

## **12.100. PRO PER PRIVILEGES/LEGAL RESEARCH SERVICE**

**100.00. INTRODUCTION:** The following types of inmates shall be granted privileges pursuant to this policy:

Criminal Pro Per Inmates: Inmates who by court order are representing themselves in their pending criminal trial. For purposes of this policy, an inmate's trial is still active while awaiting sentencing. Court approval to act in Pro Per is required for inmates representing themselves in criminal matters.

Upon the court's acceptance of the inmate's claim, the following types of inmates shall be granted access to the law library or Legal Research Associates Service:

- Inmates who are representing themselves litigating a Writ of Habeas Corpus challenging a condition of their confinement or the basis for their sentence
- Inmates who are representing themselves litigating a civil rights case with a cause of action pled pursuant to 42 USC § 1983

All inmates shall be given access to the courts to file a Writ of Habeas Corpus or to file a civil rights claim. The Bureau's definition of access to courts is: Providing inmates with legal forms, stamps and envelopes required to file such forms (if indigent), and mailing the envelopes to the courts on behalf of the inmate.

Pro Per privileges shall be at the expense of the inmate unless the court has granted the inmate indigent status. Pro Per inmate privileges shall be honored at the reasonable convenience of the facility and shall be dependent on the security of the Pro Per inmate, other inmates, staff and the needs and security of the facility.

The Sheriff's Department shall direct a copy of all Pro Per court orders to the Pro Per liaison officer, including existing orders, new orders and orders modifying or revoking existing orders. The Sheriff's Department liaison officers and other staff shall not be responsible for court orders not directly received from the court. Liaison officers shall be responsible for maintaining a Pro Per file consisting of all court orders involving the Pro Per status and privileges of each Pro Per inmate. Pro Per inmates having concerns regarding their Pro Per privileges may submit an inmate grievance.

(Rev. 01/2020)

**100.05. DEFINITIONS:** Authorized Legal Assistant: A licensed investigator, legal runner or other person specifically authorized by the court to assist a Pro Per inmate. All legal runners must pass a background check and be approved by the Sheriff's Department prior to admittance.

Pro Per Court Approval: Written documentation from the court granting Pro Per status to an inmate.

Pro Per Court Order: Written documentation from the court granting specific privileges to a Pro Per inmate.

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Housing Considerations: Pro Per inmates shall be housed according to their classification. Pro Per inmates shall not receive privileges not granted to any other inmate, except as specifically outlined within these procedures or provided by court order.

Indigent Inmate: An inmate having a fiscal balance under \$2.00 for ten consecutive days.

Indigent Pro Per Inmate: A Pro Per inmate meeting the Pro Per definition of an indigent inmate.

Inmate Notification: Inmates granted Pro Per status through the court shall be provided a copy of these Pro Per policies and procedures. The inmate shall sign an acknowledgement of receipt of these policies and procedures.

Law library: An area of the jail used exclusively for inmates to review and research legal material for their case only.

Legal Research Associates Service: A contract legal research service that may be used in the place of the physical law library at any facility.

Liaison Officer: The Department shall designate one or more officers to act as liaison between the Pro Per inmate, the Department and the court. Each facility shall designate a liaison officer; they shall have the rank of at least a sergeant and shall be available Monday through Friday from 0800-1700. Facilities shall forward a list of the liaison officers' contact information to the courts and the Administrative Support Unit (ASU).

Pro Per Inmates: Inmates who have court approval to act as their own legal counsel in their pending criminal action.  
(Rev. 01/2020)

**105.00. LEGAL RESEARCH ASSOCIATES SERVICE:** Eligible inmates shall be provided reasonable access to legal reference materials as described in Title 15, Section 1064. To accomplish this, the Department has contracted with Legal Research Associates (LRA) to provide legal reference materials for eligible inmates housed in its detention facilities. LRA services are those of a law library and do not serve as legal counsel to inmates.  
(Rev. 03/2019)

**105.05. ELIGIBLE INMATES FOR LEGAL RESEARCH ASSOCIATES SERVICE:** All eligible inmates shall be limited to one request for LRA services per week. Inmates eligible to utilize the services of LRA are those who have any of the following legal matters pending before a State or Federal court:

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Pro Per Inmates:

- Conducting legal research on their case

General Inmates: Only under the following two conditions:

- Civil rights case filed under 42 U.S.C. Section 1983
- An inmate who has filed a Writ of Habeas Corpus which has been accepted by the court

An inmate may be permitted more frequent legal research requests if ordered by the court having jurisdiction over the inmate's case.

(Rev. 03/2019)

**105.10. REQUESTING LEGAL RESEARCH MATERIALS:** Eligible inmates may request Legal Research Request forms (ASU#130206) by submitting an inmate request via the automated kiosk. Staff shall forward all Legal Research Request forms to Support Services. LRA only accepts and delivers information in English.

(Rev. 01/2020)

**105.15. SUPPORT SERVICES STAFF RESPONSIBILITIES FOR LEGAL RESEARCH ASSOCIATES SERVICE:** Support Services staff shall complete the following when routing Legal Research Request forms:

- Collect the Legal Research Request forms from the Support Services/library mailbox daily
- Confirm inmate's eligibility status
- Number and time stamp each accepted Legal Research Request form for tracking purposes
- Make an entry in the Legal Research Request Log (ASU#13301), listing:
  - Name of requesting inmate, booking number, and housing location
  - Request form tracking number
  - Date the request was faxed to LRA
  - Date the materials (or other answer to the request) were received from LRA
  - Date the packet was delivered to the inmate (if no longer in custody the packet is to be logged and destroyed)
  - Staff shall make a copy of the Legal Research Request form and fax it to LRA

Staff determining an inmate has used their allotment of legal research requests shall return the request to the inmate with a notation indicating the earliest date that the inmate may re-submit the request. Staff shall enter the request in the Legal Research Request Log indicating the request was rejected because the inmate had used their allotment of requests.

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Staff shall temporarily file the copies of the Legal Research Request forms. The file shall be organized by the day the request was faxed to LRA.

Support Services shall regularly confirm that LRA responses are received in a timely manner.

Support Services staff shall contact LRA and follow up on any requests that have not received a response within 3 days of the day the request was faxed.

(Refer to Facility Specific Procedures Manual)

(Rev. 01/2020)

**105.20. DELIVERING LEGAL RESEARCH PACKETS:** Legal research packets will be returned to the facility once per day Monday thru Friday, excluding holidays.

Mailroom staff shall route incoming research packets to Support Services staff for distribution. Support Services staff shall log the date the packet was received in the Legal Research Request Log, place the copy of the original request form in the packet and attach the Legal Material Receipt form to the front of the packet and route the packet to the requesting inmate via facility mail. Staff shall not photocopy legal research materials.

(Rev. 03/2019)

**105.25. ABUSE OF THE LEGAL RESEARCH ASSOCIATES SERVICE:** Staff members who determine an inmate is abusing the LRA program shall notify the Support Services supervisor. Abuse is defined as researching issues for other inmates, making repeated, frivolous or nonsensical requests, or using the LRA service in a manner that threatens the safety, security or good order of the facility. The inmate's LRA access may be suspended for up to 30 or 60 days, depending on the discipline guidelines.

(Rev. 03/2019)

**105.30. INMATE GRIEVANCES REGARDING LEGAL RESEARCH ASSOCIATES:** Staff shall submit grievances regarding LRA services according to established facility procedures. Once the grievance has been logged, staff shall fax the grievance to LRA for a response.

LRA will fax a response to the inmate's grievance to Support Services for review and approval. Upon approval, the Support Services supervisor or designee shall forward a copy of the response to the inmate, place a copy of it in the inmate's booking jacket, and forward a copy to the administrative grievance file. (Refer to Bureau Policy Section 12.200.00)

(Rev. 03/2019)

**110.00. LAW LIBRARY PRIVILEGES:** The Department shall provide and maintain law library access for use by inmates as described in this section 12.100.00. Law library

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materials may be in limited printed format, accessible by electronic means, or both. The Department shall not be responsible for providing computer instruction.

Pro Per inmates may be afforded up to 4 hours of law library time per week. Pro Per inmates with multiple criminal cases may be afforded a maximum of 8 hours per week if time is available, with appropriate court orders granting additional library access. Access will be prioritized based upon the date of issuance of the court order.

The use of the law library is restricted to legal research directly related to the inmate's case. Pro Per inmates shall not be permitted to conduct legal research for non-Pro Per cases or on the behalf of other inmates.

Inmates violating this section shall be verbally warned, and may be summarily removed from the law library for the remainder of their session. The verbal warning shall be documented on the inmate's Pro Per log. Repeated violations shall result in further disciplinary action with possible loss of Pro Per privileges and/or Pro Per status, per the court's direction.

The Pro Per liaison or their designee shall designate the time and place of an inmate's law library access, and may assign inmates in groups based upon safety, security and efficient use of available facilities. Law librarians shall maintain a log which documents the time and date each inmate uses the law library. The log shall be retained for 5 years.

Law librarians shall send a law library schedule to each unit housing Pro Per inmates on a weekly basis. They shall also advise the unit when they are ready for the inmate. The Pro Per inmate shall be prepared to be either escorted or sent to the law library for their scheduled time. Delays deliberately caused by the inmate shall be documented on the Pro Per log and shall result in a verbal warning. Repeated violations may result in further disciplinary action with possible loss of Pro Per privileges and/or Pro Per status.

If during a Pro Per inmate's scheduled law library access time, they voluntarily suspend access for an interview, visit or any other reason, their law library time continues to run until the scheduled time is over (law library time cannot be suspended). However, inmates having classifications requiring deputy escort who elect to receive a visit or otherwise leave the library may not be guaranteed return to the library for any remaining time and shall be subject to the time limitations of the housing unit depending on staff resources, facility schedule, and any safety concerns. If an inmate declines their scheduled law library time, that time is forfeited and the time shall not be made up.

Access to the law library shall not be delayed for meals. Inmates wishing to remain in their housing unit for their meal may do so but the time shall be deducted from their designated law library time. Inmates shall not be fed in the law library. Inmates missing

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their meal to go to their designated law library time shall be provided with a sack lunch when they return to their unit.

The law library is not required to provide make up time when the inmate misses their scheduled time to go to court. Make up time shall not be provided if the missed time was for facility security issues. The law library is under no obligation to provide law books, legal reference materials, or copies thereof, to any inmate in their living area.

Inmates shall not remove law books, source material, or parts thereof, from the law library. Possession of any law library materials in an inmate's cell shall be considered contraband. Possession of such contraband, theft, damage or destruction of law books or source materials may result in discipline and may result in the denial of access to such materials.

