



DEPARTMENTAL REGULATIONS

CONCORD POLICE DEPARTMENT

GENERAL ORDER 47
EFFECTIVE DATE: 9/1996
REVISION DATE: 02/2011
REVIEW DATE: 02/2013
I.D. NUMBER: 250

Chief of Police

JAIL MANUAL

A. POLICY STATEMENT

The Concord Police Department operates a temporary holding facility for the processing and housing of individuals arrested by this agency. Additionally, pursuant to existing inter-agency agreements, the Concord Police Department houses individuals arrested by other specified law enforcement agencies. The Police Department is committed to operating its temporary holding facility in accordance with the rules and regulations as set forth in Title 15 of the California Code of Regulations.

B. GENERAL

1. The purpose of this General Order is to adopt the "Jail Manual" as an official policy of this department.
2. All sworn personnel and Community Service Officers assigned to the jail are responsible for knowing and carrying out the provisions within the aforementioned manual.

C. COMPOSITION OF THE MANUAL

1. The departmental "Jail Manual" is divided into 10 Articles with 2 Appendices.
 - .1 The table of contents lists the section number and title.
2. Any questions regarding the "Jail Manual" should be directed to the Field Operations Division and the designated facility manager (Lieutenant) of the Jail facility

D. EFFECTIVE DATE

1. The "Jail Manual" became effective on September 1, 1996 and is revised as necessary.
 - .1 The designated facility manager is responsible for completing an annual review of the Jail Manual in order to ensure that it continues to meet the requirements of Title 15 of the California Code of Regulations.



CONCORD POLICE DEPARTMENT

JAIL MANUAL

TEMPORARY HOLDING FACILITY

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TABLE OF CONTENTS

Article I. General Instructions	4
Section 1.01 Mission Statement.....	4
Section 1.02 Severability.....	4
Section 1.03 Definitions.....	4
Article II. Application of Standards	7
Section 2.01 Emergency Suspensions of Standards or Requirements.....	7
Article III. Training, Personnel, and Management	8
Section 3.01 Jail Operations Training (Title 15 Section 1024 California Code of Regulations) 8	8
Section 3.02 Rated Capacity of Facility.....	9
Section 3.03 Number of Personnel.....	9
Section 3.04 Staffing.....	9
Section 3.05 Fire and Life Safety Staff.....	9
Section 3.06 Policy and Procedures Manual (Title 15 Section 1029 California Code of Regulations).....	9
Section 3.07 Fire Suppression Pre-planning.....	10
Section 3.08 Community Service Officer Responsibility.....	11
Article IV. Records and Public Information	13
Section 4.01 Inmate Records.....	13
Section 4.02 Incident Reports.....	13
Article V. Classification and Segregation	15
Section 5.01 Classification Plan.....	15
Section 5.02 Management of Disruptive Inmates.....	17
Section 5.03 Management/Placement of Disabled Inmates.....	18
Section 5.04 Use of the Safety Cell.....	18
Section 5.05 Use of Sobering Cell.....	19
Section 5.06 DNA Collection / Use of force.....	21
Section 5.07 Classification and Detention of Juveniles.....	21
Article VI. Inmate Programs and Services	28
Section 6.01 Correspondence.....	28
Section 6.02 Access to the Telephone (Title 15 Section 1067 California Code of Regulations) 28	28
Section 6.03 Voting.....	29
Section 6.04 Exercise.....	29
Section 6.05 Visitation/Attorney Interviews (Title 15 Section 1068 California Code of Regulations) 29	29

Article VII. Discipline	30
Section 7.01 Plan for Inmate Discipline.....	30
Article VIII. Medical Services/Mental Health Services	30
Section 8.01 Medical Service/Management of Communicable Diseases.....	30
Section 8.02 First Aid.....	32
Section 8.03 Suicide Prevention Program.....	33
Section 8.04 Mental Health Services.....	34
Article IX. Food.....	34
Section 9.01 Food Preparation and Serving.....	34
Article X. Facility Sanitation and Safety	34
Section 10.01 Facility Sanitation.....	34
Section 10.02 Booking Safety (Title 15 Section 1027 California Code of Regulations and Penal Code Section 4021).....	36
Section 10.03 Staff to Staff Communications.....	37
Section 10.04 Chemical Weapons/Taser Storage.....	38
Section 10.05 Inmate Movement within the Facility/Entry and Exit from Security Areas	38
Section 10.06 Escape, Disturbance, Hostage Situation.....	39
Section 10.07 Natural Disaster.....	40
Article XI Title 15 Section 1018	40
Section 11.01 Appeal for Adult Facilities Holding Minors.....	40

Article I. General Instructions

Section 1.01 Mission Statement

- (a) It is the mission of the Concord Police Department to provide Constitutional, safe, secure, humane, just, and fair facilities, which will be considered an appropriate place for the temporary detention of persons charged with crimes that require their incarceration.

The Concord Police Department shall meet or exceed standards established by the California Department of Corrections and Rehabilitation regarding the operation, staffing, and management of the temporary holding facility.

Section 1.02 Severability

- (a) If any article, section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the Corrections Standards Authority, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of these regulations.¹

Section 1.03 Definitions

- (a) “Temporary holding facility” means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court. A timely court appearance is ensured by transporting a prisoner to the County Jail facility, as soon as practical, and in no case, greater than the 24-hour temporary holding facility time limit. The Contra Costa County Sheriff’s Office is responsible for ensuring that prisoners who are in their custody are present for their scheduled court appearances.
- (b) The temporary detention facility, operated by the Concord Police Department, is identified by the Corrections Standards Authority as a “temporary holding facility.”
- (c) The Concord Police Department temporary holding facility is in compliance with all applicable standards as set forth in Title 15 of the California Code of Regulations, including:
 - (i) Adequate lighting as required by local code.
 - (ii) Circulation of fresh or purified air in accordance with local public health standards.
 - (iii) Access to a toilet and drinking water.
 - (iv) Access to a wash basin or shower for detainee held in excess of eight hours.
 - (v) A bed and bedding for each detainee held in excess of eight hours.
- (d) Definition of Searches

¹ Title 15 California Code of Regulations

(i) Normal pat-down search

- 1) This is a standard search used by officers in the field for the purpose of checking an individual for weapons. This search involves a thorough patting down of the outer clothing for the purpose of locating a weapon or dangerous item that could pose a hazard to the officer.

Any officer, regardless of sex, may pat search any suspect, regardless of sex, for weapons.

(ii) Booking search

- 1) This search occurs within the detention facility and, by definition, includes a full search of the person (not including body cavities) and examination of anything in his/her possession, such as clothing, items in pockets, and closed containers, in order to remove all personal property, contraband, or weapons. The individual's shoes, belt, jewelry, glasses, hairpins, and all other personal property are taken and inventoried. It is mandatory to check the individual's hair if it is long and/or capable of concealing any items.

Any officer, regardless of sex, may search a suspect, regardless of sex, for weapons and/or contraband. This is also applicable with the reference to the removal of personal property when the search occurs within the detention facility (See section 10.02 Booking Safety for additional guidance)).

(iii) Strip-search, visible body cavity search, or physical body cavity search

State law requires that a same sex officer must perform these types of searches. With this requirement, sex is determined by the genitalia of the suspect. By department policy an officer may conduct a strip-search or visible body cavity search, while a physical body cavity search must be performed by a medical doctor or registered nurse.

- 1) In strip-searches, the prisoner is required to remove, or rearrange, some or all of his or her clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, and genitalia of such prisoner (4030C of the Penal Code).
- 2) Physical body cavity searches include physical intrusion into a "body cavity." "Body cavity" means the stomach or rectal cavity of a person and the vagina of a female person.
- 3) Visual body cavity search means a visual inspection of a body cavity

- (e) In accordance with 4030 PC, persons arrested for misdemeanor(s) or infraction(s) which do not involve weapons, violence, or controlled substances shall not be subjected to a strip search or a visual body cavity search prior to placement in the general jail population, unless:

- (i) An officer has reasonable, specific, and articulable suspicion that the arrestee is concealing weapons or contraband, and the strip search will result in the discovery of the weapon or contraband
- (ii) The on-duty sworn supervisor or Watch Commander gives prior authorization to do so. Written authorization shall subsequently be documented in a supplemental report and shall minimally contain:
 - 1) Case number and date.
 - 2) The time, date, and place of search.
 - 3) The name and sex of the arrestee to be searched.
 - 4) The specific facts and circumstances which led to the reasonable suspicion for the search, as determined by the supervisor.
 - 5) The supplemental report giving written authorization shall be included in the Records Bureau case jacket or in the Case Management System (CMS).
 - 6) Persons conducting strip and visual body cavity searches of arrestees shall not touch the breasts, buttocks, or genitalia of those arrestees.
 - 7) No physical body cavity search shall be conducted without obtaining a search warrant.
 - a) Body cavity searches, when conducted after a search warrant has been obtained, shall be performed by a medical doctor or registered nurse.
 - b) The original copy of the search warrant shall be filed in the Records Bureau case jacket.
 - 8) Strip, visual, or body cavity searches shall:
 - a) Be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search;
 - b) Be conducted by persons of the same sex;
 - i) An exception is made for medical professionals
 - c) Be fully documented in a report by the arresting officer and shall include:
 - i) The time, date, and place of the search;
 - ii) The name and sex of the person conducting the search;
 - iii) The name and sex of other persons attendant to the search; and

- iv) A statement of the results of the search, including a list of any items removed from the person being searched.
- d) The booking officer shall also document in the jail log the name, case number, and supervisor authorizing the search.
- e) Transgendered Prisoners (defined): Anyone who exhibits characteristics of a gender that does not match their apparent or actual physical sex. The term can include people who are:
 - i) Transsexual- A medical term applied to those transgendered people who feel such incongruity between their body and their gender that they seek medical assistance in transforming their body to address this incongruity.
 - ii) Crossdresser (transvestite)- A person who is compelled to, or enjoys, wearing the clothing of the opposite sex on an occasional basis.
 - iii) Transgenderist- A person who lives full-time in the gender of his or her choice (different from body type) without desiring gender changing surgery.
- f) All strip and visual body cavity searches shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search. This also applies to the collection of urine samples. In the case of urine samples, the juvenile bathroom shall be the only area used to collect the sample from a female.

