on protecting the welfare of inmates and staff. Segregated inmates shall not be deprived of any privileges accorded other inmates, except to the extent necessary to protect inmates and staff.
 - 1. Examples of reasons to segregate inmates:
 - a. Inmates who may cause harm to other inmates or staff, or may be harmed by other inmates, or are prone to escape;

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- b. Mentally disordered persons who appear to be a danger to themselves or others or gravely disabled;
- c. Developmentally disabled persons when it determined that segregation is necessary for the safety of the inmate.

XVIII. ILLNESS, INJURY OR DEATH

- A. Illness and/or Injury [Title 15, Sec 1200(b), 1207, 1542(c)]
 - 1. The training received in the Sheriff's Office First Aid and CPR certification course is a component in assisting staff to recognize and respond to an inmate illness and/or injury.
 - 2. In the event that an inmate has or develops symptoms of an illness or injury that requires medical attention reasonable steps appropriate to the nature of the illness or injury are to be undertaken. This may include, but is not limited to, initiation of first aid and/or CPR, summoning fire and/or ambulance for on scene medical treatment, and transportation to a medical facility.
- B. First Aid Kit [Title 15, Sec 1220]
 - 1. First aid kits are available in all holding facilities.
 - 2. Any employee, who depletes any of the first aid kits, shall notify a supervisor as soon as practical. The supervisor shall facilitate replacement.
 - 3. At a minimum, the first aid kits will be inspected monthly to ensure the contents are sufficient.
- C. Inmate Death [Title 15, Sec 1218; 1341; Gov. Code Sec 12525]
 - 1. When death of an inmate has already been determined or death is obvious, the body will not be disturbed or moved until approved by the investigating agency.
 - 2. Immediate notification shall be made to the on duty supervisor, Facility Manager, and the Sheriff. The Sheriff, or designee, will ensure an investigation and medical review is conducted. The Sheriff, Facility Manager, public health officials, and affected personnel will complete a medical review after the autopsy has been completed.

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3. The District Attorney's Office and the local police department will be contacted to investigate all in custody deaths.
4. The Sheriff, or designee, shall ensure that the next-of-kin is notified.
5. The Sheriff, or designee, will complete a "Death In Custody Reporting" form, which will be submitted along with a written report of all facts in our possession concerning the death to the Attorney General within ten calendar days after the death. Mail to:

Department of Justice
Law Enforcement Information Center
Attn: Death In Custody Program
4949 Broadway
Sacramento CA 95820
Telephone: 916/227-3535

XIX. SUICIDE PREVENTION

- A. Employees are to monitor all inmates in an attempt to identify an inmate who is a potential suicide risk. An inmate can become suicidal at any stage of incarceration. [Title 15, Sec 1024(e), 1029(a)(8), 1219, 1341(b); 1542(a)]
 1. In any case where an inmate exhibits warning signs or statements indicative of the possibility of suicide during transport or in a holding facility, the inmate is to receive constant personal visual supervision. Reasonable care is to be taken to separate the inmate from obvious implements of suicide and as soon as possible be transferred back to the Mendocino County Jail.
 2. Known suicidal inmates are not to be transported to court.
- B. Statistics indicate that the highest rate of suicide occurs with young males under the influence of drugs and/or alcohol who are in jail for the first time. Other inmates potentially at high risk include current or past law enforcement officers, judicial officers, religious or political figures, juveniles, persons held for alcohol or drug-related charges, a recent victim of a sexual assault, and those persons arrested for sexual abuse or child molestation.
- C. Signs of possible suicidal behavior include, but are not limited to, the following:
 1. The inmate talks about or threatens suicide, either in a vague or specific way;

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2. A preoccupation with death or the past;
3. Projection of helplessness or hopelessness or no sense of future;
4. Severe agitation, a high level of tension, extreme anxiety or aggressiveness, paranoid delusions, or hallucinations;
5. Exhibits signs of depression, extreme sadness and/or crying, withdrawal or silence, mood swings, loss of self-esteem, lethargy, downcast eyes, rhythmic rocking back and forth, strong guilt feelings;
6. A past or present indication of mental illness or a history of previous suicide attempts (visible scars on wrists or neck);
7. Recent death of a loved one or divorce; and/or
8. A recent birth, miscarriage or other loss of fetus, which may be related to postpartum depression.