Pro Per inmates who violate facility and/or law library rules shall be subject to disciplinary action which may include restriction from the law library or materials for a designated period. The courts will be notified of the restriction.  
(Rev. 01/2020)

**110.02. TELEPHONE PRIVILEGES:** Telephones are provided in the law library. Telephone calls made in the law library shall only be related to the inmate's case. Non-Pro Per inmates shall not be permitted to use the telephone in the law library.

All telephone calls shall only be:

- Outgoing
- Collect or made using pre-paid telephone pin numbers purchased through commissary
- Made at the inmate's expense unless the inmate has an appropriate court order specifying use of a telephone pin number
- Pro Per inmates must meet court ordered indigent status prior to obtaining court ordered telephone pin number. Indigent Pro Per inmates may contact the court and request funds for the purchase and authorization for the use of pre-paid telephone pin number

Indigent Pro Per inmates having the appropriate court order shall be issued, upon request, a unique telephone pin number for the use of legal purposes only. Based on the inmate's court order, five (5) 15-minute telephone calls will be issued every 30 days from date of the first issuance as long as the inmate continues to qualify for indigent status for the duration of the court order or termination of Pro Per status, whichever comes first. Pro Per inmates shall not give away, loan, barter or sell their court funded telephone cards or telephone time. No inmate shall use a telephone card that has not been directly issued to them.

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Court funded and court ordered telephone pin numbers shall only be used for telephone calls that directly relate to the case for which the inmate has been designated by the court as Pro Per. Such telephone pin numbers shall only be used in the law library.

Pro Per inmates violating the rules for telephone pin numbers privileges may have their issued telephone pin numbers temporarily suspended. Staff shall send a letter to the court describing the violation and request subsequent denial of telephone privilege.

Telephones in the law library shall only be used during normal law library time and made available for Pro Per inmates to contact their witnesses, investigators, runners or other persons specifically authorized by court order (collectively authorized legal assistants).

To ensure telephone pin numbers are being used appropriately, the court may request inmate telephone logs from the facilities. Facility liaison officers shall prepare such logs as soon as possible and submit them to the court.

(Rev. 03/2019)

**110.05. EQUIPMENT:** Inmates may use computers to prepare their Pro Per case. Computers shall have limited Microsoft Word capability for the purpose of writing motions and legal letters. The computers shall have print capability but no save or file capability. Pro Per inmates may print three copies of legal motions or two copies of legal letters. Law librarians shall not be responsible for providing any computer instruction.

Pro Per inmates needing copies of legal reference materials shall obtain them from their authorized legal assistant.

Inmates not wishing to use the computer may legibly hand write their materials.

Audio, video and DVD equipment shall be maintained and provided for use by Pro Per inmates during their law library access time. Inmates having audio tapes, CDs or DVDs relating to their Pro Per case may use the equipment exclusively for their Pro Per case preparation and not for entertainment.

Staff shall check such equipment out and in after each law library access session. Audio, video and DVD equipment necessary to review tapes and DVDs shall only be supplied by the facility. Pro Per inmates shall not have in their possession, except in the law library, CDs, DVDs, audio tapes or other electronic storage devices.

(Refer to Bureau Policy Section 6.030.00)

(Rev. 01/2020)

**110.10. LEGAL SUPPLIES:** Pro Per inmates may possess office supplies to assist in the preparation of their Pro Per case. The supplies shall be stored in the law library and

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distributed to the Pro Per inmate upon request in the pre-determined allotments listed below.

Pro Per inmates shall supply their own office supplies. The supplies may be purchased from their inmate trust account or through approved court funds. Supplies may be mailed or delivered to the Pro Per inmate in care of the law library from their court appointed investigator and/or an approved legal runner. Supplies may not be sent in by persons other than those designated as court ordered legal assistants.

Office supplies are not cumulative and inmates shall stay within the number of supplies listed below per week. Inmates may possess the following office supplies in their cell:

- 10"x15" important document file folders (4 max)
- Plain bond paper (20 sheets)
- 9" x 12" envelopes (10 per week)
- Peel and stick Stamps (20 per week)
- Golf size pencils (5 per week)
- File folders (4 per week)
- Legal pads (3 per week)
- Legal size (#10) envelopes (10 per week)
- Erasers, pencil cap style (5 per week)

Inmates shall not possess the following:

- Markers
- Items with metal parts
- Metal fasteners, including staples, paper clips
- Adhesive tape
- Construction paper or poster board shall only be allowed in the law library

During the law library session, Pro Per inmates may use:

- Carbon paper (3 sheets maximum)
- Liquid white out
- Ink pen

None of the above listed items may be removed from the law library at any time. Inmates found in possession of the above items outside the law library are subject to discipline.

Indigent Pro Per Inmates:

Solely for the purpose of representing themselves on their court ordered Pro Per case, indigent inmates may be issued the below items:

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- Writing tablet as often as needed
- Letter (#10) sized envelopes as often as needed
- Pencil (1)
- Eraser (1)

Indigent inmates may be issued supplies for multiple Pro Per ordered cases, up to a maximum of two cases.

Pleading paper may be issued in five sheet increments based upon the specific needs of the Pro Per inmate as validated by the law librarian. (Refer to Bureau Policy Sections 12.715.00, 12.2030.00 and 12.2030.02)  
(Rev. 01/2020)

**110.11. LEGAL FORMS:** Legal forms may be provided for inmates to file Habeas Corpus petitions and civil rights claims regarding current conditions of confinement. Other forms not provided, may be obtained and given to the inmate by their legal assistant.  
(Rev. 01/2020)

**115.00. COURT ORDERS:** Law library staff shall verify court orders through Open Access when court order is unclear.  
(Rev. 01/2020)

**120.00. SUBPOENA PRIVILEGES:** Blank subpoena forms shall be supplied to the Pro Per inmate as needed. Inmates shall be responsible for routing such forms to the trial court to which the case has been assigned for affixing the proper seal.  
(Rev. 04/2011)

**130.00. PRO PER AUTHORIZED LEGAL ASSISTANTS (LEGAL RUNNER/INVESTIGATOR):** Pro Per inmates may retain the services of a legal runner or an investigator at their own expense or at the courts expense if so ordered. An investigator shall be a California Licensed Investigator.

The inmate has the responsibility to notify the court and law library staff who their legal runner or investigator will be.

The legal runner may be used to pick up or deliver one package per calendar day. Pick-ups and deliveries will be limited to the hours between 8:00a.m. and 3:00p.m. Monday through Friday.

Lobby staff shall inspect the legal materials and supplies prior to forwarding the supplies to the law library. Staff shall ensure they are free of staples, paper clips or any metal or plastic items. Staff inspecting items that are physically brought in shall

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immediately inspect such items. Staff shall return the items to the legal representative if they do not comply with policy.

Only approved office supplies, discovery CDs or audio tapes, may be delivered for forwarding to the law library. Law library staff shall inventory the supplies and distribute them to the inmate as permitted by the Pro Per policies. Non-legal mail, books, periodicals, newspapers or any other items not specifically approved, shall not be sent through a legal runner.

Items sent from the jail via a legal runner shall be prepared by the inmate and inspected by staff. Those items shall be placed into an envelope, no larger than a 10" x 13", and sealed by the inmate while in the presence of staff. Staff shall write the date and time on the outside of the envelope confirming the contents were inspected. The sealed package will then be forwarded to the Property room along with a completed property release form designating the recipient. All such packages are subject to approval or restriction of the Support Services Sergeant. No items marked as Property of the District Attorney's Office, including discovery CDs, VHS tapes or audio tapes, or other electronic storage devices, will be released and shall be returned to the District Attorney's office upon completion of Pro Per status. Inmates shall supply their own envelopes.

All legal runners and investigators shall be pre-approved by the Facility Commander/designee through an application process and may be rejected for reasons such as:

- Disruptive conduct
- Security risk
- Ex-felon (P.C. 4571)
- Released from San Bernardino County jail within the past six months

The Facility Commander/designee shall have up to ten days to approve or reject a legal runner or an investigator, and notify the inmate, applicant and court of the results.

Abuse of the authorized legal assistant privilege may result in discipline and loss of Pro Per status or privileges. (Refer to Bureau Policy Section 12.715.00)  
(Rev. 01/2020)

**130.05. PRO PER AUTHORIZED LEGAL ASSISTANTS (LEGAL RUNNER/INVESTIGATOR) SCREENING:** If the court designates a legal assistant or runner, that person shall complete and turn in the Legal Runner Application (ASU #021202). A record check shall be completed on the legal runner applicant. Upon completion of the record check, a shift supervisor shall interview the legal runner and shall advise them of P.C. 31 and P.C. 4532. The Legal Runner Authorization form (ASU#021201) shall be prepared by the supervisor who authorizes the legal runner to

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come to the jail for visits. The Legal Runner Authorization form shall contain the days and time of visiting. The legal runner shall be given a copy of the letter to be used as a pass for the visits.

(Rev. 03/2019)

**130.10. LEGAL MAIL:** (Refer to Bureau Policy Sections 12.712.00 and 12.714.00)  
(Rev. 01/2019)

**140.00. LEGAL VISITS FROM PRO PER'S AUTHORIZED LEGAL ASSISTANTS AND WITNESSES:** Inmates granted Pro Per status shall receive visitation time to confer with their authorized legal assistants or witnesses. The court will notify the facility of the identity of any investigator, runner or any other person the court has authorized to assist the Pro Per inmate with their case. If there has not been any notification from the court, the Facility Commander/designee has the right to refuse access to any such person.

Pro Per inmates shall be permitted one 30-minute legal visit daily in the telephone visiting area during regular official visit hours by their authorized legal assistant. It shall be the Pro Per inmate's responsibility to coordinate with their legal assistant to prevent multiple arrival times on the same day.

Access by the Pro Per inmate's authorized legal assistants may be contact (in the official visit room) or non-contact (visitor telephones) at the discretion of the Facility Commander/designee.

Pro Per inmates who need to interview witnesses shall do so via telephone or through their authorized legal assistants, except as ordered by the court. Interviews shall not be permitted without notification from the judge confirming or validating the identity of the prospective witness. The Pro Per inmate is responsible for providing the judge with the list of prospective witnesses for validation.

No visit shall be permitted by a prospective witness who is in custody of the Department or otherwise detained by a government agency except upon court order.

(Rev. 01/2020)

**160.00. MAILING PRIVILEGES:** (Refer to Bureau Policy Section 12.605.00)  
(Rev. 01/2019)

**162.00. STORAGE OF PRO PER LEGAL MATERIALS AND CONFIDENTIAL CORRESPONDANCE:** Pro Per inmates may accumulate legal materials, including reports, notes, court documents, confidential correspondence, law books and other materials related to their Pro Per case. The volume of materials the Pro Per inmate may possess within their cell at one time is limited to what can be stored inside 4 10"x15" important document file folders.