Article II. Application of Standards

Section 2.01 Emergency Suspensions of Standards or Requirements

- (a) Nothing contained herein shall be construed to deny the power of any facility administrator to temporarily suspend any standard, or requirement herein prescribed, in the event of any emergency which threatens the safety of the detention facility, its inmates or staff, or the public. Only such regulations directly affected by the emergency may be suspended. The facility administrator shall notify the Corrections Standards Authority in writing in the event that such a suspension lasts longer than three days. In no event shall such a suspension continue more than 15 days without the approval of the chairperson of the Corrections Standards Authority for a time specified by him/her.

Article III. Training, Personnel, and Management

Section 3.01 Jail Operations Training (Title 15 Section 1024 California Code of Regulations)

- (a) Supervisory custodial personnel who are responsible for inmates held in the Concord Police Department temporary holding facility shall satisfactorily complete forty hours of specialized training. Such training shall include, but not be limited to: ²

specialized training. Such training shall include, but not be limited to: ²

- (i) Applicable Jail minimum standards.
 - (ii) Jail operations liability.
 - (iii) Inmate segregation.
 - (iv) Emergency procedures and planning.
 - (v) Suicide prevention.
 - (vi) Fire suppression response including, but not limited to, training involving smoke and fire detectors/alarms, fire extinguishers, fire hoses to one and one-half inches and air packs.
 - (vii) The proper care and use of all equipment provided for the temporary holding facility.
- (b) Such supervisory training shall be completed as soon as practical and, in any event, not more than six months after the date of the assigned responsibility or the effective date of these regulations.
- (c) Custodial personnel who are responsible for inmates held in the Concord Police Department temporary holding facility shall satisfactorily complete eight hours of specialized training that shall include, but not be limited to, the categories listed above in subsection (a). Such training shall be completed as soon as practical and, in any event, not more than six months after the date of the assigned responsibility or the effective date of these regulations
- (i) Periodic, in-service training will be conducted for all agency staff with any responsibility for detainees in temporary custody. Such training may include policy changes, new laws, detainee rights, refresher training, etc.
 - (ii) Eight hours of POST-certified refresher training shall be completed once every two years.

Section 3.02 Rated Capacity of Facility

- (a) The temporary holding facility shall be rated at fifty-three prisoners, under normal custody conditions. In instances of mass arrests, the number of prisoners exceeding the rated capacity shall be transported to the Contra Costa County Main Detention Facility. If any mass arrests are anticipated, through either a planned or unplanned event, detention staffing levels shall be increased accordingly, if determined appropriate by the Field Operations Watch Commander or his/her designee. (Refer to Concord Police Procedure 82, concerning mass arrest procedures and Procedure 66, involving Special Events Planning/Operation, for further details).

² See Appendix for training outline.

Section 3.03 Number of Personnel

- (a) Whenever there is an inmate in custody, there shall be at least one Community Service Officer on duty. The Community Service Officer shall be immediately available and accessible to inmates in the event of an emergency. The Community Service Officer shall not have any other duties that would conflict with the supervision and care of inmates in an emergency.

If a Community Service Officer is not available, the arresting officer shall be responsible for the direct supervision of the inmate. Since the arresting officer has other duties beyond direct supervision of inmates, the arresting officer shall transport the prisoner directly to the Contra Costa County Main Detention Facility as soon as is practical.

Section 3.04 Staffing

- (a) The temporary holding facility shall be staffed with Community Service Officers.³

Section 3.05 Fire and Life Safety Staff

- (a) Pursuant to Penal Code Section 6030(c), whenever there is an inmate in custody there shall be at least one person on duty at all times who meets the training standards established by the Corrections Standards Authority for general fire and life safety which relate specifically to the facility.

Section 3.06 Policy and Procedures Manual (Title 15 Section 1029 California Code of Regulations)

- (a) Facility administrators shall develop and publish a manual of policy and procedures for the facility. The policy and procedures manual shall address all applicable Title 15 and Title 24 regulations and shall be comprehensively reviewed and updated at least every two years. Such a manual shall be made available to all employees.
 - (i) The designated facility manager shall conduct regular inspections of the jail facility and complete a written annual inspection of the jail and keep inspection records on file for inspection at a later date by Corrections Standards Authority personnel.
- (b) The manual for temporary holding facilities shall provide for, but not be limited to, the following:
 - (i) Table of organization, including channels of communications.
 - (ii) Inspections and operations reviews by the facility administrator/manager.
 - (iii) Policy on the use of force and restraint equipment.
 - (iv) Procedure and criteria for screening newly received inmates for release per Penal Code sections 849(b)(2) and 853.6, and any other such processes as the facility administrator is empowered to use.

³ See Appendix 1 for example of scheduling and coverage.

- (v) Security and control including physical counts of inmates, searches of the facility and inmates, contraband control, and key control. Each facility administrator shall, at least annually, review, evaluate, and make a record of security measures. The review and evaluation shall include internal and external security measures of the facility.
- (vi) Emergency procedures include:
 - 1) Fire suppression preplan as required by Title 15 Section 1032 California Code of Regulations;
 - 2) Escape, disturbances, and the taking of hostages;
 - 3) Civil disturbance;
 - 4) Natural disasters;
 - 5) Periodic testing of emergency equipment; and,
 - 6) Storage, issue, and use of weapons, ammunition, chemical agents, and related security devices.
- (vii) Suicide Prevention.
- (viii) Segregation of Inmates.

Section 3.07 Fire Suppression Pre-planning

- (a) The Concord Police Department temporary holding facility is equipped with automatic fire sprinklers and smoke detectors in the booking area, in the designated hallways, and inside each cell. The fire protection equipment is monitored on a 24-hour basis. Fire extinguishers are located in the pod area and the corridor adjacent to the booking area, in the jail kitchen, and in the Sally Port adjacent to pedestrian doors #1 and #2.
- (b) A documented fire prevention inspection will be conducted daily by the dayshift Community Service Officer Detention or, in the Community Service Officer's absence, by the designated facility manager . The fire prevention inspection shall consist of:
 - (i) An examination of all sprinkler heads and smoke detectors to ensure that they are intact.
 - (ii) An examination of the fire extinguishers to ensure that they are in place and fully charged.
 - (iii) An inspection of the facility for any fire hazards.
 - (iv) The dayshift detention Community Service Officer shall conduct a daily visual inspection of the automatic fire detection devices and alarm systems which shall be documented in the daily jail inspection log.

- (c) Fire prevention inspections will be conducted at least once every two years with the assistance of a State Fire Marshal or member of the Contra Costa County Consolidated Fire District (CFD) as required by Health and Safety Code 13146.1(a) and (b) The inspection shall include items in the daily inspection plus a test of the fire alarms and the sprinkler system.
 - (i) The designated facility manager will facilitate a documented test of the fire alarms and sprinkler system during a time period between the annual inspections conducted by the State Fire Marshall and/or other qualified personnel.
- (d) In the event that an evacuation of inmates is necessary, the inmates shall be moved to an area of safe refuge. A written emergency evacuation plan is posted in the temporary holding facility. Designated evacuation routes are clearly marked.
 - (i) The primary evacuation route will be through the fire door into the Sally Port. From the Sally Port, the inmates will be further evacuated outside the building toward the patrol division parking lot as necessary. The Jail van will be used to house the prisoners while outside the facility.
 - (ii) A second evacuation route will be through a fire door from the booking area into the main police facility.
 - (iii) In the event of a fire, all inmates will be transported to the Contra Costa County Main Detention Facility.

Section 3.08 Community Service Officer Responsibility

- (a) The Community Service Officer shall enter each prisoner's name and other pertinent identifying information in the Jail Log.
- (b) The Community Service Officer shall review section 1 of the health questionnaire, which is prepared by the arresting officer or, if the arresting officer was not immediately available then the transporting officer, in order to facilitate medical/mental health classification. The Community Service Officer is responsible for completing the remainder of the health questionnaire to ensure that proper medical/mental health classification is completed. If the prisoner meets the criteria for immediate transport to the Contra Costa County Main Detention Facility, the Community Service Officer shall immediately forward the results of the questionnaire to the arresting officer.
- (c) The arresting officer, or transporting officer if the arresting officer is not immediately available, shall remove any property from the prisoner and list the items, excluding those taken into evidence by the arresting officer, on a Booking Property form. The prisoner shall sign the form, confirming the proper inventory. The Community Service Officer will package, seal, and segregate each prisoner's property.
 - (i) The transporting officer is responsible for counting all prisoner money. The CSO is responsible for reviewing the property report and storage during the prisoner's stay.