XX. USE OF FORCE/RESTRAINT EQUIPMENT

- A. Inmates will be treated in a fair and humane manner at all times. They shall not be subject to physical force other than as may be required and to the extent necessary to subdue resistance to a lawful order, assure detention, self defense or to prevent violence to another person. Utilization of force shall be consistent with the Sheriff's Office "Use of Force" policy. In no case shall the use of force or any restraint device be used as a punishment, form of discipline, or substitute for treatment. [Title 15, Sec 1029(a)(3), 1058, 1080, 1542(d)]
- B. There is an important distinction between the "use of force" and the "use of restraints."
 1. "Use of force" is an immediate means of overcoming resistance or control the threat of imminent harm to self or others. Force is a custody/law enforcement function, where the inmate will reach a decision point where the aggressive behavior comes under control relatively quickly. It is a short-term use of force to gain immediate control, and may include the security use of handcuffs, shackles or other restraint devices.
 2. "Use of restraints" is for a more prolonged period of time. The use of restraints in this context does not apply to the short-term use of handcuffs, shackles or other restraint devices when used for security reasons. "Use of restraints" emphasizes underlying medical or mental health causes, and is applicable only to mentally disordered inmates, or the inmate who

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displays bizarre behavior which results in the destruction of property or reveals an intent to cause physical harm to self or others.

- C. If an inmate in a security restraint device has developed signs of medical or mental health problems, appropriate emergency medical aid is to be initiated and/or immediate transfer made to an appropriate facility.
- D. Pregnant females will not be belly chained or leg shackled. They will be handcuffed with their hands in front.
 - 1. Pregnant females will be transported to the hospital in the least restrictive means possible based on the legitimate security needs of the inmate.
 - 2. At no time shall a woman who is in labor be shackled by the wrists, ankles, or both including during transport to a hospital, during delivery, and while recovery after giving birth, unless deemed necessary for the safety and security of the inmate, the staff and the public. (Penal Code 6030(f) and 5007.7)

XXI. FOOD SERVICE

- A. Inmates who are out to court during mealtime will be given a bag lunch and a drink.
- B. Meals that are taken to Fort Bragg or Willits shall be placed into the designated containers, with ice and then placed in the refrigerator at the facility.
 - 1. Refrigerators are located at each facility and are used to store meals and drinks.

XXII. ACCESS TO COURTS AND LEGAL COUNSEL

- A. Inmates have a constitutional right to unimpeded access to the courts and legal counsel. Consultations between an inmate and attorney are confidential and shall not be monitored or recorded. [Title 15, Sec 1063, 1068, PC 825(b)]
- B. Upon request, an inmate's attorney is to be permitted a visit with their client.

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XXIII. FACILITY SANITATION

- A. Routine Cleaning and Inspection [Title 15, Sec 1029(a), 1280]
1. On a weekly basis, an on-duty supervisor will visually inspect the cells for disrepair, deficiencies, and unsanitary and unsafe conditions. The inspecting supervisor will document any corrective action required. Any area that is in such condition as to jeopardize a person's health or safety shall be marked and prohibited from use until the hazardous or unsafe condition has been corrected.
 - a. If there are unsafe conditions or there is a maintenance problem, the day shift sergeant will notify the Buildings and Grounds Department to resolve the problem. The notification will be made through a telephone call and followed up with a Maintenance Work Order.
 2. Each court holding facility will be cleaned every week, or as needed.
 - a. After use of the holding cells, the transport deputy will ensure that the cells are tidy.
 - b. Each facility stores cleaning supplies used to clean the facility. The cleaning supplies include, but are not limited to: mop bucket; mop; powder bleach cleanser; germicidal; and scrub brushes. The direction on the use of the chemicals, located on the container, will be strictly adhered to.
 - c. Each facility will maintain a supply of jail clothes including coveralls and underwear for emergency use.
 - d. A supply of feminine hygiene products will be available at each facility.

XXIV. COMMUNICABLE DISEASES

- A. Communicable Diseases [Title 15, Sec 1029(a)(3), 1051, 1207]
1. If an inmate has been identified by CFMG or Public Health as having an airborne or highly communicable disease, the inmate will not be transported to court. The court and the inmate's attorney will be notified and other arrangements will be made for the court process.

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2. If the inmate has a transportable communicable disease, that person shall be segregated once in the court holding facility.

a. Anytime there is exposure to bodily fluids, the fluids and surfaces will be treated in accordance with the blood borne pathogens protocol. This is applicable with injured inmates or inmates with communicable diseases.

B. Vermin Control and Treatment [Title 15, Sec 1207, 1212]

1. If an inmate is known to have vermin and has not been treated, the court and the inmate's attorney will be notified and other arrangements will be made for the court process.

XXV. EMERGENCY PROCEDURES

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

_____ COURT HOLDING FACILITIES _____

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]