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Any other materials needed for the Pro Per case shall be stored outside the jail at a location selected by the inmate and at the inmate's expense. It shall be the Pro Per inmate's responsibility to arrange for the exchange of materials with their legal assistant. Materials may be transported in and out of the jail via the authorized legal assistant. All materials entering or leaving the jail shall be subject to search.

It shall be the responsibility of the Pro Per inmate to keep legal materials separate from their other personal property. All legal materials shall be kept in a maximum of 4 10"x15" important document file folders. Staff shall treat important materials stored with personal property items such as soap, shampoo, food products and newspapers as regular inmate property.

It shall be the Pro Per inmate's responsibility to store legal materials within their living area in a safe and sanitary fashion. If the accumulated materials jeopardize the safety or security of the inmate, staff, or facility, staff shall request the inmate take immediate and appropriate remedial action. If the inmate fails to take such remedial action within a reasonable time, staff may remove excess property, at the staff's reasonable discretion. In this instance, the excess property may be stored in the facility property room on behalf of the inmate until released to any person designated by the inmate.

(Rev. 01/2020)

**165.00. SEARCHING PRO PER INMATE PROPERTY:** Prior to the search of their housing area, the Pro Per inmate shall be instructed to gather all legal materials into their 10"x15" important document file folders. Although the Pro Per inmate need not be present during the search of their cell, it is necessary that the Pro Per inmate be present during the search of their 10"x15" important document file folders containing legal paperwork, unless there is an articulable safety or security reason for the search outside of their presence.

Anytime a Pro Per inmate's legal materials are searched outside of their presence, the search shall be approved by the Facility Commander/designee, and shall be videotaped or conducted in the presence of at least two safety staff members. Should any personal items be located within a 10"x15" important document file folder containing legal paperwork, the inmate may be subject to discipline.

(Rev. 03/2019)

**167.00. SEARCHING LEGAL MAIL:** (Refer to Bureau Policy Sections 12.165.00 and 12.714.00)

(Rev. 03/2019)

**175.00. REQUESTS FOR ADDITIONAL PRO PER PRIVILEGES:** Pro Per inmates who desire additional or special privileges or different from what is provided herein shall first submit the request in writing to the liaison officer. The inmate must specifically

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state their request and reasons for the request, along with the duration of the special privileges. The liaison officer shall respond in writing within 10 business days to the request. The inmate may appeal any adverse decision to the Facility Commander/designee in writing with a copy of the liaison officer's decision. The Facility Commander/designee shall respond in writing to the appeal within 10 business days.

The inmate may appeal any adverse decision from the Facility Commander/designee to the court designated to review Pro Per issues, attaching a copy of all the decisions of the liaison officer and Facility Commander/designee to the appeal.

Although the court may order certain special privileges, some privileges shall not be granted, such as clothing, meals, outside church services, or special family or friend visitations.

The inmate shall exhaust all administrative procedures before petitioning the court for special privileges or appealing any adverse decision regarding Pro Per privileges. The Facility Commander/designee may request the court suspend any such matter in which the inmate has not first exhausted the established administrative procedures and remedies.

(Rev. 01/2020)

**180.00. INMATE DISCIPLINE AND REVOCATION OF PRO PER STATUS AND PRIVILEGES:** Pro Per inmates are subject to discipline for violations of jail rules and regulations in the same manner as other inmates. All reports of Pro Per inmate discipline will be filed with the court designated to review Pro Per issues. After reviewing the discipline report, the court may request the Department apply for an order modifying or revoking the inmate's Pro Per privileges or Pro Per Status.

Unless the safety of the inmate, the safety of the other inmates or jail staff would be jeopardized, the inmate's Pro Per privileges should not be revoked or modified until the court orders modification of Pro Per privileges or Pro Per status. In emergency situations, the Facility Commander/designee may immediately suspend all Pro Per privileges, provided notice is given to the court specifically describing the emergency action taken and the reasons therefore.

The Department may, for cause, apply for an order modifying or revoking some or all of an inmate's Pro Per privileges or Pro Per status. Except in emergency situations, Pro Per privileges shall not be revoked or modified by either jail discipline or administrative housing without complying with the following procedures:

- The inmate shall be given notice of the charges upon which the proposed revocation, modification, or administrative housing is based at least 24 hours in advance of a hearing before the hearing officer

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- The inmate shall be given the opportunity to appear before the hearing officer within 48 hours of such notice
- The inmate shall be given the opportunity to present witnesses and documentary evidence. The hearing officer may restrict the presentation of live witnesses if such testimony would be hazardous to institutional security or safety
- The inmate shall be given a written statement of the evidence relied upon and the reasons for the action taken, except when personal or institutional safety or security reasons prevail. The statement may be properly redacted to the extent necessary to preserve the safety of inmates, staff or to protect institutional security
- As soon as practical after the hearing, but in no event later than two court days, the hearing officer shall issue findings and decisions as to the charges and proposed disposition. The Department or their designee shall notify the court, before whom the defendant's case is pending, of the findings and decisions, a record of the administrative proceedings, and the proposed disposition, including any modification or revocation of Pro Per privileges, or administrative proceedings. The Facility Commander/designee shall notify the court as soon as practical, but under no circumstances beyond the next court day. If the inmate is Pro Per on multiple cases, the notice shall list all cases in which the defendant is acting in Pro Per and will be filed in the court designated to consider the matter
- Upon receipt of the notice, the court may direct the Facility Commander/designee to show cause why any of the suspended Pro Per privileges should not be reinstated pending a hearing on the proposed disposition. The court will independently review the administrative record and will conduct a hearing thereon within a reasonable time of receipt of the notice from the Facility Commander/designee. Both the Facility Commander/designee and the inmate will be entitled to appear and argue their respective sides. No additional evidence will be presented at the court hearing unless the court so determines upon a showing of good cause

(Rev. 01/2020)

**190.00. DURATION OF PRIVILEGES:** An inmate's Pro Per privileges and Pro Per status as to a particular case shall terminate upon court order to that effect, or shall immediately and automatically terminate upon sentencing in that case, or upon appointment or retention of counsel in such case. Requests for Pro Per privileges after sentencing shall be made to the Presiding Judge of the Superior Court, except in civil rights and Habeas Corpus cases.

(Rev. 03/2019)

## **12.200. INMATE GRIEVANCES**

**12.210.00 INMATE GRIEVANCE POLICY:** The inmate grievance system is a process through which inmates may seek formal review of issues, relating to conditions of confinement including but not limited to:

- Medical care
- Program participation
- Mail
- Telephone
- Food, clothing and bedding

Inmate grievances alleging staff misconduct may be handled by the facility's supervisory staff. Staff investigating these grievances may need to consult the Internal Affairs Division.

Grievance forms shall be available to inmates at all times either electronically by the automated kiosk located in the housing area or by staff and the Inmate Grievance form (ASU#050401) if the automated kiosk system is down for more than 24 hours.

Inmates shall not use this process to submit grievances or grievance appeals to represent another inmate or group of inmates. The process is intended to address specific concerns that are personal to the inmate making the grievance or appeal.

Inmates may obtain assistance in preparing a grievance or grievance appeal from another inmate, or outside resources such as family or an attorney. However, obtaining assistance shall not be a valid reason for exceeding the time limit for submission. (Refer to Title 15, Section 1073 and Penal Code Section 832.5)  
(Rev. 09/2019)

**12.215.00 STAFF REGARDING GRIEVANCES:** Staff shall not destroy any grievance or dissuade or retaliate against any inmate who has filed a grievance.  
(Add. 06/2017)

**12.218.00 EMERGENCY GRIEVANCE REGARDING IMMINENT SEXUAL ABUSE:** An inmate may file an emergency grievance alleging they are subject to a substantial risk of imminent sexual abuse. Staff receiving these grievances shall immediately forward the grievance to a shift supervisor. The shift supervisor shall provide the inmate with an initial response within 48 hours and shall notify the inmate within five calendar days electronically on the automated kiosk or by the Inmate Grievance Investigation form (ASU#050402). The investigation shall

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document whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

(Rev. 09/2019)

**12.220.00 INMATE GRIEVANCE PROCEDURE:** At the time of booking, inmates shall receive a copy of the Inmate Rules and Regulations pamphlet (ASU#060803) explaining grievance and grievance appeal procedures.

Inmates may file grievances relating to conditions of confinement.

Inmates desiring to file grievances shall utilize automated kiosks located in their current housing area. If automated kiosks are unavailable, inmates may request an Inmate Grievance form from staff. Bureau Policy Section 18.066.00 *Inmates with Disabilities and Grievances* shall be followed without amendment.

If an inmate grievance form is used, staff shall ensure the form is signed by the inmate. Upon receiving the grievance, staff shall enter their name, employee number, date, and time received. The inmate shall be given a copy of the grievance.

Inmates shall place a single complaint or reasonable number of closely related issues on one grievance form. Grievances containing multiple unrelated issues shall be accepted, however, supervisors may reject multiple grievances that are difficult to investigate together. Inmates shall receive an electronic response for the rejection on the automated kiosk or in writing if an Inmate Grievance form was used.

Inmates shall have 10 calendar days after the date of the incident to file a grievance. Inmates shall not have a time limit to report a grievance regarding allegations of sexual abuse or sexual harassment. (Refer to Title 15, Section 1073)

Grievances shall be completed electronically or by the Inmate Grievance form.

(Rev. 09/2019)

**12.220.05 EMERGENCY INITIAL GRIEVANCE FILING:** Inmates that reasonably believe their issue is of a sensitive nature, or their safety or well-being would be placed in danger if the grievance contents became known by the inmate population at large, or an inmate who alleges sexual abuse or assault shall immediately notify staff and may request to submit the grievance directly to a supervisor without delay. If using the automated kiosk, the request will automatically be forwarded to a facility supervisor.

(Rev. 09/2019)

## **12.200. INMATE GRIEVANCES**

**12.230.00 GRIEVANCES INVOLVING STAFF MISCONDUCT:** If during a grievance investigation, the investigator becomes aware of misconduct by a staff member of the Department, the investigator shall immediately notify the Facility Commander/designee. The Facility Commander/designee shall ensure an administrative or criminal investigation is completed for all allegations of sexual abuse and harassment.

(Rev. 09/2019)

**12.235.05 GRIEVANCES INVOLVING STAFF SEXUAL MISCONDUCT:** If during a grievance investigation, the investigator becomes aware of sexual misconduct by a staff member of the department, the investigator shall immediately notify the Facility Commander/designee. Acts of sexual misconduct involving staff will generally be handled through the administrative investigation process. If the Facility Commander/designee orders an administrative investigation be initiated, the inmate shall be provided an Inmate Grievance Extension form (ASU#001001) or be notified electronically on the automated kiosk indicating in the comments area a staff investigation has been initiated. The inmate shall be informed of the disposition of that investigation once it is concluded. Following an administrative investigation that was initiated by an inmate grievance, the Internal Affairs Division shall respond to the inmate with the disposition of the investigation within 30 days of the conclusion of the administrative investigation. If during the administrative investigation, it is determined there may have been a criminal act committed, then a criminal investigation will be conducted, and the administrative investigation will be tolled until the criminal investigation is complete.