- (ii) All shoes, belts, necklaces, and other items that a prisoner may use to hang him/herself shall be taken and placed with his or her property. Basic clothing is the only personal property allowed in the holding cell with the prisoner.
- (iii) The Community Service Officer shall also complete a pat-search of the prisoner during the booking process to ensure that all property has been removed. The prisoner's property shall be secured in designated "Prisoner Property Storage."
- (d) If the prisoner meets the criteria for the sobering cell, the CSO shall follow the procedure on page 20. Intermittent direct visual observation of inmates held in the sobering cell shall be conducted no less than every 30 minutes
- (e) The booking process, including prints/photographs, may be completed at any time prior to the prisoner's release, based upon investigative and logistical needs of the arresting officer, in cooperation with the Community Service Officer.
- (f) All prisoners are entitled to make telephone calls, per 851.5 PC. Prisoners shall be allowed three completed phone calls. The calls should be completed as soon as practical but no later than three hours after arrest.
- (g) The prisoner shall be escorted by the arresting officer and/or the Community Service Officer to his or her holding cell. No movement in the secure custody perimeter will occur without personal escort or observation.
- (h) A prisoner shall be released from custody only after the arresting officer is satisfied that the prisoner's true identity has been determined. Examples of true identity confirmation can be achieved, and made, by fingerprint comparisons (CAL ID), prior booking photos, CMS/RMS inquiry matches such as tattoos, and positive identification of the prisoner by other person(s), among others. The prisoner's property, excluding items of evidence or contraband, will be returned to him/her upon his/her release from custody.
- (i) If a prisoner is transported to the Contra Costa County Main Detention Facility (MDF), all property, excluding items of evidence or contraband, will be delivered to MDF with the prisoner in accordance with the rules and regulations established by the Contra Costa County Sheriff's Department.
 - 1) In some cases, MDF limits the amount of property taken. In these cases, these prohibited items of property shall be released to a designee of the arrested person or placed into safekeeping until such time that the arrestee can make arrangements to retrieve said property.
- (i) Prisoners who are entitled to post bail shall be processed in accordance with Departmental Procedure No. 5.
- (j) Prisoners who are identified as Foreign Nationals shall be processed in accordance with Departmental Procedure No. 40 and California Penal Code 834c.

- (k) The Community Service Officer shall do a visual observation of all prisoners (and document in the jail log) at least every 30 minutes or as otherwise directed by this manual.
 - (i) A head count of prisoners shall be done every eight hours and/or at the exchange of shifts.

Article IV. Records and Public Information

Section 4.01 Inmate Records

- (a) The Concord Police Department shall maintain individual arrest records on all prisoners in custody. These records shall include booking information and personal property receipts. Individual booking records containing the above information shall be maintained by the Records Bureau in the corresponding case file.
 - (i) Computerized booking photos will be kept in the Case Management System; computerized fingerprints will be taken via the DOJ Livescan machine and a hard copy will be retained for record purposes as required by law or department policy. Hard copy files are to be maintained by the Crime Scene Investigations Bureau.
 - (ii) Since our facility is for temporary holding only, we should have no need for commitment papers, court orders, reports of disciplinary actions, medical orders, or non-medical information.
 - (iii) Access to inmate records is limited to those persons who have a “need to know” and a “right to know.”

Section 4.02 Incident Reports

- (a) It is the policy of the Concord Police Department to maintain a written record of all incidents which result in physical harm or serious threat of physical harm to any employee, inmate, or other person in the holding facility, and/or damage to City property.
- (b) The Community Service Officer is responsible for reporting the incident immediately after its occurrence to the on-duty street supervisor or Watch Commander with a follow-up report to the designated facility manager. The Community Service Officer shall also complete a “jail incident report” on a Concord Police Department offense report form. This report shall completely and concisely document the incident. The report shall be directed to the designated facility manager and, after review, a copy shall be forwarded to the Field Operations Division Commander and the Records Bureau. The Community Service Officer is required to file such “jail incident reports” on all events of special importance occurring in the temporary holding facility or as directed by any Department sworn supervisor. All “jail incident reports” must be completed during the shift in which the incident occurred. The designated facility manager must receive a copy of the incident report no later than twenty-four hours after the occurrence.

- (c) The designated facility manager, the Watch Commander, Field Operations Division Commander, and other appropriate command level officers are responsible for immediately reviewing such reports upon completion. In the case of a death or an attempted suicide in the temporary holding facility, the following information must be included in the report:
 - (i) Time of last check and who made the check when the victim was alive and well.
 - (ii) Time the victim was found in present condition and who found the victim.
 - (iii) Time first aid was started and what type of aid was administered and by whom.
 - (iv) Time paramedics were called and time of their arrival.
 - (v) Time the victim left the temporary holding facility.
 - (vi) Names of paramedics, ambulance personnel, and/or Sheriff's Department Coroner's personnel.
- (d) The on-duty street supervisor and/or Watch Commander shall invoke the "Officer-Involved Fatal Incident" protocol on jail deaths or serious, life-threatening injury to prisoners held in the temporary holding facility (Procedure 57).
- (e) In any case in which a minor dies while detained, the administrator of the facility shall provide to the Corrections Standards Authority a copy of the report submitted to the Attorney General under Gov. Code Section 12525. A copy of the report shall be submitted to the Corrections Standards Authority within ten calendar days after the death (Procedure 57 section K).

Article V. Classification and Segregation

Section 5.01 Classification Plan

- (a) In accordance with Title 15 of the Ca. Code of Regulations, Article(s) 5 & 10, the following classes of arrestees shall not be brought to, or booked at, the Concord Police Department temporary holding facility:
 - (i) Physically combative persons who cannot be controlled during booking.
 - (ii) Any person who is actively threatening or trying to harm themselves.
 - (iii) Any persons with known, or suspected, communicable diseases, including, but not limited to TB, HIV/AIDS, Hepatitis or staph infections
 - (iv) Persons requiring immediate emergency medical treatment.
 - (v) Any person infected with vermin, lice, and/or other parasites.

- (vi) Persons who are so intoxicated that they pose a significant risk to their health, including persons who suffer any periods of unconsciousness, are unable to walk, or unable to answer medical questions due to intoxication.
 - (vii) Unless medically treated and cleared, any person who has been stabbed, tased, hit by a car, shot, received a significant K-9 bite, or a person who has sustained any significant injury that requires medical treatment.
 - (viii) Any person who poses a significant health risk to others by means of bio-hazard exposure due to blood, urine, and feces.
- (b) Persons with any of the following conditions may be booked at the Concord Jail but shall be transferred to MDF as soon as possible. It is the arresting officer's responsibility to transport the prisoner unless relieved by the shift supervisor. The shift supervisor will then assume all responsibility for making sure the subject is transported immediately.⁴
- (i) Prisoners that are diabetic, epileptic, or have seizures or blood sugar disorders.
 - (ii) Prisoners that claim allergies to a product or material likely to be encountered in the jail.
 - (iii) Prisoners that display combative or bizarre behavior that may result in injury to self or others.
 - (iv) Prisoners in need of medical clearance or treatment prior to being accepted at MDF.
 - 1) It is not within the scope of AMR to medically clear a prisoner for MDF or the CPD jail.
 - (v) Prisoners that are currently taking any medication that may be required while in custody.
 - (vi) Prisoners that require specialized care, outside the expectation of routine prisoner care, such as pregnant or lactating females, and/or physically or developmentally disabled persons.
 - (vii) All females except under extenuating circumstances.
 - 1) In the event there is not a female Community Service Officer (Jailer) on-duty in the jail facility, a gender specific (female) employee will be made available to respond to the female prisoners needs immediately. This employee will be in the building and requests for response to the jail will be made in the following order: (1) female officers present in the building, (2) on-duty Records Bureau staff, (3) on-duty Community Service Desk staff, (4) on-duty Dispatch staff (Title 15-Section 1027)

⁴ For arrest and booking procedures, see Procedure No. 3.

