

MARIN COUNTY SHERIFF'S OFFICE  
CUSTODY DIVISION POLICY AND PROCEDURES MANUAL

**CHAPTER 4 – HOUSING**

DATE: 3/11/16

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**CONTACT VISITING**

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**POLICY**

The Marin County Sheriff's Office recognizes the need to facilitate the medical evaluation of inmates housed in the Marin County Jail by licensed physicians, psychiatrists, and psychologists, as well as the Sheriff's Office's absolute responsibility to provide a safe living and working environment for the inmates, staff and visitors who live in, work at, or visit that facility.

In keeping with the aforementioned declaration, it is the policy of the Marin County Sheriff's Office to provide secure rooms within the Marin County Jail from which an inmate can have unhindered, direct and confidential contact with physicians, psychiatrists, and psychologists, licensed by the State of California who are required by the court to treat or evaluate that inmate's physical, mental, or emotional health.

Attorneys will be allowed to have contact visits when they are representing inmates on capital cases (Death Penalty). Attorney contact visits will only be scheduled to take place on Saturdays, Sundays, Holidays and other dates that the courts are closed.

No other contact visits shall be allowed.

**DEFINITION**

**ENTRANCE BACKGROUND CHECK:** A preliminary background investigation conducted by the Marin County Sheriff's Office to determine if a person meets the basic security criteria needed to allow escorted entry into the secured portion of the Marin County Jail. The entrance background check includes an inquiry check through the California Department of Justice and Marin County automated criminal history files and a global CLETS inquiry. For the purposes of this policy, the background entrance check will also include a confirmation that the health care professional is licensed to practice in the State of California. An index of individuals who have previously passed the entrance background check will be maintained at the Lobby SSA Station and will be updated at least once per calendar year. All jail clearances must be authorized by the Jail's Administrative Lieutenant or higher authority.

**VISITOR BADGE:** A red badge will be issued and a uniformed deputy will escort the psychiatrist or psychologist to the designated area of the facility.

## PROCEDURE

Attorneys requesting the evaluation of an incarcerated client's mental health for the purpose of preparing or assisting in the defense of that client's criminal case may submit a request letter or court order to the Jail's Administration staff electronically to [JailAdministration@marinsheriff.org](mailto:JailAdministration@marinsheriff.org). The appointment can be set up by way of email or by calling the Jail's Administration at (415) 473-6373. The writers request must be received at least three (3) full court days prior to the examination taking place.

The request shall include the name, business address, telephone number, and state medical license number of the professional conducting the examination, and the name of the inmate to be evaluated. Should the Administration be unable to confirm that the psychiatrist, psychologist, or attorney has previously passed an "entrance background check," a clearance check will be initiated. It is the specific intent of the Sheriff's Office to complete any such "entrance background check" within seventy-two (72) hours of receiving the request.

Only psychiatrists, psychologists, and attorneys who have passed a Sheriff's Office entrance background check shall be allowed entry into the secured portion of the jail facility.

Should the psychiatrist, psychologist or attorney request a change in the time or date an examination is to occur, they must do so no sooner than 24 hours prior to the date and time requested, although requests made inside that 24 hour window may be entertained at the discretion of the Jail's Administration.

When arriving to conduct a previously approved visit, the psychiatrist, psychologist or attorney shall report to the Lobby SSA station and advise the on-duty SSA they wish to enter the facility to conduct the pre-arranged evaluation.

The psychiatrist, psychologist, or attorney shall surrender his/her driver's license in exchange for a "red" visitor's badge. The psychiatrist, psychologist, or attorney shall be required to pass through the Lobby SSA's stationary metal detector prior to entering the secured portion of the jail facility. Items not specifically required to perform the requested examination shall be stored in a locker until such time as the examination has been concluded. Please note, cell phones are not allowed in the secured facility.

The Sheriff has a "no hostage" policy. This means that no prisoner will be released from the jail as a result of taking a hostage, regardless of who the hostage may be. It is the policy of the Sheriff to resolve crises involving hostages without loss of life or injury if at all possible. Force will be used when necessary to rescue hostages. All visitors must sign a "No Hostage Release" waiver form prior to entering the secured facility.

The Lobby SSA shall notify the Housing Sergeant of the pending contact visit. An MRD will be asked to respond to the lobby to escort the psychiatrist, psychologist, or attorney into the secured portion of the facility. Upon contacting the psychiatrist, psychologist, or attorney, the MRD will have them walk through the Lobby SSA's stationary metal detector. The psychiatrist, psychologist, or attorney will then be escorted into the secured portion of the facility. The MRD will then arrange to have the inmate brought to the appropriate section of the jail in order to facilitate that visit. The inmate shall only be allowed to bring with him/her legal materials or professional documents necessary to the successful conclusion of the visit.

The location in which the visit shall occur will be determined by the Jail Commander or his/her specific designee.

Any psychiatrist, psychologist or attorney entering the secured portion of the Marin County Jail shall be subject to a "pat down" search and a search of their personal belongings prior to entering the jail facility, but shall *not* be subject to an unclothed search of the person unless the Booking Sergeant has the prior express approval of the Jail Commander.

In all cases, should the psychiatrist, psychologist, or attorney exercise their right to leave the jail prior to entering the secured portion of that facility, no search whatsoever shall take place.

Once the visit has been concluded, an MRD will escort the psychiatrist, psychologist or attorney out of the secured portion of the jail facility where the Lobby SSA shall ensure the visiting badge has been collected prior to returning the individual's driver's license.

The Lobby SSA's copy of the initial examination request letter shall be amended to reflect the completion of the visit and be forwarded to the Housing Sergeant for placement in the inmate's jail file. Included on the amended copy shall be the date and time the visit occurred, the date and time the visit concluded, and the signature of the SSA recording the information.

Once an inmate is sentenced, the inmate will no longer be allowed to have a contact visit.

#### RELATED STANDARDS:

Title 15, Article 6, Section 1062

Title 15, Article 6, Section 1068

Custody Division Policy 4-20

#### DATE OF REVISIONS:

08-03-94

05-09-00

06-19-00

04/21/01

05/02/13

03/11/16

By order of

RICK NAVARRO  
BUREAU COMMANDER