Investigations into allegations of staff sexual misconduct may require additional investigation time. The investigator shall issue a completed investigation regarding the merits of any portion of a grievance alleging sexual abuse within 90 days of the inmate's initial filing of the grievance. There may be circumstances when investigators will need more than the 90 day time frame. The investigators may have up to 70 additional days, if the normal time period is insufficient to make an appropriate decision. The investigator shall notify the inmate electronically on the automated kiosk or in writing using an Inmate Grievance Extension form anytime investigations require more than 90 days, and provide an estimated date when the investigation will be completed. (Refer to Bureau Policy Section 12.270.00)

(Rev. 09/2019)

**12.240.00 SUPERVISOR/WATCH COMMANDER RESPONSIBILITIES:**

(Refer to Facility Specific Procedures Manual)

(Rev. 09/2019)

**12.250.00 INVESTIGATION PROCEDURE:** Staff shall attempt to resolve

## **12.200. INMATE GRIEVANCES**

grievances at the lowest possible level. All grievances are forwarded to supervisors for review.

Supervisors conducting reviews may assign an appropriate staff member from the appropriate division to investigate unresolved grievances.

Staff shall not handle grievance reviews or investigations if they are the subject of the grievance.

Staff shall ensure completed grievance investigation results are forwarded to the inmate's new housing facility if the inmate has been transferred from the facility where the grievance was initiated. (Refer to Facility Specific Procedures Manual) (Rev. 09/2019)

**12.252.00 INMATE GRIEVANCE LOG:** Inmate grievance logs shall be maintained at each facility. Paper grievances are not captured in JIMSnet and will need to be recorded on a separate log. Logs generated in JIMSnet should contain the following:

- Inmate grievance number
- Date grievance received
- Inmate's name and booking number
- Grievance issue

(Refer to Facility Specific Procedures Manual)  
(Rev. 05/2020)

**12.254.00 GRIEVANCE REPORT NUMBER:** Every inmate grievance shall be assigned a number for tracking and reporting purposes. An electronic grievance submitted on an automated kiosk is automatically assigned a grievance report number via JIMSnet.

If an Inmate Grievance form is issued to an inmate, the grievance report number shall consist of the following information:

- The first number shall be "G" which indicates the number as a grievance report
- The second and third numbers shall be the two-digit numerical facility designator.
- The fourth and fifth numbers shall be the last two-digits of the current year
- The sixth and seventh numbers shall be the two-digit number of the current month

## **12.200. INMATE GRIEVANCES**

- The last numbers shall be sequential serial numbers.  
(Rev. 05/2020)

**12.260.00 DISPOSITION:** Completed grievance investigations shall be answered in a professional manner and contain one of the following determinations:

UNFOUNDED:	The investigation clearly established the allegation is not true.
EXONERATED:	The investigation clearly established the actions that formed the basis for the grievance are not a violation of law or department policy.
SUSTAINED:	The investigation established the allegation is true.
NOT SUSTAINED:	The investigation established insufficient evidence to prove or disprove the allegation.
FRIVOLOUS:	The investigation established the complaint is totally and completely without merit or offered for the sole purpose of harassing the employee.
REJECTED:	Grievances shall only be rejected when they are not in compliance of the grievance process, not within the grievance time frames, include multiple issues on one grievance, or not a complaint about a condition of confinement (general requests, complaints about activity outside the jail, illogical grievances, etc.). Generally, a rejected grievance should not need investigation.

(Rev. 09/2019)

### **12.260.01 ELECTRONIC GRIEVANCE INVESTIGATION RESPONSES:**

Inmates shall receive a completed grievance investigation response electronically if the grievance was submitted on the automated kiosk. If an inmate selects the "ACKNOWLEDGE" box on the automated kiosk, the grievance process shall be considered complete.

An inmate may refuse the grievance investigation electronically by selecting the "APPEAL" button on the automated kiosk screen which would be considered an appeal. The appeal will automatically go back into the queue for follow-up review.

Grievances submitted electronically will be available for the inmate to review in the automated kiosk. Inmates may request only one paper copy of a grievance they submitted during their current booking by "using the request paper copy of a grievance" option via the automated kiosk. Inmates will be charged 10¢ per page for copies of their grievance; only one copy will be provided, which will be

## **12.200. INMATE GRIEVANCES**

deducted from their inmate trust account.

(Rev.05/2020)

**12.260.02 WRITTEN GRIEVANCE INVESTIGATION RESPONSES:** If a grievance was submitted in writing on an Inmate Grievance form, inmates shall receive the disposition of their grievance on an Inmate Grievance Investigation form (ASU#050402). When returning an Inmate Grievance Investigation form to an inmate, staff shall enter their name, employee number, the date and time the response was delivered, and have the inmate sign the form. Once the Inmate Grievance Investigation form is signed by the inmate and a copy of the form is returned to them, the grievance process shall be considered complete.

In the event the inmate refuses to sign the Inmate Grievance Investigation form, it will be considered refused. Staff shall write "REFUSED" on the inmate's signature line. A copy of the refused Inmate Grievance Investigation form shall be given to the inmate. The original Inmate Grievance Investigation form shall be placed in the inmate's booking jacket, and a copy shall be placed in an administrative grievance file (administrative copies shall be retained in accordance with Bureau Policy Section 11.550.00).

Inmates housed in a location where an automated kiosk is not available, will be provided a free paper copy of the completed grievance investigation. Inmates may request only one additional paper copy of a grievance they previously received during their current booking by submitting a request specifying the grievance number on an inmate request form. Inmates will be charged 10¢ per page for copies of their grievance; which will be deducted from their inmate trust account.

(Add. 09/2019)

**12.270.00 GRIEVANCE PROCEDURE TIME LIMIT:** Facilities have 20 days to complete and answer an inmate's initial grievance. The electronic grievance time period begins when the inmate submits the grievance on the automated kiosk. The electronic grievance time concludes when the inmate acknowledges or appeals the response of the completed inmate grievance investigation on the automated kiosk.

The written grievance time period begins when staff signs for acceptance of an Inmate Grievance form. The written grievance time period concludes when the inmate receives the response of the completed Inmate Grievance Investigation form.

Staff shall notify inmates by using the Inmate Grievance Extension form or electronically by the automated kiosk anytime investigations require more than 20 days. Inmate grievance investigation notifications shall have an estimated

## **12.200. INMATE GRIEVANCES**

completion date. It shall not be routinely used unless there is a viable reason for the added time. Original copies of the inmate grievance investigation notification shall be attached to the original inmate grievance. Inmates shall be provided a copy upon request. (Refer to Title 15, Section 1073)  
(Rev. 05/2020)

**12.280.00 GRIEVANCE APPEALS:** Inmates dissatisfied with the outcome of the initial grievance may file a grievance appeal.

The first level of a grievance appeal shall be assigned to a shift supervisor or designee.

Grievance appeals not resolved at the first level may be appealed to the Facility Commander/designee. The Facility Commander/designee shall be the final authority for the disposition of grievances.

Each level of appeal shall be completed in accordance with Bureau Policy Section 12.270.00 and a written response shall be required at each level. Appeals shall not be given a new grievance number; the original assigned number shall be used.

Grievance appeals shall be retained in accordance with Bureau Policy Section 11.550.00.

Grievance appeals shall be filed within 10 calendar days from date of the inmate's receipt of their grievance investigation. Subsequent appeals shall also be filed within ten calendar days from the date the previous appeals were made available to the inmate.  
(Rev. 05/2020)

**12.280.05 GRIEVANCE PROCESS ABUSE:** To prevent abuse of the grievance process with frivolous grievance submittals, generally, each inmate, may file a maximum of four independent grievances regarding separate issues within any calendar week (Monday through Sunday), provided the grievances are filed within the 10-day limit.

It shall be considered an abuse of the grievance process for inmates to continually submit grievances regarding an issue that has already been resolved. Supervisors may return repetitive submittals having similar issues. Frivolous/rejected grievances and grievance appeals may be subject to disciplinary action.

Inmates may be disciplined for filing a grievance related to an alleged sexual abuse only when the investigation determines the allegation was unfounded or

## **12.200. INMATE GRIEVANCES**

frivolous and the inmate filed the grievance with malicious intent. (Refer to Inmate Rules and Regulations pamphlet and Bureau Policy Section 12.280.08)

(Rev. 09/2019)

**12.280.08 REJECTIONS:** Grievances or grievance appeals written in a manner that is obscene, abusive, or does not meet any other requirement of the grievance process may be rejected by the supervisor. Inmates shall be informed as to the reasons why their grievances have been rejected.

(Rev. 06/2017)

**12.290.00 GRIEVANCES FROM OUT-OF-CUSTODY INMATES:** Grievances received by inmates that are out of custody shall be subject to the same procedures as if the inmates were still in custody.

(Add. 06/2017)

**12.290.50 AMERICANS WITH DISABILITIES ACT (ADA) RELATED GRIEVANCES:** (Refer to Bureau Policy Section 18.066.00)

(Rev. 09/2019)

## **12.300. INMATE REQUEST SLIPS**

**300.00. REQUEST SLIPS:** Inmate request slips are available using the automated kiosk or will be provided by staff to be used by inmates when they have requests for service or information.

(Rev. 03/2019)

**305.00. INMATE REQUEST SLIPS:** In order to process requests timely and efficiently, staff shall require inmates to use the automated kiosk located in the housing area. If the automated kiosk is unavailable, inmates may complete the Inmate Request Slip form (ASU#080401). Staff shall review and answer completed requests whenever possible. Completed request slips shall be answered in a professional manner. Staff shall forward request slips they are unable to answer to the appropriate location or supervisor. Staff shall respond to request slips using JIMSnet. Staff shall sign and date any request slip once answered if using an Inmate Request Slip form. Inmates shall be advised of the outcome of their request electronically on the automated kiosk. Completed request slips using an Inmate Request Slip form shall be placed in the inmate's booking jacket.

(Rev. 03/2019)

**310.00. RELIGIOUS REQUEST SLIPS:** Inmates shall use the automated kiosk located in the housing area. If the automated kiosk is unavailable, inmates may complete the Religious Request Slip form (ASU#080402) for religious requests. Facility chaplains shall review and answer completed requests whenever possible. Chaplains shall respond electronically to request slips using JIMSnet. Chaplains shall sign and date request slips after requests are answered if using an Religious Request Slip form. Chaplains shall forward request slips they are unable to answer to the appropriate location or supervisor. Inmates shall be advised of the outcome of their request electronically on the automated kiosk.