- (viii) Any prisoner whose gender cannot be readily determined and/or prisoners who are transgendered. Transgender describes anyone who exhibits characteristics of a gender what does not match their apparent or actual physical sex.
 - (ix) Prisoners who have had DTs or alcoholic seizures.
 - (x) Prisoners with prosthetic limbs.
- (c) Prisoners who answer yes to any of the mental health questions should not be housed and following booking should be transported to MDF.
- (i) If the receiving jailer believes the prisoner is manageable despite the yes responses to the mental health questions he/she can elect to house the prisoner but only with authority of the on-duty supervisor or Watch Commander. The jailer shall thoroughly inform the supervisor or Watch Commander of the questions and prisoner's responses and current level of cooperativeness while requesting permission to house the prisoner. Any doubt to the prisoner's stability or mental health shall result in transport of the prisoner to MDF
 - (ii) Factors that can be considered when requesting permission to house a prisoner who has answered yes to mental health questions;
 - 1. Past experience with the prisoner in our facility
 - 2. Is the prisoner currently being treated and/or taking medication related to mental health
 - 3. Past attempts of suicide
 - (iii) If authority is granted by the supervisor or Watch Commander to house the prisoner, an entry will be made into the daily jail activity log to include the supervisor's / Watch Commander's name
 - (d) Prior to entering the Concord PD temporary holding facility, a Medical Receiving Report, Appendix 2 (Section 1), shall be completed for each arrestee by the arresting officer. If the arresting officer is not immediately available, then it will be the responsibility of the transporting officer. An affirmative answer to any of the questions on the report requires a Community Service Officer to review the item in question with a street supervisor or a Watch Commander to evaluate the person's need for transportation to the Contra Costa County Main Detention Facility. In the event the prisoner has a current, active, or suspected illness, the prisoner shall be transported to the Contra Costa County Main Detention Facility without delay.
 - (e) If the prisoner states he is no longer being treated by a doctor, no longer taking medications for the particular problem, or does not require any medical attention, the prisoner may be processed and secured in our facility with a street supervisor or Watch Commander's approval (except persons listed in section 5.01 (a)).

- (f) Any inmate who appears to be in need of, or requests, medical treatment shall be transported to either the County Hospital or the hospital of the inmate's choice (based on medical coverage) without unnecessary delay.
- (g) If any Department personnel feel that any prisoner is in need of medical treatment, however trivial, and the prisoner refuses medical treatment, the Community Service Officer shall note the refusal on the booking form.

Section 5.02 Management of Disruptive Inmates

- (a) Inmates who create a verbal atmosphere which is likely to result in a physical confrontation with Department personnel or other inmates shall be segregated immediately and placed in the safety cell, pending transportation to the Contra Costa County Main Detention Facility.
- (b) Inmates who physically assault Department personnel will, as soon as practical, be controlled and placed in segregation, pending transport to the Contra Costa County Main Detention Facility. Extremely violent prisoners who attempt to harm themselves or others shall be placed in the safety cell, as to minimize their risk of physical harm prior to transportation to the Contra Costa County Main Detention Facility.
- (c) All inmates who pose an unusual physical threat, either through action or verbal behavior, shall be transported to the Contra Costa County Main Detention Facility, after review by a street supervisor, Watch Commander, or the designated facility manager.

Section 5.03 Management/Placement of Disabled Inmates

Refer to section 5.01.

Section 5.04 Use of the Safety Cell

- (a) The safety cell shall be utilized to detain prisoners who are a significant threat to themselves or to others prior to transportation to a more appropriate facility. A prisoner shall not be placed in a safety cell without approval of a supervisor or Watch Commander.
- (b) No more than one prisoner shall be placed in the safety cell at the same time.
- (c) Prisoners placed in the safety cell may be restrained in the WRAP if such restraint is deemed reasonable by an on-duty supervisor. If a prisoner is restrained in the WRAP, it should only be for the time that is necessary to arrange for transportation to the Contra Costa County Main Detention Facility.
 - (i) A prisoner who is restrained in the WRAP should be kept under constant supervision until transported to Contra Costa County Main Detention Facility.
- (d) No prisoner shall be housed within the safety cell for more than eight hours without authorization from a sworn supervisor and such authorization, as well as the reasons justifying any time extensions, shall be documented in a police report. In order to

comply with statutory requirements (a medical assessment is required within a maximum of 12 hours), prisoners needing to be held in a safety cell for extended durations should be transported to MDF.

- (e) In no case shall the safety cell be used for punishment.
- (f) If requested, a prisoner placed in the safety cell shall be provided with adequate food and fluids, provided for in a manner that allows for the safety of staff and the prisoner.
- (g) Prisoners placed in the safety cell shall be allowed to have sufficient clothing or suitable garment as to provide for their personal privacy, unless there are specific identifiable risks to the inmate's safety or to staff.
 - (i) Any exceptions to this provision shall be documented noting reasons for non-compliance.
- (h) Direct visual observation of a prisoner shall occur twice every 30 minutes.
 - (i) These checks should occur in a random manner so that the prisoner cannot predict the frequency of the checks.
- (i) Documentation.
 - (i) All prisoners entering the safety cell shall be documented on the safety cell log. Documentation includes:
 - 1) Name and date of placement
 - 2) Reason for placement
 - 3) Case and FP number
 - 4) Time entering and leaving safety cell
 - 5) Supervisor approving placement
 - 6) Actual time of safety cell observations and any pertinent information.
 - 7) Any actions taken

Section 5.05 Use of Sobering Cell

- (a) Detoxification and sobering have two different meanings. Detoxification is viewed by the medical community as a serious medical condition requiring long-term treatment. Sobering up applies to those people who do not have a more serious medical condition and just need to sober up.
 - (i) The sobering cell is designed as a sobering up place providing a sheltered environment. It is not a place for individuals who may be experiencing life threatening withdrawal symptoms.

- (b) The sobering cell shall be used to hold inmates who are a threat to their own safety or to the safety of others due to their intoxication level. Conditions affecting the use of the cell are as follows:
- (i) The sobering cell shall be used to hold only adult male offenders.
 - (ii) Such inmates shall be removed from the sobering cell as soon as they are able to care for their own safety.
 - (iii) In no case shall an inmate remain in the sobering cell over six hours without authorization from a sworn supervisor, Watch Commander, or the designated facility manager and the justification documented in the Jail log.
 - 1) Pursuant to Title 15, Article 5 section 1056, inmates housed for more than six hours require an evaluation by medical staff or by custody staff in accordance with section 1213 of these regulations.
 - 2) Inmates in this condition shall be transported to MDF or taken to an emergency room for evaluation.
 - (iv) Inmates placed in the sobering cell shall be checked by direct visual contact no less than every thirty (30) minutes to monitor their behavior and to ensure they are breathing in a regular manner. These checks shall be recorded in the sobering cell log.
 - (v) Each half hour observation shall include:
 - 1) Observations of the inmate's breathing to determine that breathing is regular. Breathing should not be erratic nor indicate that the person is having difficulty breathing. Note that a loud, heavy snoring sound in respiration is an indication of difficulty in breathing.
 - 2) Observations of the inmate to ensure that there has been no vomiting while sleeping. Ensuring that intoxicated persons remain on their side rather than on their back will prevent aspiration of stomach contents.
 - 3) An arousal attempt to ensure that the person will respond to verbal or pressure stimulation. This is the most important monitoring procedure for jail staff in non-medical settings. If unable to obtain verbal response to stimulation, the officer must go in and attempt to arouse the person to assess consciousness. Officers should obtain sufficient cover for officer safety purposes prior to entering any cell. In the event of a potential emergency that requires immediate action, officers should notify dispatch of the emergency and request a cover unit prior to entering any cell.
 - (vi) For the purposes of this section, snoring shall be considered a medical emergency. Inmates found snoring shall be physically roused immediately. Their condition upon their rousing shall be recorded in the log. Thereafter, they shall be verbally or physically roused no less than every thirty minutes.

- (c) Levels of intoxication and justification for use of sobering cell.
 - (i) Under the influence but not a threat to their own safety.
 - 1) Use of sobering cell not warranted.
 - (ii) Under the influence and need “sheltered” environment to sober up.
 - 1) Use of cell is justified until sober enough to be integrated in general housing.
 - (iii) Under the influence and in need of long-term detoxification.
 - 1) Not suitable for sobering cell and in need of medical assessment.
 - 2) Factors to include in this assessment:
 - a) Inmate not conscious or able to respond to simple commands.
 - b) Difficulty in breathing
 - c) Apparent injuries or appears ill
 - d) Unable to respond verbally or to stimulation.
 - e) Totality of observations that place doubt regarding the inmate’s suitability for placement into cell.

Section 5.06 DNA Collection / Use of force

- (a) Penal Code section 295 et. seq. requires certain classifications of offenders to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand as well as blood specimens and other biological samples (Refer to Department Procedure 3 describing further the mandate and legal requirements)
 - (i) Concord Police detention staff will comply with the mandates of the CAL-DNA Data Bank Program only if voluntary compliance from the offender is present. If the offender refuses to comply with the mandated collection, force shall not be used.
 - (ii) In the event an offender will not submit to the mandated collection of biological samples, the on-duty Community Service Officer will ensure that the offender / arrestee is transported to the Contra Costa County Main Detention Facility and the refusal and need to collect biological samples is documented on the transport forms

