

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

CHAPTER 5 - DISCIPLINE/RULES
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DATE
06-05-95

INMATES RULES OF CONDUCT

POLICY

All inmates will follow the rules while in the custody of the Marin County Sheriff. All inmates are expected to read and observe the rules set forth on the following pages. Deputies will assist inmates in the reading and understanding of the rules and expected behavior. All local, state, and federal laws relative to criminal behavior are fully in effect while in this facility.

PROCEDURE

This policy contains all inmate rules and procedures for rule violations. There are three types of rule violations; criminal, major and minor. Deputies will assist inmates through initial orientation and Pod orientation to ensure all inmates understand the rules. This will include discussing basic rules and assisting inmates with reading the rules when needed. A copy of disciplinary records may be sent to State Prison or any jail when an inmate leaves this facility.

CRIMINAL RULE VIOLATIONS

Inmates violating this type of rule may have criminal charges filed against them and be subject to prosecution in the courts. Under section 653.75 PC the commission of any public offense while in custody is a violation of the law. In addition to criminal charges the inmate will be disciplined for a crime under a major rule violation, and may be reclassified, and/or rehoused. Review of criminal violations will be reviewed by the Hsg. Sergeant. Criminal actions will be followed through with a Crime Report. Major rule violations will be written up as directed under rule violation procedures in this policy. Any rehousing or reclassification will be done by the Hsg. Sergeant.

The following are samples of the most frequently violated crimes:

1. Defacing or destroying County property (4600 PC)
2. Fighting (415(1) PC)
3. Gambling (330 PC)
4. Theft of any kind (488 PC & 487 PC)
5. Obscene, threatening or annoying phone calls (653m PC)
6. Using threat or force to obtain another inmate's property (211 PC)
7. Escape (4532a & b PC)

MAJOR RULE VIOLATIONS

Inmates violating these rules may be charged with a major rule violation. Four or more minor rule violations may also be handled as a major rule violation. All major rule violation reports will be reviewed by the Hsg. Sergeant.

Disciplinary actions for a major rule violation can be any, or a combination of the following examples:

1. Loss of good time (sentenced inmate only)

2. Loss of work time (sentenced inmate only)
3. Loss of visiting
4. Loss of commissary
5. Termination of future passes
6. Ineligible for inmate worker status
7. In-house cell restriction
8. Move to Disciplinary Segregation for 10 days

MAJOR RULES

1. Disrespect to any staff member or other inmates will not be tolerated.
2. All lawful orders from a Deputy or staff member will be obeyed immediately.
3. All inmates will lockdown immediately when told.
4. Inmates are prohibited from approaching or touching the Pod Deputy Station without permission.
5. Your identification armband shall be worn at all times, unless authorized by staff.

Failure to comply will immediately result in:

1. No medication
2. No mail
3. No commissary
6. No inmate is allowed in any cell that is not assigned to them.
7. No mock fighting, martial arts instruction or display is allowed.
8. No inmate is to engage in any action which would endanger the safety of any employee, inmate or violate the proper operation or security of the facility.
9. Bedding or any other materials are not to be arranged to hide any occupant of a cell.
10. Possession of any item that is contraband is not allowed.
11. During a contact visit, you are not to give or receive anything without prior authorization from a Deputy.
12. Saving up or giving medication away is not allowed.
13. Inmates will not give false information to staff.
14. Jail equipment such as lights, vents, or intercoms will not be tampered with in any way.
15. Inmates will not engage in sexual activities.
16. During inmate movement outside the Pod, the following is prohibited:
 1. Excessive noise
 2. Delaying movement
17. Sentenced inmates will work when asked to.
18. Inmates will not alter, tamper or destroy inmate movement cards, armbands or any county property.
19. Inmates will not cut, shave or style their hair in any way to represent gang signs, symbols, numbers or figures.

MINOR RULE VIOLATION

Inmates violating this type of rule may be charged with a minor rule violation. Review of this type of violation will be done by the Hsg. Sergeant. Inmates guilty of a minor rule violation are subject to, but not limited to the following disciplinary actions. The minor rules listed below all have recommended sanctions.

