

**MARIN COUNTY SHERIFF'S OFFICE
COURT SERVICES DIVISION POLICY AND PROCEDURE MANUAL**

CHAPTER 04 – INMATE HANDLING
CRT **04-08**
Page 1 of 5

DATE
9/30/11

PLACEMENT AND SUPERVISION OF INMATES IN COURT HOLDING FACILITIES

POLICY

It is the policy of the Marin County Sheriff's Office to provide guidelines for the movement, handling and placement of inmates in the Court Holding Facilities under the control of the Marin County Sheriff at the Civic Center Hall of Justice. The procedures set forth below comply with the regulations and guidelines therefore as contained in Title 15, Division 1, Chapter 1, Subchapter 5, Article 3 of the California Code of Regulations. Incorporated herein are applicable provisions of the Marin County Sheriff's Department General Orders Manual. This section shall govern over any conflict(s) with the General Orders as to the specific procedures set forth herein for the movement, handling and placement of inmates in Court Holding Facilities. All Court Security Division staff responsible for the movement, handling and placement of inmates as directed by this section shall be responsible for operating within the procedures of this section.

PROCEDURE

State law provides for minimum standards for movement, handling and placement of inmates held in Court holding facilities pending appearance in civil or criminal Court. These standards have been summarized into procedures that are separately titled as follows:

- Conditions of Detention
- Staffing Plan
- Supervision of Inmates-Safety Checks
- Classification Plan
- Incorporation of Juvenile Movement and Detention Policy
- Access to Legal Services
- Incident Reports and Disciplinary Action
- Training
- Death of Detained Inmate — D.O.J., Reporting Requirements

Conditions of Detention

Deputy Sheriffs charged with the movement of inmates to and from Court holding facilities shall transport in a ratio not greater than provided for by the Marin County Custody Division standards set forth in their policy and procedures.

Inmates considered low or medium security shall be moved in a ratio of 3 inmates to 1 deputy. Two deputies can move 8 inmates, 3 deputies can move 10 inmates. When a Protective Custody (PC) inmate is involved in a movement with any other classification, there shall always be a minimum of 2 deputies assigned.

Inmates housed in Disciplinary Segregation, Administrative Segregation, and Level 3 Mental Health inmates shall be restrained in waist chains and shall be escorted by 2 deputies.

Inmates regarded as potentially violent or high security will be restrained in handcuffs or waist chains prior to movement.

Deputy Sheriffs charged with supervising inmates in criminal or civil courtrooms shall maintain the following deputy to inmate ratios:

- Inmates considered low to medium security and Protective Custody (PC) inmates shall be directly supervised by one deputy per inmate.
- Inmates classified as Disciplinary Segregation, Administrative Segregation, and Level 3 Mental Health inmates shall be supervised by two deputies per inmate.

In the event that multiple inmates are present in court at one time, deputies shall maintain the proper deputy to inmate ratios, regardless of classification type. This may necessitate the delay of the court proceeding until such time as appropriate staffing can be obtained.

Court Security Supervisors will have the ability to use discretion when determining which inmates are allowed to be transported and handled outside of the previously mentioned inmate to deputy ratios. Absent a supervisor's approval, all Court Security Division responsible for the movement, handling and placement of inmates as directed by this section shall be responsible for operating with the procedures of this section.

At all times when an inmate is present in Court holding facilities a Deputy shall be on duty and present to respond in event of an emergency. A female Deputy shall be on duty and available to respond whenever female inmates are present in Court holding facilities.

Unless the Court Security Commander has approved an alternative detention plan, inmates brought to the Courts shall be detained only in designated Court holding facilities.

Staffing Plan

The Court Administrative Sergeant or his/her designee shall review the Court Calendars daily and shall assign such personnel as needed to insure the proper and safe function of the Court Division in accordance with the policies and procedures of the Division and the Sheriff's Department. A daily roster shall be prepared by the Court Administrative Sergeant or his/her designee, which documents the assignment of staff.

Supervision of Inmates-Safety Checks

Inmates detained in Court holding facilities shall be directly supervised by the Deputy assigned to the associated judicial department. In any case in which an inmate is detained in a Court holding facility for an interval of time in excess of one hour, the Deputy in the judicial department to which the inmate is assigned will perform and document safety checks as listed per the inmate's classification status.

The proscribed intervals for safety checks are as follows:

General Population – Every 60 minutes.

Medical and Mental Health – Every 30 minutes.

Disciplinary Separation and Administrative Separation – Every 30 minutes.

Inmates in wheelchairs shall not be placed in holding cells with their wheelchairs. Inmates shall be unshackled or uncuffed from the wheelchair and placed into the holding cell. Upon removal from the holding cell, inmates shall be shackled or handcuffed to the wheelchair before being brought into the courtroom. Deputies shall make safety checks per the inmate's classification. Inmates in wheelchairs who are unable to walk shall be taken directly into their assigned courtroom.

Deputies shall provide direct visual observation of inmates in the holding cells and shall take care to ensure that inmates are alert and responsive. If an inmate appears to be sleeping, deputies shall ensure that the inmate is not, in fact, in distress.

Upon completing the check of the inmate(s), deputies shall make a notation on the holding cell log with the time, their initials and I.D. number.