Section 5.07 Classification and Detention of Juveniles

- (a) Definitions

- (i) "Temporary Custody" means that the minor is not at liberty to leave the law enforcement facility.
 - (ii) "Secured Detention" means that a minor being held in temporary custody in a law enforcement facility and is locked in a room or enclosure and/or is physically secured to a cuffing rail or other stationary object.
 - (iii) "Non-secured Custody" means that a minor's freedom of movement is controlled through the use of the staff of the facility, and
 - 1) The minor is in constant direct visual observation and supervision by staff of the law enforcement facility;
 - 2) The minor is not locked in a room or enclosure; and
 - 3) The minor is not physically secured to a cuffing rail or other stationary object.
 - (iv) "Law Enforcement Facility" means a building that contains a Type I Jail, Temporary Holding Facility, or Lock up. It does not include a jail that has the purpose of detaining adults charged with criminal law violations while awaiting trial or sentenced adult criminal offenders.
 - (v) "Lock-up" means a locked room or secure enclosure, under the control of a police officer or custodial officer, which is primarily used for the temporary confinement of adults who have recently been arrested.
- (b) Rules for the detention of juveniles:
- (i) No minor described in 601 of the Welfare and Institutions Code may be detained in the holding facility.
 - (ii) Title 15 Section 1104 defines adequate supervision of minors that is required
 - 1) Continuous, around-the-clock supervision of minors with the assurance that staff can hear and respond
 - 2) Safety checks (in the case of secure detention) of minors no less than every 30 minutes on an irregular schedule. These safety checks shall include the direct visual observation of the movement and/or skin. Safety checks shall not be replaced, but may be supplemented by, an audio/visual electronic surveillance system designed to detect overt, aggressive, or assaultive behavior and to summon aid in emergencies. All safety checks shall be documented.
 - 3) Provided blankets and clothing, as necessary, to assure the comfort of the minor

- 4) Permitted to retain and wear his or her personal clothing unless the clothing is inadequate, presents a health or safety problem, or is required to be utilized as evidence of an offense
- (iii) Contact between a minor and adults confined within the facility is restricted in accordance with Section 208 of the Welfare and Institutions Code and Title 15, Section 1144 and 1145 of the California Code of Regulations. There shall be no contact between the minor held and adult prisoners, who are held in this facility
- 1) "Contact" means any physical or sustained sight or sound contact between juveniles in detention and incarcerated adults. Sight contact is clear visual contact between adult inmates and juveniles within close proximity to each other. Sound contact is direct oral communication between adult inmates and juvenile offenders
 - 2) In situations where brief or accidental contact may occur, such as booking or facility movement, facility staff (trained in the supervision of inmates) shall maintain a constant side-by-side presence with the minor or the adult to prevent sustained contact.
 - 3) Conformity with the above may require placing juveniles in Juvenile cell(s) J-1, J-2, J-3, and JC-2 (when applicable).
- (iv) The same policies relating to suicide risk and prevention, use of restraints, medical assistance, and services for adult prisoners shall apply to all minors held in temporary custody.
- (v) Title 15 Section 1103: When a minor is being released from the facility, the arresting officer shall notify the minor's parent or guardian prior to their release. The minor's personal clothing and valuables shall be returned to the minor, parent, or guardian, upon the minor's release.
- (vi) Non-essential persons may be granted access to the temporary holding facility, but their presence should not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or the defense. All such persons are subject to search as a condition of being able to enter the secured detention facility.

For clarification purposes, non-essential persons are those who do not have a legal reason and/or legitimate work-related reason and/or immediate necessity to enter the jail facility. Examples of non-essential persons include, but may not be limited to the following: citizen riders, tour groups, janitors, Records clerks, Interns, off-duty police officers and other individuals in/outside this agency. (Many of the listed individuals must be evaluated on a case-by-case basis by the involved employee, such as the responsible police officer, CSO/Detention Officer, etc.).

Individuals who are authorized to enter the jail facility are those persons who have a legal reason and/or legitimate work-related reason and/or immediate necessity to enter the jail facility. Examples of essential persons may include, but are not limited to the following: police officers, attorneys, bail bondsmen, Fire/Ambulance personnel, Social Service employees, janitors, Community Service Officers, and/or other individuals in/outside this agency as determined on a case-by-case basis by the involved employees, such as the responsible police officer, CSO/Detention Officer, etc.

- (vii) Access of all non-essential persons should be prohibited in emergency situations.
- (viii) Some personnel entering the jail, such as janitors, maintenance workers and emergency medical personnel, may need to bring items (tools, medical supplies, etc.) into the facility in order to perform their duties. It is the responsibility of the CSO/Detention Officer to remind these individuals that such items may present a safety risk if they come into the possession of a prisoner. The police officer or CSO Detention Officer who is control of a prisoner is responsible for ensuring that the prisoner is monitored when walking through an area were such items may be located. When the work/service is completed, the CSO Detention Officer is responsible for ensuring that all potentially hazardous items have been collected by the service provider and removed from the facility.
- (ix) It is the responsibility of the CSO/Detention Officer to notify the on-duty street supervisor whenever a juvenile becomes ill or injured. It is the responsibility of the sworn supervisor notified of such an illness or injury to cause the affected juvenile's parent or guardian to be notified, not only of the juvenile's incarceration, but that the juvenile is ill and/or injured.
- (x) The following shall be made available to all minors held in temporary custody:
 - (1) Food - if a minor has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health or medical needs of the minor.
 - (2) Privacy during consultation with parent/guardian and/or attorney. If these consultations occur, they must use the interview rooms, or areas, outside of the holding facility.
 - (3) Reasonable access to a telephone. W&I 627 requires that each juvenile has the right to make two telephone calls no later than one hour from point of arrest.
 - a) When practicable, the arresting officer should use the phone in the juvenile area and not the adult phones.
 - b) The juvenile has the right to have one completed call to his parent or guardian, a responsible relative, or his employer and another completed call to an attorney.

- (4) Access to a toilet and washing facilities.
- (5) Access to drinking water.
- (6) Permitted to retain medical and dental prostheses, including hearing aids and eyeglasses when the health of the minor would otherwise be adversely affected. If the items pose a security risk to others they should be removed for safety purposes.

(xi) In addition to the above, minors placed in locked rooms shall be:

- (1) Provided blankets and clothing as necessary, to assure the comfort of the minor and,
- (2) permitted to retain and wear his or her personal clothing unless the clothing is inadequate, present a health or safety problem, or is required to be utilized as evidence of an offense

(C) Criteria for Secure Detention (Rules)

- (i) Juveniles at least 14 years of age may be held in secure confinement for up to six hours in a lock-up described in 207.1(d)(1) of the Welfare and Institutions Code. Our facility is within this definition.

Title 15, Section 1145 A minor who is taken into temporary custody by a peace officer on the basis that he or she is a person described by Section 602 of the Welfare and Institutions Code may be held in secure detention in a law enforcement facility that contains a lockup for adults if the minor is 14 years of age or older and if, in the reasonable belief of the peace officer, the minor presents a serious security risk of harm to self or others, as long as all other condition of secure detention set forth in these standards are met. Any minor in temporary custody who is less than 14 years of age, or who does not in the reasonable belief of the peace officer present a serious risk of harm to self or others, shall not be placed in secure detention, but may be kept in non-secure custody in the facility as long as all other conditions of non-secure custody set forth in these standards are met.

In making the determination whether the minor presents a serious risk of harm to self or others, the officer may take into account the following factors:

- a. age, maturity, and delinquent history of the minor;
- b. severity of the offense(s) of which the minor was taken into custody;
- c. minor's behavior, including the degree to which the minor appears to be cooperative or non-cooperative;

- d. the availability of staff to provide adequate supervision or protection of the minor; and
 - e. the age, type, and number of other individuals who are detained in the facility.
- (ii) At the time he or she is securely detained, the juvenile shall be informed by the arresting officer: (Section 207.1 W&I)
- a) The purpose of the secure detention.
 - b) The length of time the secure detention is expected to last.
 - c) The maximum six-hour time the secure detention is authorized to last.
- (iii) Conditions of Secure Detention may include placing the minor in a locked room or other secure enclosure, securing to a cuffing rail, or otherwise reasonably restrained as necessary to prevent escape and protect the minor and others from harm
- 1) Supervision of minors held inside a locked enclosure shall receive adequate supervision to include constant auditory access to staff by the minor, unscheduled safety checks of the minor by staff no less than every 30 minutes, which shall be documented
 - (a) Males and females shall not be placed in the same locked room
 - (b) Supervision of the minor is the responsibility of the arresting officer or in the absence of the arresting officer, the transporting officer. Documentation of safety checks shall be coordinated through the on-duty CSO through direct communications between the officer supervising the minor and the CSO
 - 2) Minors held in secure detention, outside of a locked enclosure, shall not be secured to a stationary object for more than 60 minutes unless no other locked enclosure is available. The arresting officer or transporting officer shall be present at all times to assure the minor's safety while secured to a stationary object. Securing minors to a stationary object for longer than 60 minutes, and every 30 minutes thereafter, shall be approved by a sworn supervisor or Watch Commander. The decision for securing a minor to a stationary object for longer than 60 minutes, and every 30 minutes thereafter shall be based upon the best interest of the minor and shall be documented.
 - 3) A log or other written record shall be maintained by the law enforcement agency documenting:

- (i) The offense which is the basis for the secure detention of the minor in the facility;
 - (ii) The reasons and circumstances forming the basis for the decision to place the minor in secure detention; and
 - (iii) The length of time the minor was securely detained.
- (iv) Other juveniles described under 602 of the Welfare and Institutions Code may be held in temporary custody in a law enforcement facility, but not securely detained.

(D) Criteria for Non-Secure Custody (Rules)

- (i) Minors held in temporary custody, who do not meet the criteria for secure detention as specified in Section 207.1(d)(1) of the Welfare and Institutions Code, may be held in non-secure custody if a brief period of time is needed to investigate the case, facilitate release of the minor to a parent or guardian, or arrange for transfer of the minor to an appropriate juvenile facility
- (iii) Supervision of minors held in non-secure custody shall receive constant direct visual observation by staff . Entry and release times shall be documented and made available for review. Monitoring a minor using audio, video, or other electronic devices shall never replace constant direct visual observation
 - (1) Supervision of the minor is the responsibility of the arresting officer or in the absence of the arresting officer, the transporting officer.