(Rev. 03/2019)

**320.00. LIBRARY REQUEST SLIPS:** Inmates shall use the automated kiosk located in the housing area. If the automated kiosk is unavailable, inmates may complete the Library Request Slip form (ASU#080403) for requests. Staff shall give inmates the requested literature as soon as it is available. Library staff shall coordinate with the Inmate Services Unit (ISU) for requests regarding religious holy books. Staff shall allow inmates to retain up to three holy books. Library staff shall respond to request slips using JIMSnet. Library staff shall sign and date request slips if using a Library Request Slip form and they shall be kept until literature are returned by inmates. (Refer to Bureau Policy Section 12.2815.00)

(Rev. 03/2019)

**325.00. MEDICAL REQUEST SLIPS:** Inmates shall use the automated kiosk located in the housing area. If the automated kiosk is unavailable, inmates may complete the Health Services Request Slip form (ASU#020501) for medical

### **12.300. INMATE REQUEST SLIPS**

needs. Health Services shall respond to medical request slips using JIMSnet. Forms shall be forwarded to Health Service staff if a Health Services Request Slip form was used.

(Rev. 03/2019)

**330.00. SUPERVISOR/WATCH COMMANDER RESPONSIBILITIES:** (Refer to Facility Specific Policy)

(Rev. 03/2019)

## **12.400. INMATE WRITS**

### **400.00. PENAL CODE SECTION 1381 REQUEST FOR SPEEDY TRIAL:** (Rev. 03/2019)

**400.01. PENAL CODE SECTION 1381 DEFINITION:** Pursuant to Penal Code Section (P.C.) 1381, any inmate sentenced to 90 days or more may request to appear before the court within any jurisdiction in the State of California, where the inmate has criminal matters which have not been adjudicated.  
(Rev. 03/2019)

**400.02. PENAL CODE SECTION 1381 REQUEST PROCESS:** Staff shall give the inmate a P.C. 1381 Request Form (ASU#140428) and instruct the inmate to complete the form. The inmate shall supply the following:

- Court and jurisdiction of the criminal matter
- Warrant or case number
- Charges
- Any aliases they may have used during the arrest for specified cases
- Two self addressed stamped envelopes with the return address indicating the inmate's name, facility, housing location, and booking number

Inmates deemed indigent shall be provided envelopes and postage.  
(Rev. 03/2019)

**400.03. ROUTING AND HANDLING OF PENAL CODE SECTION 1381 REQUEST:** Completed P.C. 1381 Request Forms, along with envelopes shall be forwarded to bridge staff for processing. Staff shall verify if the inmate qualifies for P.C. 1381 filing, complete the lower half of the form, and endorse the form by signing and dating it. Once the form is endorsed, bridge staff shall mail the completed form to the office of the District Attorney and the court of the county of jurisdiction.

A copy of the completed P.C. 1381 Request Form shall be filed in an administrative file and retained for 30 months at the facility, and a copy shall be filed in the inmate's booking jacket.  
(Rev. 03/2019)

**405.00. PENAL CODE SECTION 1389 INTERSTATE AGREEMENT ON DETAINERS (IAD):**  
(Rev. 03/2019)

**405.01. INTERSTATE AGREEMENT ON DETAINERS DEFINITION:** P.C. 1389 provides the temporary transfer of sentenced inmates in the Department's custody to another state pursuant to the Interstate Agreement on Detainers compact. This process allows a sentenced inmate to face any untried criminal

## **12.400. INMATE WRITS**

indictments, informations, or complaints in another state's jurisdiction and then for the inmate to be returned to the Department's custody at the resolution of the out-of-state case or cases.

- Sending State: The state in which the inmate is currently incarcerated
- Receiving State: The state in which the warrant with untried criminal charges is pending
- Anti-Shuttling: The provision of the Interstate Agreement on Detainers forbidding a secondary transfer of custody to the receiving state because the trial on the same warrant was not held or completed during the first transfer

(Rev. 03/2019)

### **405.02. PENAL CODE SECTION 1389 INTERSTATE AGREEMENT ON DETAINERS REQUEST PROCESS:**

An inmate who has been sentenced on all cases within San Bernardino County jurisdiction, and has been sentenced under P.C. 1170(h) to 180 days or more, is eligible to request a P.C. 1389 Form I (ASU#181001) and P.C. 1389 Form II (ASU #181002) in compliance with the Interstate Agreement on Detainers. Staff shall supply the form(s) for the inmate and place the date/time and inmate information into a P.C. 1389 log.

The inmate will supply the signed forms with four (4) envelopes in order to process the request. Inmates deemed indigent shall be provided envelopes and postage in order to process the request.

(Rev. 03/2019)

### **405.03. PENAL CODE SECTION 1389 INTERSTATE AGREEMENT ON DETAINERS ROUTING AND HANDLING:**

The completed form(s) and four (4) envelopes shall be forwarded to the bridge of the facility in which the P.C. 1389 request was originated from. The form(s) will be forwarded to the Facility Commander/designee for final approval. Once the form(s) are completed, staff shall mail the form(s) to the following:

- The Agreement Administrator of the sending state
- The Agreement Administrator of the receiving state
- The prosecuting official for the warrant's jurisdiction as certified or registered mail, with return receipt requested
- The clerk of the court with jurisdiction over the warrant as certified or registered mail, with return receipt requested
- Any other agency within the receiving state which has lodged a detainer

Each facility shall develop and update a P.C. 1389 Log to reflect the date/time the form(s) were mailed.

(Rev. 03/2019)

## **12.400. INMATE WRITS**

### **410.00. REQUEST FOR PETITION FOR WRIT OF HABEAS CORPUS:**

Inmates may request a Petition for Writ of Habeas Corpus form. A habeas corpus petition is a petition filed with a court by a person who objects to their own or another's detention or imprisonment.

Staff shall ensure:

- Inmates use an automated kiosk to request a writ
- The request slip has the inmate's name, booking number, housing location and date of request
- The inmate receives a blank Petition for Writ of Habeas Corpus
- The Petition for Writ of Habeas Corpus form is located in the Templates folder, Corrections tab, Petition for Writ of Habeas Corpus
- The date and time the writ was given to the inmate is noted on the request slip
- The request slip is routed to the bridge for filing in the inmate's booking jacket
- At no time shall an employee assist the inmate in filling out the form or offer advice

(Rev. 03/2019)

**420.00. ROUTING A COMPLETED PETITION FOR WRIT OF HABEAS CORPUS:** Staff shall accept the completed Petition for Writ of Habeas Corpus from the inmate and fill out a Writ Routing Form (ASU #090901), completing steps 1 and 2 on the routing form.

(Rev. 03/2019)

**450.00. DELIVERING A LOCAL WRIT:** The Facility Commander's designee shall deliver the Petition for Writ of Habeas Corpus and the Writ Routing Form (ASU #090901) to the court of jurisdiction on the next available court date. The Facility Commander's designee shall complete Step 3 and 4 (local court) on the Writ Routing Form.

(Rev. 03/2019)

**460.00. DELIVERING A NON-LOCAL WRIT:** Writs for non-local courts (Appellate Court or US District Court) shall be mailed by the Facility Commander's designee. The Facility Commander's designee shall complete Step 3 and 4 (non-local court) on the Writ Routing Form (ASU #090901).

(Rev. 03/2019)

## **12.500. INMATE VOTING**

**510.00. INMATE VOTING ELIGIBILITY REQUIREMENTS:** Any incarcerated inmate may vote in local, state, and federal elections if they are:

- A citizen of the United States, a resident of California, and a resident of San Bernardino County
- At least 18 years old on election day
- **NOT** serving time in state or federal prison or in county jail serving a state or federal prison sentence
- **NOT** on parole for the conviction of a felony
- **NOT** currently found mentally incompetent to vote by a court

(Rev. 03/2019)

**510.10. INMATE VOTING:** Any incarcerated inmate may register and vote if they are:

- In a San Bernardino County jail and is serving a misdemeanor or felony jail sentence
- Awaiting trial
- On probation
- On mandatory supervision
- On post-release community supervision
- On federal supervised release
- A person with a juvenile wardship adjudication

Inmates that are currently serving a state prison or federal felony sentence in a county jail may not register and vote. Facilities shall post educational pamphlets provided by the Administrative Support Unit (ASU) in each housing unit/segment and in other locations of high inmate traffic to ensure inmates are informed of their right to vote.

(Rev. 03/2019)

**515.00. REGISTRATION PROCEDURE:** Inmates not registered to vote who reside in San Bernardino County may request a voter registration card from the Registrar of Voters. If an inmate requests to vote, but is a resident of another county, the inmate shall be directed to write the Registrar of Voters in that county requesting that a voter registration form be mailed to them.

(Rev. 03/2019)

**520.00. VOTING PROCEDURE:** Inmates who vote may request an absentee ballot application from the Registrar of Voters. The inmate shall submit the form in pencil. Inmates are responsible for mailing the completed forms through regular mail channels to the address provided on the form. Staff shall not assist any inmate in completing a ballot, nor verify the completeness of any document as inmates have the right to cast a secret ballot free from intimidation.

## **12.500. INMATE VOTING**

Ballots submitted to the Registrar of Voters by law are secret and confidential and shall be considered legal mail.

(Rev. 03/2019)

**530.00. ACCEPTANCE OF SAMPLE BALLOTS:** Staff shall accept sample ballots or absentee ballots addressed to inmates, and ensure the inmates receive them without delay. Completed absentee ballots shall be mailed by the inmates through regular mail to the Registrar of Voters.

(Rev. 03/2019)

**540.00. VOTING AFTER RELEASE:** Inmates who have requested to vote by absentee ballot, but have since been released before they received their ballot may vote by going to any polling place in the county where they are registered and vote with a provisional ballot.

(Rev. 03/2019)

**550.00. VOTING MATERIALS:** Voter registration cards and other voting materials for inmates are available in English and Spanish. The Registrar of Voters may be able to provide some translated sample ballots in Chinese, Korean, Tagalog and Vietnamese for certain precincts.

(Rev. 03/2019)

## **12.600. INMATE MAIL**

**600.00. DEFINITION:** Inmate mail is incoming and outgoing correspondence. The words "mail" and "correspondence" are used interchangeably throughout this policy.

(Rev. 12/2019)

**605.00. INMATE MAIL:** Inmates may send and receive unlimited volumes of mail, however, shall only be able to retain the allowable amount of letters and photographs in accordance with Bureau Policy Section 12.680.10. Inmate mail shall be scanned and inspected for contraband and may be read outside the presence of the inmate to ensure facility safety and security. Outgoing mail shall have a complete return address indicating inmate's name, booking number and facility address. Staff shall return outgoing inmate mail not containing correct return address information.