Classification Plan

Inmate classification related to the movement and placement of inmates in Court Holding Facilities is the responsibility of the deputies assigned to Court Transportation. The Court Administrative Sergeant or his/her designee shall assign the Court Transportation Deputies for each Court week. The Court Transportation Deputies shall prepare twice daily the inmate movement and classification roster. The roster shall be a compilation of information relevant to the safe movement and placement of inmates in the Court Holding Facilities

The Court Transportation Deputies shall gather information relevant to the classification, physical and behavioral characteristics of inmates appearing on the Court's calendars. The Court Transportation Deputies shall compile this information from the inmate's classification record, and disciplinary record maintained at the jail facility. The Court Transportation Deputies shall consult jail staff, including medical staff when appropriate to resolve questions relating to an inmate's status and fitness for appearance in Court.

The roster shall indicate each inmate's name, the inmate's housing unit assigned at the jail, the Judicial Department to which the inmate is appearing, the classification of the inmate assigned by the jail staff, the relevant information on inmate's gang status and keep separate status and any other relevant physical or behavioral information necessary for the inmates proper movement, placement, or separation. The Court Transportation Deputies shall provide copies of the inmate movement and classification roster to each Deputy assigned to the Court Services Division at the morning and afternoon briefings.

All Deputies assigned to inmate movement and placement in the Court Holding Facilities shall reference the movement and classification roster to insure the proper placement, movement, and separation of inmates appearing on the Court calendars according to their designated classification and any other information relevant to proper placement.

Incorporation of Juvenile Movement and Detention Policy

The Division policy and procedures regarding the movement and detention of juveniles is incorporated into this section. All procedures set forth in this section for the classification, placement and movement of inmates shall incorporate the requirements for the protection and separation of minors as contained in the policy and procedure for minors. Court Security Deputies shall be responsible for the proper placement and movement of detained juvenile(s) according to the requirements set forth in the Division policy and procedure for juvenile movement and placement.

Access to Legal Services

Staff shall make inmates available for attorney visits when such access is directed by a judicial officer of the Court and when access can be provided safely by staff taking in consideration any special security needs, availability of staff; or such other circumstance related to providing safe and reasonable access as determined by the Court Security Commander or his/her designee. Staff shall make efforts to meet reasonable requests for attorney visits and maintain a mutually cooperative environment with the Court. Staff shall inform inmates' attorney and the Court when a visitation request cannot be accommodated and shall inform the judicial officer of the Court when or if the visit can be arranged. Staff need not provide a factual explanation to an inmate's attorney when the refusal is based on security concerns whether related to the inmate or other conditions existing at the time the request.

Incident Reports and Disciplinary Action

Any incident involving an inmate which results in physical harm or threat of physical harm to the inmate, staff or other persons in a Court Holding Facility or which give rise to grounds for disciplinary or criminal prosecution shall be documented in an incident report pursuant to Department report writing standards. Incident reports involving inmates should be completed and submitted to the immediate supervisor for review no later than the end of shift. Inmate conduct while present in or moving to or from Court holding facilities giving rise to disciplinary action shall be documented in CMS under the Incident Reporting screen and shall be referred to jail staff for processing according to the policy and procedure of the jail facility.

Training

Supervisors and staff responsible for the custody, control and supervision of inmates shall complete the prescribed STC training as specified in Title 15, Division 1 Section 1 of the California Code of Regulations. Required training shall occur no later than six months following assignment to the Court Security Division. The training may be in blocks or incorporated into other training programs as a supplement thereto.

In accordance with Title 15, Division 1, Chapter 1, Subchapter 4, Article 3, section 1024 of the California Code of Regulations (Court Holding and Temporary Holding Facility Training): Custodial personnel who are responsible for supervising inmates in, and supervisors of, a court holding or temporary holding facility shall complete 8 hours of specialized training. This training shall include, but not be limited to:

- (a) Applicable minimal jail standards;
- (b) Jail operations liability;
- (c) Inmate separation;
- (d) Emergency procedures and planning; and,
- (e) Suicide prevention

Such training shall be completed as soon as practical, but in any event not more than six months after the date of assigned responsibility, or the effective date of this regulation. Eight hours of refresher training shall be completed once every two years.

The Marin County Sheriff's Office shall determine if additional training is needed based upon, but not limited to, the complexity of the facility, the number of inmates, the employee's level of experience and training, and other relevant factors.

Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code. Staff that has completed the Department proscribed training program for the adult detention facility shall be deemed to have met this requirement.

Death of Detained Inmate - D.O.J. Reporting Requirements

The death of an inmate while detained in the Court Holding Facility or while in the custody and control of staff shall be reported as required by departmental policy and procedure.

RELATED STANDARDS:

Title 15, Division 1, Chapter 1, Subchapter 5, Article 3
Marin County General Order Manual
Marin County Custody Division Manual
D.O.J. Reporting Standards

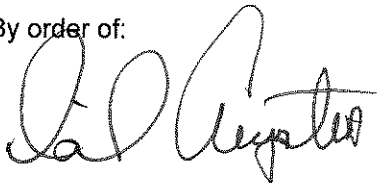
AFFECTED DIVISIONS:

None

DATE OF REVISIONS:

6/1/2001
10/22/2010

By order of:



CAPTAIN DAVID AUGUSTUS
BUREAU OF DETENTION SERVICES