(iv) While in the law enforcement facility and in non-secure custody, the minor may not be securely detained and shall be supervised in a manner as to ensure that there is no contact with adults in custody in the facility. If the minor is held in temporary, non-secure custody within such a facility, the arresting officer shall exercise one of the disposition options authorized by Sections 626 and 626.5 of the Welfare and Institutions Code without unnecessary delay and, in every case, within six hours.

(E) Pursuant to Title 15, Section 1151, Any minor who is intoxicated by any substance, to the extent that they are unable to care for themselves shall be medically cleared before entering the jail facility.

- (i) Supervision of minors in secure detention who display outward signs of intoxication shall include safety checks no less than once every 15 minutes until resolution of the intoxicated state or release. These safety checks shall be documented, with actual time of occurrence.

- (1) Supervision of the minor is the responsibility of the arresting officer or transporting officer in the absence of the arresting officer and documentation of the safety checks shall be coordinated through direct communications with the on-duty CSO
 - (ii) Supervision of minors in non-secure detention who display outward signs of intoxication shall include constant direct visual observation. Entry and release times shall be documented on the non-secure detention log by the CSO. Monitoring a minor using audio, or other electronic devices shall never replace constant direct visual observation
 - (1) Supervision of the minor is the responsibility of the arresting officer or transporting officer in the absence of the arresting officer
- (F) There is a special exemption for suspected DUI offenses. In this situation, you are allowed to take the minor to a "detention facility or jail" for the purpose of "administering an evaluation, test, or chemical test" (see vehicle code section 23157) if (1) there is no equipment for administering the test at a juvenile facility within a reasonable distance, (2) the minor is not locked in a cell or a room, (3) the minor is under the continuous, personal supervision of a peace officer or employee of the detention facility or jail and does not come into contact with in-custody adults, and (4) the evaluation or test is performed as quickly as possible so that the minor, under no circumstance, remains at the facility more than 2 hours.

Article VI. Inmate Programs and Services

Section 6.01 Correspondence

- (a) Since this is a temporary holding facility, prisoners will not send or receive mail. Additionally, as holding facilities are generally not prepared to deal with the problems and hazards associated with receiving property on behalf of detainees in their custody, all deliveries to the Concord Police jail in care of detainees shall be prohibited.

Section 6.02 Access to the Telephone (Title 15 Section 1067 California Code of Regulations)

- (a) Per Section 851.5 PC, "Immediately upon being booked, and, except where physically impossible, no later than three hours after arrest, an arrested person has the right to make at least three completed phone calls to an attorney of his choice or a public defender, a bail bondsman, or a relative or other person."
 - (i) After booking, the prisoner shall be asked if he/she wishes to make a phone call.
 - 1) If the prisoner declines to make the call, this should be noted on the booking form.
 - (ii) The present phone system installed in the jail allows the prisoner to make local calls at no expense. Long distance calls require the use of a credit card number or collect to the party.

- (b) A phone call to an attorney shall not be monitored, eavesdropped upon, or recorded.
 - (i) Telephones available for prisoner use are not equipped with monitoring devices.
- (c) If a prisoner is so intoxicated that he or she cannot complete a phone call, there is no duty to call for him or her. There is also no duty to physically or verbally arouse an intoxicated prisoner three hours after booking so that he or she can complete a phone call. If the prisoner later requests to make a call, reasonable accommodations should be made to allow them to do so.
- (d) There is no specific limitation on the amount of time that a prisoner's phone call may last.
 - (i) After ten minutes on the phone, the phone is programmed to shut off.
 - (ii) A prisoner should be given a reasonable amount of time on the phone to contact a person, or persons, whom he or she must reach in order to arrange for bail, advice, advise people where he or she is, or take care of other immediate needs related to his or her arrest.
 - (iii) The phone call is not intended to be used for carrying on lengthy personal conversations.
 - (iv) The workload of the Community Service Officer shall dictate the maximum length of phone calls.
- (e) Bail bond information shall be posted in the telephone room and personnel shall not make specific recommendations on bonding agents if asked by the inmate.
 - (i) Attorney information will not be supplied by personnel

Section 6.03 Voting

- (a) Title 15, Article 6, Section 1071 addresses voting issues for Type I-IV detention facilities only. This requirement is not applicable to the Concord Police temporary holding facility.

Section 6.04 Exercise

- (a) Due to the fact that the temporary holding facility is designed to hold prisoners for twenty-four hours or less, prisoners will not be provided with specific, designated exercise or exercise facilities.

Section 6.05 Visitation/Attorney Interviews (Title 15 Section 1068 California Code of Regulations)

- (a) Due to the fact that the temporary holding facility is designed to hold prisoners for twenty-four hours or less, visits for prisoners shall be limited to legal counsel or, in the case of juveniles, parents or guardians in the case of juveniles when being questioned.

Consulate visits shall also be permitted in accordance with Department Procedure 40 and California Penal Code Section 834C.

- (i) If a prisoner is to be transferred to Contra Costa County Main Detention Facility, the prisoner may make arrangements to meet with an attorney at the Contra Costa County Main Detention Facility. If arrangements have been made, the prisoner should be transported immediately to meet with the attorney.
 - (ii) If a prisoner we intend to hold in our facility requests to see an attorney and makes arrangements for the attorney to come to the facility, the attorney shall be allowed to visit. Prisoners have a Constitutional right to unimpeded access to attorneys and legal representation.
 - (iii) Only California Bar certified attorneys shall be allowed to visit.
 - 1) The Community Service Officer shall check to see the attorney's Bar Association card and driver's license.
 - (iv) Conversations between attorneys and arrestees are confidential and shall not be monitored, recorded, or eavesdropped upon unless sanctioned by a court order.
 - 1) If legal counsel or other persons eligible for visiting inmates meet in a room that has the capability of electronic monitoring, they will be advised of this and told that the equipment will not be activated.
 - (v) All attorney visits shall be conducted in a jail interview room in a location practical to the specific situation.
 - (vi) Two or more persons arrested for the same offense and represented by the same attorney may, at the attorney's request, be interviewed either individually or collectively.
 - (vii) An arrestee shall be considered a client of the attorney if the arrestee has requested his or her services, or if a friend or relative has sent the attorney to visit with the arrestee and the arrestee specifically expresses a desire to see that attorney.
 - (viii) No other persons shall not accompany an attorney visiting his or her client, unless approved by a patrol supervisor or Watch Commander.
- (b) Juvenile Invocation or Assertion of Miranda Rights.
- (i) When a juvenile is advised of his/her right to have a parent/guardian present during questioning and the officer wants to question the juvenile, the parent/guardian shall be subject to the same rules and conditions as attorneys listed above.

Article VII. Discipline

Section 7.01 Plan for Inmate Discipline

- (a) Discipline will not be administered in this facility. If a prisoner violates a law while in custody, the additional charges should be added to the original crime report. If the prisoner violates a rule of the holding facility, the Community Service Officer shall write a brief incident report and, if the prisoner is transferred to the Contra Costa County Main Detention Facility, a notation shall be made on the consolidated booking form.

Article VIII. Medical Services/Mental Health Services

Section 8.01 Medical Service/Management of Communicable Diseases

- (a) Medical aid shall be provided for ill prisoners. Assistance for prisoners in need of immediate medical attention (loss of consciousness, chest pains, difficulty breathing, confirmed or suspected bone fractures, severe bleeding, anytime the carotid restraint has been applied, anytime the taser has been applied, etc.) shall be summoned by activating the Emergency Medical System (EMS) through dispatch. The Community Services Officer shall review the prisoner's condition with a street supervisor, a Watch Commander, or the designated facility manager. Officers shall complete their portion of the medical questionnaire prior to bringing the prisoner into the temporary holding facility. The Community Service Officer shall complete their portion of the medical questionnaire prior to the officer leaving the facility.
 - (i) A prisoner who is in need of immediate medical attention should be transported to a medical facility by ambulance.
 - (ii) Prisoners with minor injuries, or otherwise not in need of immediate medical attention, may be transported for necessary treatment in a patrol car unless the on-duty sworn shift supervisor or Watch Commander determines that it is more prudent to have the prisoner transported by ambulance.
 - (iii) At least two legible signs (one in English and the other in Spanish) advising prisoners that health care is available to them should be permanently posted in conspicuous places in the holding facility.
- (e) Prisoners requiring the use of prosthesis should be considered as having a disability that our facility is not equipped to handle. These prisoners shall be transported to Contra Costa County Main Detention Facility as soon as possible.
- (f) Prisoners having eyeglasses that are medically required should be allowed to retain the eyeglasses unless the eyeglasses present a danger to the prisoner and/or others.
- (g) Persons infected with vermin, lice, and/or other parasites, prisoners in need of special medical programs (including diets), prisoners known or suspected to have communicable diseases, any person who is actively trying to harm themselves, and prisoners requiring medication all demand services at a level our temporary holding

facility cannot meet. Therefore, prisoners in these groups shall be transported to the Contra Costa County Main Detention Facility as soon as practical.