Outgoing correspondence is not U.S. mail until it has been deposited in an official mail receptacle belonging to the U.S. Postal Service or handed to a mail carrier. Until such time, correspondence is merely personal property of the inmate, subject to jail rules and regulations.

(Rev. 12/2019)

**620.00. INDIGENT INMATE PERSONAL MAIL SUPPLIES:** Indigent inmates are defined as inmates who are without funds. Indigent inmates shall be supplied with two postage paid envelopes each week for personal mail. Indigent inmates shall obtain postage paid envelopes from care bags when ordered as a commissary item. Indigent inmates missing commissary deliveries shall complete a request via the automated kiosk. Staff shall provide indigent inmates with care bags and debit their accounts. (Refer to Title 15, Section 1063 and Bureau Policy Section 12.2200.00)

(Rev. 12/2019)

**640.00. PROCESSING INCOMING INMATE MAIL:** Staff shall check JIMSnet to obtain inmate booking numbers and housing locations when not provided. Staff shall make every effort to verify inmates are in-custody prior to opening mail. Staff shall return mail to the original sender if inmates are not in custody. Staff may accept mail with postage due, as long as the facility is not billed for the postage. Staff shall accept incoming mail without a return address and deliver such mail to inmates. (Refer to Bureau Policy Section 12.670.00)

(Rev. 03/2019)

**640.10. DEAD MAIL DEFINITION:** When mail cannot be delivered or returned, it shall be considered dead mail. Publications shall not be considered for dead mail disposition. (Refer to Bureau Policy Section 12.670.00)

(Rev. 03/2019)

## **12.600. INMATE MAIL**

**640.20. DISPOSITION OF DEAD MAIL:** Dead mail shall be forwarded to the Dead Letter Branch of the U.S. Postal Service. Staff shall document the names, booking numbers, and dates the mail was sent to the U.S. Post Office on the U.S. Mail Dead Letter Log (ASU#090501). These logs shall be retained in an administrative file at the facility for three years.

Dead Letter Branch  
St. Paul Mail Recovery Center  
United States Postal Service  
P.O. Box 69001  
St. Paul, MN 55116-9001

(Rev. 12/2019)

**645.00. UNAUTHORIZED ITEMS:** Certain items contained in letters or on envelopes may be deemed contraband and shall not be accepted. Unacceptable items include, but are not limited to, writing paper, envelopes, stamps, lipstick, perfume, cologne, powder, kissed impressions, white-out, white-out tape, crayon, marker, paint, glue, tape, glitter, stickers, gang-related letters/symbols, stained or dirty letters or envelopes, metal or plastic, hard cover books, food items, gum, or any other contraband.

Cardstock paper, greeting cards, construction paper, and manila envelopes shall not be accepted. Only mail that is on lined paper, plain paper, or postcards which are not cardstock thickness may be accepted. For incoming legal mail contained in a manila envelope, refer to Bureau Policy Section 12.714.00.

Photographs and illustrations containing gang related or sexual acts shall not be accepted.

Newspaper, magazine, and periodical publications shall not be delivered if they contain material that could incite a riot, murder, arson, violent racism, encourage violence toward law enforcement or encourage retaliation or intimidation toward victims of crime, or any other forms of violence, descriptions for making weapons, explosives, poisons or destructive devices, blueprints, drawings or similar descriptions of a facility; or information depicting, encouraging or describing methods of escape from a facility, procedures for the brewing of alcoholic beverages, or the manufacturing of controlled substances; sexually explicit material including but not limited to pictorial depictions of nudity showing genitalia, female breasts exposing nipples or areola, or material showing actual sexual acts.

Staff shall complete an Unauthorized Items Form (ASU#061201) upon receiving contraband or unauthorized items. Copies of completed forms shall be filed in the inmate's booking jacket and a copy forwarded to the inmate.

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Staff shall return unopened unacceptable mail to the sender when return addresses are provided. Staff shall place opened mail discovered to contain unacceptable materials or contraband on the inmate's property. Criminal investigations shall be conducted on mail containing contraband of a criminal nature.

(Rev. 02/2020)

**650.00. DELIVERY/STORAGE OF INMATE MAIL:** Only staff shall handle inmate mail. Staff shall not direct inmates to collect or hand out inmate mail. Mail shall be delivered to inmates without unnecessary delay.

Staff shall hold inmate's mail when inmates are out to court or an appointment and deliver as soon as practicable upon their return to the housing unit.

Inmates transferred to another facility shall have their mail or publications forwarded to them.

Staff shall deliver mail for inmates housed in the hospital jail ward.

Mail for inmates no longer in-custody shall be returned to the mailroom for disposition. (Refer to Bureau Policy Sections 12.690.10 and 17.1340.00)

(Rev. 03/2019)

**670.00. RETURNING INMATE MAIL TO SENDER:** Mail addressed to inmates not in custody, which has been opened, shall not be resealed. Staff shall enclose the mail in a Sheriff's Department envelope and mail it back to the sender when a return address is provided. Staff shall mark original envelopes "Not in Custody".

Staff shall forward publications addressed to inmates no longer in custody to the facility's library. Such publications shall be distributed to inmates who request them. (Refer to Title 15, Section 1066 and Bureau Policy Section 12.640.10)

(Rev. 03/2019)

**670.05. BAIL AGENT MAIL:** Staff shall not accept mail addressed to inmates containing business cards or any advertisement soliciting services for bail. Staff shall place the mail in Sheriff's Department envelopes, and return them to sender. (Refer to California Code of Regulations Title 10, Section 2079: Soliciting of Bail.)

(Rev. 03/2019)

**680.10. LETTERS, PHOTOGRAPHS, AND GREETING CARDS:** Inmates shall be allowed to retain up to 20 letters and 10 photographs at any given time. Letters and photographs shall not be accepted if larger than 8½"x11". When

## **12.600. INMATE MAIL**

daily incoming mail or materials exceed what inmates are allowed to keep in their possession, staff shall place the excessive new mail on the inmate's property and complete an Unauthorized Items Form. A copy of the form shall be given to the inmate and the original filed in the inmate's booking jacket. Inmates shall be allowed to exchange old mail for new mail with property staff. Safety staff shall ensure inmates comply and keep only the allowed amount of mail. Excess mail shall be seized as contraband and placed in the inmate's property. (Refer to Bureau Policy Section 12.2200.00 and Inmate Rules and Regulations Pamphlet (ASU#060803))  
(Rev. 12/2019)

**690.10. PUBLICATIONS:** Publications are defined as newspapers, magazines, and periodicals.

**UNSUBSCRIBED PUBLICATIONS:** Bulk publications or publications appearing to be mass mailed to all or a significant portion of the jail population, including those addressed to the individual, shall not be delivered directly to the inmate. Publishers shall only be permitted to provide the facilities with one publication for every 100 inmates. Such publications shall be retained in the facility's library. Inmates may check out such publications by submitting a Library Request Slip via the automated kiosk. Publications shall be retained in the library for a maximum of 3 months.

**UNSOLICITED PUBLICATIONS:** Unsolicited publications mailed directly to inmates shall not be delivered and shall be discarded. Unsolicited publications include, but are not limited to:

- Materials for which the apparent primary purpose is to solicit a commercial transaction, or to promote products and/or services for the purpose of entering into a commercial transaction
- Materials labeled as advertising, including advertisements for bail agent and legal services
- Catalogues, credit card applications, real estate brochures, periodical subscription cards, and other mail soliciting the sale of goods or services and based on the promise to pay upon receipt

Publications shall be opened and inspected for contraband and shall be free from staples or metal fastening devices. Publications containing materials which inmates are not authorized to possess shall be discarded.

Inmates may be denied the privilege of receiving or retaining publications if the materials are used to deface walls, cover windows, bars, light fixtures, or for any purpose other than reading. Mail privileges may also be denied based on contents as described in Bureau Policy Section 12.645.00.

## **12.600. INMATE MAIL**

Inmates may keep in their possession, no more than 6 items of reading material. Reading material may include magazines, newspapers, paperback books or periodicals. In addition to the above limit, inmates may be permitted to retain up to 3 religious books of any faith.

Excess reading materials shall be placed on the inmate's property. (Refer to Bureau Policy Sections 12.645.00, 12.680.10, 12.690.10 and Inmate Rules and Regulations Pamphlet)  
(Rev. 12/2019)

**690.15. BOOKS:** Staff shall only accept paperback books mailed directly from the publisher or originate from a verifiable and reputable internet/mail order company or bookstore via their internet or mail order facilities. (For courier drop offs refer to Facility Specific Procedures Manual)

Staff shall inspect all incoming books for contraband. (Refer to Bureau Policy Section 12.645.00)  
(Rev. 12/2019)

## **12.700. LEGAL MAIL**

**710.00. LEGAL MAIL:** Official, privileged, legal, or confidential mail is considered legal mail. Legal mail may be sent confidentially to or from state or federal courts, members of the State Bar, holders of public office, and the Corrections Standards Authority.

Inmates may correspond confidentially with the Facility Commander/designee or media, although this is not considered legal mail. (Refer to Title 15, Chapter 1063, Section C)  
(Rev. 12/2019)

**712.00. OUTGOING LEGAL MAIL:** Inmates sending legal mail shall hand it to safety staff. Safety staff shall inspect the mail for contraband and have the inmate seal the mail in their presence. Safety staff shall place their initials and employee number over the sealed portion and place the mail with the outgoing mail.  
(Rev. 07/2010)

**714.00. INCOMING LEGAL MAIL:** Staff shall open legal mail only in the presence of the addressed inmate and inspect it for contraband.

Incoming legal mail contained within a manila envelope shall only be opened in the presence of the addressed inmate. Staff shall inspect the envelope for contraband, and retain the envelope since it is an unauthorized item. An inmate shall be allowed to copy the sender's address if requested. (Refer to Bureau Policy Sections 6.940.00 and 12.645.00)  
(Rev. 12/2019)

**715.00. LEGAL MATERIALS AND SUPPLIES:** Facilities shall accept legal materials and supplies that are physically brought or mailed into the facility by the inmate's attorney of record, public defender, or legal representative.

Legal materials and supplies may include writing tablets, legal writing pads, court paperwork, court orders, court forms, reports, or photographs pertaining to the case. All legal material or supplies shall be individually marked with the inmate's name and case number.

Facilities shall accept postage paid envelopes (similar to ones sold in inmate commissary) stamped with the return address of the legal representative. Staff shall not accept such letters for outgoing inmate legal mail if they have been altered in any way. Altered envelopes and mail shall be returned to the inmate.