MINOR RULES

1. You must identify yourself when requested to do so by a Deputy or any staff member. Sanction - Loss of job or work status and/or lockdown 1-4 hours.
2. You are prohibited from misusing intercom boxes. Sanction - 5-10 work details.
3. Cells will be kept clean daily and ready for inspection by the Pod Deputy. No pictures, decorations, writings, or any other items of any kind will be affixed to walls, beds, desks, windows or doors. Sanction - 1-4 hour lockdown and/or 1-5 work details.
4. Inmates will shower regularly. Sanction - Loss of job or work status and/or 1-3 work details.
5. You are prohibited from having more than what is issued to you by way of bedding and clothing unless authorized by staff. Sanction - Loss of job or work status and/or 5-10 work details and/or 1 day loss of either phone, visiting, or yard.
6. Standing on sinks, toilets, beds, or railings is not allowed. Sanction - 5-10 work details and/or 2 day loss of either phone, visiting, or yard.
7. Inmates will not act in ways that are loud, boisterous or disruptive. Sanction - 1-4 hour lockdown and/or 5-10 work details.
8. Inmates are not to "cut" or "jump" line for any reason i.e. commissary, telephones, laundry exchange, or meals. Sanction - 1-4 hour lockdown and/or 5-10 work details and/or 2 day loss of phone, visiting, or yard.
9. Colored uniforms and shoes must be worn whenever out of the cell. Sanction - 3-5 work details.
10. All clothing will be worn as intended by design i.e. T-shirts will not be worn as head scarves. Sanction - 1-4 hour lockdown and/or 1-3 work details.
11. All kites and mail are to be sent and received only through your Pod Deputy. Sanction - Loss of job or work status and/or 2 day loss of either visiting, phones, or yard.
12. Inmates are not to loiter near the visiting rooms. Sanction - 1-4 hour lockdown and/or 1 day loss of visiting.
13. All inmates will come out of their cells for meals whether they eat or not. Sanction - 1-4 hour lockdown and/or 3-5 work details.
14. Inmates are not to touch property belonging to another inmate without his/her permission. Sanction - 1-4 hour lockdown, loss of job or work status and/or 5-10 work details.
15. There will be no physical contact between inmates of the opposite sex without authorization of staff. Sanction - Loss of job or work status and/or 5-10 work details.
16. Inmates are not to take more than one tray at meal time unless authorized by the Pod Deputy. Sanction - Loss of job or work status and/or 1-4 hour lockdown.
17. Loitering on the mezzanine level in the Pod by inmates is prohibited. Sanction - Loss of job or work status and/or 5-10 work details and/or 1-4 hour lockdown.

RULE VIOLATION - PROCEDURES

CRIMINAL VIOLATION

Major rule violation procedures will be carried out whether the District Attorney decides to prosecute or not.

MAJOR VIOLATIONS

1. Major violations or repeated minor violations of facility rules shall be written up on a Major Rule Violation Form by the Deputy observing the act and submitted to the Hsg. Sergeant. The Hsg. Sergeant will assign an investigating Deputy to review the incident with the inmate, giving the inmate the opportunity to explain his/her side.
2. The inmate shall be informed of the charges in writing.
3. Charges pending against an inmate shall be acted on no sooner than 24 hours after the report has been submitted to the Hsg. Sergeant.

4. A Hearing on the violation(s) shall occur no later than 72 hours after an inmate has been informed of the charges in writing.
5. Disciplinary action may be appealed to the Ops. Lieutenant. Appeals must be made in writing.

MINOR VIOLATIONS

1. The Deputy observing or receiving a report of a minor rule violation will complete the Minor Rule Disciplinary Form. The Deputy will recommend sanctions and contact the Hsg. Sergeant for approval.
2. If the report is approved, the Hsg. Sergeant will return a copy to the Pod Deputy for sanctions to be noted on the movement card and given to the inmate. A copy will be placed into the inmate's Jail File.
3. Should an inmate receive three minor rule disciplinary reports in his/her file, the fourth violation of a minor rule may be handled as a major rule violation.
4. The minor rule disciplinary action may be appealed to the Bkg. Sergeant. Appeals must be made in writing.

RELATED STANDARDS

Title 15, Article 7 Section 1080

DATE REVISED

08-03-94

By order of

DANIEL PAYNE
BUREAU COMMANDER