- (i) Information regarding a prisoner known to have physical or mental health problems shall be disclosed to the Contra Costa County Main Detention Facility upon transfer of the prisoner. This will facilitate the proper health care and segregation of the prisoner at the Contra Costa County Main Detention Facility.
- (ii) Prisoners with known communicable diseases shall not be booked or brought into the Concord Police Department temporary holding facility.
 - 1) If it is later determined that a prisoner with a communicable disease has been booked or brought into the Concord Police Department temporary holding facility and that disease is AIDS, tuberculosis, hepatitis, venereal disease, measles, mumps, chicken pox, vermin or scabies, the Community Service Officer shall notify the designated facility manager as soon as possible and the manager shall immediately notify the Contra Costa County Health Department as soon as possible.
 - 2) Contaminated cells shall be closed and shall not be used until after sanitation by maintenance personnel and consultation with Contra Costa County Health Department personnel.
 - 3) Any employee who may have been exposed to any communicable disease shall notify a shift supervisor or, in their absence, a Watch Commander. In addition, the shift supervisor or Watch Commander shall direct that a determination be made if the affected cell was used by another prisoner after the infected prisoner used that cell.
 - a) If it is determined that other prisoners may have been exposed, notification shall be made to the designated facility manager and the manager shall attempt to notify the potentially affected prisoner by contacting Contra Costa County Jail personnel if the person is still in custody or via mail in the event that the subject is no longer in custody.
- (h) Temporary holding facility staff shall not dispense pharmaceuticals, including over the counter medications, to prisoners. Prisoners who have a medical condition that requires medication, and are not in need of emergency medical attention, shall be transported to MDF as soon as practical, but prior to their need to take additional medication.
- (i) Prisoners' medication(s) shall be listed on their property receipt and secured with the rest of their property.

Section 8.02 First Aid

- (a) The first aid kit is located in a cabinet in the pod area. The cabinet is marked "first aid kit." There is also a first aid response bag that is kept in the main detention area.

- (i) The kit will consist of basic first aid supplies. There is an inventory list attached to the kit. BVM masks are stationed at various places within the jail.
 - (ii) The contents of the first aid kit shall be checked during the regular documented daily inspections of the facility by the dayshift Community Service Officer-Detention. The contents of the first aid kit shall be replenished as necessary.
- (b) A “Lifepak” emergency defibrillator is located in the rear hallway, just outside the jail interview rooms, in the event that any employee or prisoner need defibrillating medical assistance.
- (i) The defibrillator shall only be used by personnel trained in its usage.
 - (ii) In the event that the emergency defibrillator needs to be used pursuant to a medical emergency, Dispatch should be notified of the nature of the medical emergency and EMS personnel shall be requested to respond to provide advanced medical care.
 - (iii) In the event that the emergency defibrillator is utilized and the EMS is activated, the Community Service Officer shall notify the street supervisor and/or Watch Commander and a subsequent follow-up report shall be made, in writing, to the Special Operations Lieutenant.

Section 8.03 Suicide Prevention Program

- (a) Upon admitting prisoners in the holding facility, it is important to always be alert for those individuals who may exhibit signs of potential suicide. Characteristics to watch closely include:
- (i) Prominent persons charged with embarrassing crimes.
 - (ii) Persons held for alcohol or drug-related charges.
 - (iii) All juveniles held in temporary or secure custody.
 - (iv) Persons with a history of self-destructive acts.
 - (v) Individuals who state their intentions of suicide.
 - 1) Suicidal individuals shall not be housed in our facility.
 - (vi) Individuals who appear emotionally depressed.
 - (vii) A female who has given birth within the past year and is charged with murder or attempted murder of her infant child.
 - (viii) Prisoners who have visible scars on their wrists or necks, indicating prior suicide attempts.

- (b) Suicides generally occur within the first eight hours of incarceration. Additional welfare checks, supplementing the regular thirty-minute checks, should be conducted and documented in the log.
- (c) The state of intoxication of a person upon incarceration may increase the likelihood of suicide. Again, special attention and documentation of observations is important for intoxicated persons.
- (d) Many times the Community Service Officer's verbal interaction and availability will be enough to get the prisoner over the initial crisis of incarceration. If it appears that a person is not able to cope emotionally with incarceration, the situation shall be brought to the attention of the on-duty street supervisor and/or Watch Commander, or in the absence of either, the designated facility manager so that placement in a hospital or the Contra Costa County Main Detention Facility may be considered.
- (e) Prisoners who are deemed a suicide risk shall be placed in the safety cell and remain under constant observation prior to transport to another appropriate facility. (See Appendix 2.)

Section 8.04 Mental Health Services

- (a) The temporary holding facility does not staff mental health professionals. All prisoners requiring mental health/developmental disability services shall be transported to Contra Costa County Mental Health facilities prior to their transport to the Contra Costa County Main Detention Facility.

Article IX. Food

Section 9.01 Food Preparation and Serving

- (a) Community Service Officers assigned to the temporary holding facility shall be responsible for the meal service to the inmates in their cells. Juice or coffee will be offered with all meals. Plastic spoons will be the only utensils provided.
 - (i) A typical breakfast shall consist of a Danish roll with coffee or fruit juice.
 - (ii) A typical lunch, dinner, or necessary intermittent meal shall consist of a meat, rice, potato, and vegetable in any combination, with beverage.
- (b) The kitchen will serve as the preparation and storage area for the aforementioned food service. The microwave shall be functioning and available at all times.
- (c) Meals shall be served three times daily: At approximately 6:00 a.m., 12:00 p.m., and 5:00 p.m.
 - (i) If a prisoner misses a regularly scheduled meal, he/she shall be provided with an intermittent meal in lieu of the scheduled meal, if requested by the prisoner.

- (ii) A minimum of one-half hour shall be allowed for prisoners to consume their meals before utensils and containers are retrieved.
- (d) Under no circumstances should utensils or containers be left in a holding cell when not being used for the sole purpose of meal consumption.
 - (i) When not being used, utensils shall be stored in the kitchen area, inaccessible to prisoners.

After a prisoner has completed his/her meal and all utensils have been retrieved from the cell, all garbage, including utensils, shall be discarded in a receptacle outside the jail area and inaccessible to prisoners. It shall be the responsibility of the on-duty CSO/Detention Officer to ensure that the aforementioned is followed.

Article X. Facility Sanitation and Safety

Section 10.01 Facility Sanitation

- (a) The temporary holding facility will be kept in a clean and safe condition at all times.
 - (i) The primary responsibility for the cleanliness and sanitation of the temporary holding facility is that of the city-employed custodian. The custodian will thoroughly clean the holding facility each day according to a maintenance schedule established by the designated facility manager.
- (b) The Community Service Officers are primarily responsible for maintaining the facility in a safe condition at all times.
 - (i) The Community Service Officers are responsible for maintaining the facility in a clean and sanitary manner when custodians are not available.
 - 1) At the beginning of their shifts, the Community Service Officers shall visually inspect the cells, booking area, interview room, and Sally Port for contraband.
 - 2) If necessary, the Community Service Officer shall sweep these areas.
 - 3) The Community Service Officer shall remove any dirty linen and/or trash from the cells.
 - 4) If additional toilet paper is needed for the facility, the Community Service Officer shall replenish these supplies.
 - 5) The Community Service Officer, in accordance with Procedure 58, shall immediately remove bodily fluids and fecal matter found during inspection in a safe manner.
 - 6) The Community Service Officer shall also inspect the lights, locks, and plumbing fixture for proper operation and/or for damage. Any defects shall

immediately be brought to the attention of a street supervisor, Watch Commander, or the designated facility manger.

- 7) The dayshift Community Service Officer will conduct a documented daily/weekly sanitation inspection.
- (c) The Community Service Officer shall ensure that supplies, forms, intoxicilyzer mouthpieces, and first-aid kit supplies are adequately stocked. Any items that need restocking shall be brought to the attention of the designated facility manager. Supply needs should also be documented on the daily inspection report form.
 - (d) The city-employed custodian shall accomplish the following each work day:
 - (i) Sweep out all cells, hallways, and processing areas of the holding facility.
 - (ii) Clean and disinfect toilets and sinks in the holding facility.
 - (iii) Disinfect all bunks and seating areas.
 - (iv) Mop and disinfect each holding cell.
 - (v) Empty all trash receptacles and remove all trash.
 - (vi) Flush all floor drains.
 - (e) Once a month, the city-employed custodian shall:
 - (i) Clean all heating and air conditioning vents and wash down all walls
 - (f) Control for pests and vermin will be conducted by the City's contracted pest control company on a monthly and as-needed basis.