Staff shall inspect legal materials and supplies prior to distributing them to the inmate and ensure they are free of staples, paper clips or any metal or plastic items. Items which are physically brought into the facility shall immediately be

## **12.700. LEGAL MAIL**

inspected by staff. Staff shall return items to the legal representative if they do not comply with policy. Facilities shall not accept materials or supplies if they are accompanied by personal letters, personal photographs, any other form of personal property, or items other than described as legal supplies or materials.

Legal materials or supplies mailed into a facility shall be returned to the sender if they do not comply with the provisions outlined in the policy.

Legal reference books shall only be accepted from a publisher or book distributor. (Refer to Bureau Policy Sections 12.645.00, 12.690.10, 12.690.15, and 12.2030.00)  
(Rev. 12/2019)

**720.00. INDIGENT INMATES' LEGAL MAIL:** Indigent inmates shall be supplied with writing paper and envelopes for legal mail as often as needed. Indigent inmates shall fill out request slips via the automated kiosks for supplies. Staff shall verify inmates have less than \$2.00 in their account and had no more than that amount in their account for ten consecutive days. After verification, staff shall deliver appropriate envelopes and writing paper to indigent inmates.

Staff shall ensure outgoing letters are marked "Legal Mail" and placed in an interoffice envelope. Staff shall mark the interoffice envelope "Indigent Inmate Legal Mail" and forward it to the Inmate Services Unit (ISU). ISU shall provide postage stamps via a postage metering machine and send the inmate's mail to the Post Office.

Facilities in need of mail supplies for indigent inmates shall obtain unstamped envelopes and writing paper from ISU. (Refer to Title 15, Section 1063 and Bureau Policy Section 12.710.00)  
(Rev. 12/2019)

**750.01. MISREPRESENTATION OF MAIL AS LEGAL:** Facility Commanders/designees may deny the ability to exchange legal mail with inmates. Acts which may warrant denial include but are not limited to:

- False representation of the sender's identity or qualifications
- Attempts or acts to introduce contraband into the facility
- Attempts to commit, or the actual commission of an act of violence within a facility
- Encouraging inmates to violate the law, or department, bureau, or facility policy

Attorneys may appeal their denial of correspondence, in writing, to Facility Commanders/designees. Inmates may appeal by submitting a grievance.

**12.700. LEGAL MAIL**

(Rev. 12/2019)

## **12.900. INMATE GROOMING**

**900.00. HAIR REQUIREMENTS/GENERAL POPULATION INMATE:** To promote cleanliness, health, and facility security, staff shall require inmates to keep their hair clean and well-groomed.

Inmates who fail to keep their hair clean may be disciplined and/or re-classified.

Regardless of the hair length or style an inmate chooses to keep, all inmates are subject to search at any time. Inmates may be required to remove braids, buns, cornrows etc., to facilitate a thorough search. Inmates who refuse may receive a discipline and/or be re-classified.

Inmates working around food shall be required to wear appropriate hair coverings.

(Rev. 10/2018)

**905.00. HAIR RESTRICTIONS:** Inmates shall not cut names, numbers, or other designs into their hair.

(Rev. 03/2019)

**906.00. HAIR REQUIREMENTS/INMATE WORKERS:** In order for inmates to remain on work status and retain their Penal Code Section (P.C.) 4019 work credits, inmates must keep their hair clean, groomed and worn according to the rules set forth in the Inmate Worker Standards Agreement form (ASU#100415).

An inmate who fails to comply with these grooming standards may be deemed unacceptable for certain work assignments and may be disciplined and/or re-classified as deemed necessary by staff.

Inmates assigned to inmate worker status must sign an Inmate Worker Standards Agreement form (ASU#100415).

(Rev. 03/2019)

**906.05. HAIR REQUIREMENTS/INMATE WORKERS (FIRE CAMP):** Inmate workers assigned to the Glen Helen Rehabilitation Center (GHRC) Fire Camp shall comply with the same standards outlined in the San Bernardino County Fire Department Operations Directive manual:

- Hair shall be neat, clean, trimmed, and present a well-groomed appearance
- Extreme hairstyles or ponytails are not permitted
- Hair may be any color that naturally occurs in human hair
- Hair shall be worn so that it does not extend below the top of the uniform shirt collar standing with the head erect

## **12.900. INMATE GROOMING**

- Hair may be combed over the ears, but shall not extend below the bottom of the ear or more than two inches in front of the ear
- Hair that is styled or combed forward shall not extend below the eyebrows
- The maximum depth from the scalp shall not exceed one and one-half inches. Hair shall meet the specified grooming standards without having to be mechanically restrained
- In no event shall the length of hair or the style preclude the proper wearing of the helmet, self-contained breathing apparatus, or medical mask as required

(Refer to San Bernardino County Fire Department Operations Directive Manual, Section 2410)

(Rev. 03/2019)

**912.00. HAIR CARE PROCEDURES:** Facilities shall establish written procedures for inmate hair care. Such procedures shall include schedules for hair care and allowances for missed hair care. (Refer to Facility Specific Policy)

(Rev. 03/2019)

**913.00. HAIR CARE:** Generally, staff should allow inmates to receive hair care at least once a month. However, staff may suspend such services when inmates are a danger to themselves or others, or jeopardize the safety or security of the facility. (Refer to Title 15, Section 1267)

(Rev. 08/2019)

**915.00. FACIAL HAIR/GENERAL POPULATION INMATE:** Staff shall allow inmates to shave daily.

Staff may deny inmates access to razors if they are a danger to themselves or others, jeopardize the safety or security of the facility, or may not shave for reasons of identification in court. (Refer to Title 15, Section 1267)

(Rev. 03/2019)

**915.01. FACIAL HAIR/INMATE WORKERS:** An inmate who is assigned to work in food preparation, processing or serving areas, and/or around machinery, or in fire hazard areas, may be required, for safety and sanitation reasons, to further limit their grooming in order to properly wear certain health and safety equipment as is deemed necessary by staff, including but not limited to, hair nets, beard nets, safety head coverings, etc.

An inmate that fails to comply with these grooming standards may be deemed unacceptable for certain work assignments and may be disciplined and/or re-classified as deemed necessary by staff.

## **12.900. INMATE GROOMING**

Inmates assigned to inmate worker status must sign an Inmate Worker Standards Agreement form (ASU#100415). (Refer to Health and Safety Code Section 113969)

(Rev. 03/2019)

**915.05. FACIAL HAIR/INMATE WORKERS (FIRE CAMP):** Inmate workers assigned to GHRC Fire Camp shall comply with the same standards outlined in the San Bernardino County Fire Department Operations Directive manual:

- Inmates shall be clean-shaven when reporting to duty
- Sideburns must be neatly trimmed and tapered in the same manner as the haircut. Sideburns must not extend below the bottom of the ear lobe, must be even width (not flared) and must end with a clean shaven horizontal line
- Moustaches must be trimmed and not interfere with the wearing of self-contained breathing apparatus mask. Moustaches may not exceed below the jaw-line
- Beards and goatees of any type are specifically prohibited

(Refer to San Bernardino County Fire Department Operations Directive Manual, Section 2410)

(Rev. 03/2019)

**920.00. NAILS:** Staff shall allow inmates to cut their nails.

Staff may direct inmates to cut their nails when they are of such a length they may endanger the safety of other inmates or staff. Staff shall notify a shift supervisor when inmates refuse to follow such direction. Shift supervisors shall consider the inmate's length of stay and past history before taking disciplinary action.

Staff shall require inmate workers' nails to be clean and trimmed and shall not be of a length that interferes with their assigned duties.

(Rev. 01/2009)

**925.00. GROOMING EQUIPMENT:** Staff shall inventory and inspect grooming equipment prior to distributing it to inmates. Staff shall ensure returned equipment is not damaged or missing parts.

Grooming equipment shall be disinfected before and after each use by methods approved by the State Board of Barbering and Cosmetology. Disinfectant shall be approved by the Environmental Protection Agency (EPA) and authorized for use by the Chief Medical Officer.

## **12.900. INMATE GROOMING**

Cleaning equipment:

- Remove any foreign matter
- Grooming equipment shall be sprayed with the disinfectant and left on for a minimum of one minute before being wiped clean.
- Grooming equipment shall not be immersed in any disinfectant solution
- Store cleaned equipment, excluding curling irons and hot combs, in clean covered containers labeled as such

Approved disinfectant solution shall only be used to clean grooming equipment. Disinfectant solution shall be stored in containers with labeled instructions for use, a caution statement, and the EPA registration number. Containers shall be covered.

The Administrative Support Unit (ASU) shall advise Facility Commanders/designees in an interoffice memorandum when the approved disinfecting solution has changed. (Refer to Title 15, Section 1267 and California Code of Regulations Barbering and Cosmetology Title 16, Article 12, Section 979) (Rev. 08/2019)

**12.1000. COURT ORDERS FOR INMATES TO ATTEND FUNERALS, BIRTHDAYS, HOSPITAL VISITS, OR ANY OTHER SPECIAL EVENT**

**1010.00. COURT ORDERS FOR INMATES TO ATTEND FUNERALS, BIRTHDAYS, HOSPITAL VISITS, OR ANY OTHER SPECIAL EVENT:**

Inmates shall only be permitted to attend a funeral, hospital visit, birthday celebration or any other special event (family or non-family member) when a valid court order is issued temporarily releasing the inmate from the custody of the Sheriff. The San Bernardino County Sheriff's Department does not escort or transport inmates to outside events. When the facility receives a court order it shall follow policy 12.1020.00.

(Rev. 03/2019)

**1020.00. TEMPORARY RELEASE OF INMATE:** Facility Commanders/designees shall review court orders for temporary release to determine their legality and validity.

(Rev. 03/2019)

**12.1100. NEWSPAPERS**

**1110.00. NEWSPAPERS:** Inmates housed in a Type II facility shall be permitted to purchase and receive any newspaper subscription as long as it is mailed directly from the publisher or originate from a verifiable and reputable company or bookstore.

The facility administrator of a Type I facility shall develop and implement a written plan to make available upon request a daily newspaper in general circulation, including a non-English language publication (if requested), to assure reasonable access to interested inmates.

Staff shall inspect all incoming newspapers for contraband.  
(Refer to Bureau Policy Section 12.645.00)  
(Rev. 03/2019)

**12/1200. HOBBYCRAFT RELEASE**

**1210.00. HOBBYCRAFT RELEASE:**  
(Del. 03/2010)

**1220.00. PROCEDURE:**  
(Del. 03/2010)

**1230.00. COMPLETED RELEASE FORMS:**  
(Del. 03/2010)

## **12.1300. TELEVISION/MOVIES**

**1310.00. REVOCATION OF PRIVILEGES:** Televisions and movies are an inmate privilege that may be revoked by the shift supervisor.  
(Rev. 05/2011)

### **1320.00. TELEVISION HOURS:**

- Sunday through Thursday (court nights). Generally, staff shall turn televisions off in housing areas at 2200 hours. The shift supervisor has the discretion of extending this time to 2300 hours.
- Friday, Saturday and Holidays (non-court nights). Generally, staff shall turn televisions off at 2300 hours. Televisions in inmate worker areas may be left on one hour longer than those in general population.