Section 10.02 Booking Safety (Title 15 Section 1027 California Code of Regulations and Penal Code Section 4021)

- (a) The arresting officer shall conduct a pat-down search on all arrestees in the field to make sure that the person does not have any items that can inflict harm to self, another prisoner, or other staff member during the transport and booking process. A booking search of the person and inventory of the effects of a prisoner who is to be booked into the jail will be conducted to prevent the introduction of contraband and weapons and to account for and safeguard the personal property taken from the prisoner
- (b) The arresting officer shall complete an Arrest/Detention report. If the arresting officer is not immediately available, then it will be the responsibility of the transporting officer to complete the Arrest/Detention report.
- (c) Female prisoners may be booked, but not housed, at the Concord Police Department temporary holding facility. It is the arresting officer's responsibility to transport the female except under extenuating circumstances. The decision for temporary housing shall be made by a street supervisor, Watch Commander, and/or the designated facility manager

and the totality of the circumstance(s) such as jail space, staffing levels, and classification(s) of inmates should be considered. If it is determined that a female must be detained for an extended amount of time, the female prisoner shall be separated from the male and juvenile prisoners by sight and sound. Conformity with the above will result in females being temporarily placed in Juvenile cell(s) J-1, J-2, J-3, and JC-2 (when applicable). If a juvenile comes into the jail, then the female will be placed in cell #F1 (located at the northwest corner of the jail facility), pending transportation to Martinez Detention Facility.

- (d) Searches that occur inside the jail facility should be conducted by employees of the same sex. If a search of a prisoner is to occur by an employee of the opposite sex, it shall occur in the presence of an employee of the same sex. In the event there is not an employee on duty in the facility of the same sex, the following order for assistance should be followed. This is most likely to occur during the arrest and processing of female prisoners; (1) on-duty female officers, (2) on-duty Records Bureau staff, (3) on-duty Community Service Desk staff, (4) on-duty Dispatch staff. The female employee shall have completed matron training in accordance with Departmental Procedure No. 4.

- (e) Officers should have at least one other department employee present when booking a prisoner of the opposite sex, or escorting a prisoner of the opposite sex from one location to another within the holding facility.
 - (1) Transgendered prisoners shall be provided solitary accommodations for their own safety. Once booked, the prisoner shall be transported to County Jail as soon as possible.

- (f) The transporting officer shall drive into the sally port and ensure the closure of the roll-up door. When a subject is in CPD custody, the door between the booking area and the sally port, and the sally port roll-up door should not be open at the same time.

- (g) No firearms shall be taken into the jail, except in an extreme emergency. The arresting officer shall remove all firearms, including back-up firearms and knives, and lock these weapons in the trunk of his/her patrol car or in a gun locker. The officer shall keep the patrol car keys and gun locker key with him/her at all times.

- (h) The arresting officer or, if the arresting officer is not immediately available, the transporting officer shall complete the health questionnaire (section 1 portion) in the CPD sally port. At no time shall a prisoner be brought into the CPD jail before completing the health questionnaire. Additionally, the arresting officer or transporting officer shall conduct a search of a prisoner before entering the detention area of the holding facility. The officer shall complete an itemized inventory of property taken from the prisoner and provide a receipt for items taken without delay.

- (i) The arresting or transporting officer shall bring the prisoner into the booking area and, based upon sally port loading demands, investigative necessity, or custody parameters, immediately book or house the prisoner in a temporary holding cell or interview room.

The arresting/transporting officer shall not leave any prisoner unattended at any time prior to the prisoner being housed in a cell.

- (j) The officer shall take custody of any evidence or contraband found in possession of the arrestee. The items confiscated will be processed as soon as possible, as directed by the CPD Property Manual.
- (k) Access to the temporary holding facility is restricted to persons having legitimate business within the facility. All non-employees shall be under the supervision of the Community Service Officer/Detention, sworn officer, or reserve officer.

Section 10.03 Staff to Staff Communications

- (a) Every entry and exit point, including sally port entries, is controlled with an intercom system connected to the Dispatch Center.
- (b) All Community Service Officers are equipped with a portable radio allowing for direct communications with the Dispatch Center in the event of an emergency or request for assistance. The portable radio also has an emergency notification feature (11-99 button). Depressing of the 11-99 button on the portable radio activates an alert tone in the Communications Center.
- (c) Emergency alert systems are located in the main control pod of the temporary holding facility. Activation of the emergency alert system activates an alert tone in the Communications Center.

Section 10.04 Chemical Weapons /Taser Storage

- (a) Community Service Officers are permitted to carry chemical agents and/or X26 tasers as authorized by the Department and, when doing so, shall be required to maintain their own chemical agent canister and/or taser in an approved, secure holster upon their person. When chemical agents and/or tasers are not in use, they shall be secured in a locked area that is not accessible by prisoners.
- (b) No additional chemical weapons or tasers may be stored within the secured jail area.

Section 10.05 Inmate Movement within the Facility/Entry and Exit from Security Areas

- (a) All inmate movement shall be directed by the arresting officer or the Community Service Officer assigned to the temporary holding facility. Inmate movement shall be restricted to areas outside of the control center, kitchen, and laundry. Any movement of inmates shall be under direct visual supervision or escort.
- (b) A security check for weapons and contraband shall be made of an unoccupied temporary holding cell prior to placing a prisoner inside. In addition, a cell shall be checked when it becomes unoccupied. The department employee who is going to place/remove the prisoner in the cell shall be responsible for the security check and is

required to immediately report any conditions observed to supervisory personnel either verbally or in writing. A documented daily inspection of all temporary holding cells will be completed to check for weapons and contraband. Additionally, at least once a week, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices shall be checked carefully for wear and detainee tampering. Inspections shall include occupied and unoccupied cells. If the cell is occupied, the prisoner(s) shall be removed and placed in an unoccupied cell. Results of these inspections should be submitted in writing to the designated facility manager. All defective security equipment should be replaced or repaired immediately. The documented daily inspection shall be conducted by the dayshift Community Service Officer/Detention. The weekly inspection shall be conducted by the designated facility manager or in his/her absence, the dayshift Community Service Officer.

- (c) Except in emergency situations, officers should avoid entering a holding cell that is occupied by a prisoner. Emergency situations include but are not limited to:
 - (i) An attempted suicide by a prisoner.
 - (ii) Assisting an injured prisoner who is not ambulatory.
 - (iii) Other conditions, which, in the opinion of the officer, constitute an emergency.
- (d) Before entering a cell in emergency situations, officer(s) should first notify the Communications Center to advise of the nature of the emergency and to request additional assistance.
- (e) Contact with prisoners should be limited to department personnel, legal counsel, in the case of juveniles a parent or guardian, and others who have a legitimate reason to have contact with a prisoner.
- (f) The Community Service Officer/Detention Officer is responsible for the daily control and use of holding facility keys. Two sets of holding facility keys are kept inside the jail facility: one set is kept by the on-duty CSO/Detention Officer; the other set is locked in a cabinet in the cell control area storage room. Copies of the holding facility keys will be kept in the office of the designated facility manager and in the equipment room in a secured cabinet. Access to keys, in the event of an emergency, will result in a call-out to the designated facility manager, CSO in charge of equipment, or the Maintenance Services Director, or his designee, who holds the master keys.
- (g) Holding facility doors are to be secured under the following conditions:
 - (i) Access doors to the sally port and main building area: At all times.
 - (ii) Temporary holding cells: When occupied by a prisoner.
 - (iii) Access doors to control pod: At all times.
- (h) The holding facility is equipped with both audio and visual monitoring equipment. The equipment is used to monitor critical locations of movement within the facility. The

equipment will be controlled to reduce the possibility of invading a detainee's personal privacy.

Section 10.06 Escape, Disturbance, Hostage Situation

- (a) All possible safeguards shall be taken to ensure the safety and security of prisoners and department personnel in the temporary holding facility. However, in the event of an escape, a disturbance, or a hostage situation, the on-duty Community Service Officer shall do the following:
 - (i) Ensure that he/she is safe and isolated from potential harm.
 - (ii) Ensure that prisoners not involved are isolated from potential harm.
 - (iii) Immediately notify the Dispatch Center by radio or telephone of the circumstances.
 - (iv) Notify the on-duty street supervisor, Watch Commander, and/or the designated facility manager of the incident and relevant conditions.

Section 10.07 Natural Disaster

- (a) In the event of a natural disaster, the Community Service Officer shall ensure that all prisoners are safe and secure.
- (b) The Community Service Officer shall administer first aid as appropriate.
- (c) Notify an on-duty supervisor for any instructions/orders to release prisoners.

Article XI Title 15 Section 1018

Section 11.01 Appeal for Adult Facilities Holding Minors.

The appeal hearing procedure intended to provide a review concerning the Corrections Standards Authority application and enforcement of standards and regulations governing juveniles held in jails, lockups, or court holding facilities. A county, city, or city and county facility may appeal on the basis of alleged misapplication, capricious enforcement of regulations or substantial differences of opinion as may occur concerning the proper application of regulations or procedures.

- (a) Levels of Appeal
 - (i) There are two levels of appeal as follows:
 - 1) Appeal to the Executive Director; and
 - 2) Appeal to the Corrections Standards Authority
 - (ii) An appeal shall first be filed with the Executive Director.

- 1) If a county, city, or city and county facility is dissatisfied with an action of the Department of Corrections and Rehabilitation staff, it may appeal the cause of the dissatisfaction to the Executive Director. Such appeal shall be filed within 30 calendar days of the notification of the action that caused dissatisfaction.
- 2) The appeal shall be in writing and:
 - a) state the basis for the dissatisfaction;
 - b) state the action being requested of the Executive Director; and,
 - c) attach any correspondence or other documentation related to the cause for dissatisfaction.