(Rev. 03/2019)

**1330.00. MOVIES:** The Federal Copyright Act (USC Title 17) prohibits unauthorized use of certain videotaped, digital or other electronically recorded movies (videos). The act mandates such videos (including VHS or DVDs) that have been purchased, donated, or brought in by staff have a public performance video license and therefore shall not be shown to inmates except for educational purposes.

(Rev. 03/2019)

**1330.05. UNAUTHORIZED MOVIES:** Movies likely to incite violence, promote racist themes or unrest, or are pornographic shall not be shown.

(Rev. 05/2011)

**1340.00. CLOSED CAPTIONED TELEVISIONS:** Facility housing unit televisions should have the "Closed Captioning" feature turned on at all times.

(Refer to Bureau Policy Section 18.068.00)

(Rev. 03/2019)

## **12.1600. OUTSIDE RECREATION**

### **1610.00. MINIMUM REQUIREMENTS FOR OUTSIDE RECREATION:**

Inmates shall be allowed a minimum of three hours of exercise distributed over a period of seven days. (Refer to Facility Specific Policy)  
(Rev. 03/2019)

**1630.00. HOUSING SAFETY STAFF RESPONSIBILITIES:** Facility Commanders/designees shall establish written procedures for housing safety staff's responsibilities. Such procedures shall be in the form of facility specific policy. (Refer to Facility Specific Policy and Post Orders)  
(Rev. 03/2019)

**1640.00. RECREATION LOG:** Recreation logs and computerized housing lists shall be retained for one year. Recreation logs shall contain:

- Date and time of recreation period
- Housing segment designation
- Numbers of inmates attending
- Number of inmates returning
- Incidents occurring during the recreation period (if any)
- Name and employee number of staff supervising recreation

(Rev. 03/2019)

**1650.00. TYPES OF ACTIVITIES:** Activities shall consist of sports and exercise which allow for exertion of large muscle groups. Facility Commanders/designees may restrict items inmates possess during outside recreation. (Refer to Title 15, Section 1065 and Facility Specific Policy)  
(Rev. 03/2019)

**1660.00. TIME PERIODS:** Time periods shall generally start at the conclusion of breakfast and may continue until lights out. Recreation shall not be offered during feeding and count. Inmate workers shall be allowed recreation as their work schedule permits.

Facility Commanders/designees shall establish written procedures for recreation time periods. Such procedures shall be in the form of Facility Specific Policy.  
(Refer to Facility Specific Policy)  
(Rev. 03/2019)

**1680.00. INMATE CLOTHING:** Staff may allow inmates to remove their shirts during warm weather. Female inmates shall wear T-shirts at minimum.  
(Rev. 03/2019)

**1690.00. LOSS OF RECREATION PRIVILEGES:** Facility Commanders/designees shall have sole authority to cancel scheduled recreation.

**12.1600. OUTSIDE RECREATION**

Loss of recreation privileges shall be noted on recreation logs. Reasons for cancelling recreation may include, but are not limited to, inclement weather, facility emergencies, major disturbances, possible escape attempts, and possible threats against staff.

(Rev. 03/2019)

**1690.10. INCLEMENT WEATHER:** Staff shall not allow outside recreation during serious smog alerts, rain, or during periods of extreme heat or cold.

(Rev. 11/2008)

## **12.1700. INMATE VISITING**

**1710.00. MINIMUM REQUIREMENTS FOR VISITING:** Facility Commanders/designees shall ensure inmates receive no less than the minimum requirements for visiting outlined in Title 15. Inmates shall be allowed at least two visits totaling no less than one hour per inmate each week. (Refer to Title 15, Section 1062, Bureau Policy Section 12.1810.10, and Facility Specific Policy) (Rev. 03/2019)

**1720.00. VISITING LOCATIONS:** Visits shall occur in designated visiting locations. (Refer to Facility Specific Policy) (Rev. 03/2019)

**1730.00. RESTRICTED VISITORS:** The following persons are restricted from visiting:

- Persons attempting to enter the facility as a visitor who have been released from the Department's custody within the last 30 days are ineligible to visit. However, the shift supervisor may approve visits between blood relatives (mother, father, siblings, or children) or a spouse even though the visitor was released from the Department's custody within the last 30 days
- Visitors on formal probation may be required to provide written permission to visit from their probation officer
- Visitors who are convicted felons who have served time in any California state prison or county jail, shall not be allowed on jail grounds without the permission of the Facility Commander/designee. Such persons may be arrested and prosecuted if they refuse to leave jail grounds.

(Refer to Penal Code Section 4571)  
(Rev. 03/2019)

**1730.05. REQUESTING A VISIT UNDER PENAL CODE SECTION 4571:** Convicted felons may request permission to be allowed on jail grounds to visit inmates. Requestors shall complete the Request for a Convicted Felon to Visit an Inmate form (ASU#070901). Requestors may either submit the form to a visiting deputy, who shall route it to the facility commander, or mail the form to the facility, addressed to the Facility Commander/designee. Facility Commanders/designees shall review requests and determine whether requestors may visit. A copy of the completed form shall be mailed to the requestor after the determination is complete. Original forms shall be placed in the inmate's booking jacket.  
(Rev. 03/2019)

**1740.10. PRO PER INMATES:** Inmates granted Pro Per status may, if required, and upon approval of a shift supervisor, receive extended visitation to confer with legal runners and witnesses. Violations of visiting policy may result in

## **12.1700. INMATE VISITING**

loss of extended visiting privileges. Pro Per visits are considered official visits for scheduling purposes. Pro Per visits shall not be used to refuse a regularly scheduled visit that occurs on the same date. Inmates shall be allowed to receive Pro Per visits and regularly scheduled visits on the same day.

**Legal runners:** Legal runners may confer with Pro Per inmates in the public visiting area any day of the week. Legal runners wishing to distribute legal materials or supplies to inmates shall adhere to the procedures in Bureau Policy Section 12.715.00.

**Witnesses:** Pro Per inmates shall submit a list of prospective material witnesses to the Facility Commander/designee for approval. Inmates may be permitted to interview prospective witnesses in the public visiting area during normal visiting times if the visit does not conflict with regular visits. Time allotted for witness interviews shall not be combined with time periods allotted for legal runner visits.

Interviews with material witnesses in the custody of the Sheriff's Department or other government agencies shall be permitted only by specific court order.

**Investigator visits:** Pro Per inmates may retain the services of a state licensed investigator to assist in the preparation of their cases. Pro Per inmates shall be permitted to confer with licensed investigators during normal hours of visiting. Visits may, upon approval by a shift supervisor, occur in the official visiting room. (Refer to Facility Specific Policy)  
(Rev. 03/2019)

**1740.14. NEWS MEDIA VISITS:** News media visits are considered public visits. These visits shall be conducted during regular visiting hours in the visiting area and shall not be considered official visits. Photographic or recording devices shall not be permitted inside the secure part of the facility. Media may use them during public visits only with permission from Facility Commanders/designees. (Refer to Department Manual Section 1.808.30 and Bureau Policy Section 12.1770.00)  
(Rev. 03/2019)

**1740.15. BAIL AGENT VISITS:** Bail agents may request a visit with an inmate. Bail agents shall be allowed to visit when bail services have been requested by the arrestee, arrestee's attorney, an adult member of the arrestee's immediate family or such other person who is in possession of the inmate's written approval. (Refer to California Code of Regulations Title 10, Sections 2077-2082)

Staff shall ensure bail agents complete the Bail Agent Request Form (ASU# 100111) prior to visiting an inmate, approval of an inmate visit or bond drop off.

## **12.1700. INMATE VISITING**

The completed form shall be placed in the inmate's booking jacket.

Bail agents shall not be allowed to visit to solicit business. Staff shall verify these conditions are met before granting the visit. Bail agents shall not be allowed to place money on an inmate's trust account.

Bail agents shall be allowed to visit only one inmate at a time. Bail agents who wish to visit multiple inmates shall exit the visiting area after each visit and make new requests before the next visit shall be permitted.

Bail agents may be allowed to visit inmates in the official visiting area if inmates need to sign necessary documents. Staff shall verify the documents requiring the inmate's signature and the bail agent is a notary public before granting access to the official visiting area.

(Rev. 03/2019)

**1750.05. VISITING SCHEDULE:** (Refer to Facility Specific Policy)

(Rev. 03/2019)

**1770.00. UNAUTHORIZED DEVICES IN VISITING AREA:** Visitors shall not bring cellular telephones or photographic or recording devices into the facility. (Refer to Penal Code Section 4575)

Law enforcement employees may be allowed to retain possession of portable electronic devices during visits for investigative purposes. Such an allowance shall be on an individual basis and only with the expressed consent of the shift supervisor. (Refer to Bureau Policy Section 12.2070.00)

(Rev. 03/2019)

**1790.00. VISITORS' PERSONAL PROPERTY IN VISITING AREA:** To ensure contraband is not hidden in visitors' property and to ensure facility cleanliness, visitors shall not be permitted to retain the following items in the inmate visiting area:

- Purses or briefcases
- Backpacks or diaper bags
- Strollers
- Food or drink
- Cellular telephones or other electronic devices

Visiting staff shall advise the visitors to leave these items in their personal vehicles. (Refer to Facility Specific Policy)

(Rev. 03/2019)

## **12.1800. VISITING PROCEDURES**

**1810.00. VISITING PROCEDURES:** Facility Commanders/designees shall establish written procedures for inmate visiting. (Refer to Facility Specific Policy) (Rev. 03/2019)

**1810.10. VISITING APPOINTMENTS:** Visiting appointments shall be made one day prior to the requested visit. Visiting records shall be maintained by the scheduling facility for two years. (Rev. 10/2007)

**1810.15. VISITOR IDENTIFICATION:** Staff shall require visitors to show current and valid identification with a photograph, issued by municipal, state, or federal agencies, or the consulate of another country, in order to visit. Examples include, but are not limited to:

- Driver's license
- DMV identification card
- Department of Defense identification card
- U.S. Citizenship and Immigration Services identification card
- Consulate identification card
- Passport

(Refer to Bureau Policy Section 12.2030.00)  
(Rev. 03/2019)

**1810.20. VISITOR SIGN-IN SHEETS:** Staff shall require all visitors to completely fill out the Visitor Sign-In form (ASU#180906) prior to any visit. Staff shall compare the visitor's valid identification to the name that appears on the visitor list and sign-in form. Sign-in forms shall be collected and forwarded to facility staff. Each facility shall ensure visitor information is updated into JIMSnet. (Rev. 03/2019)

**1850.05. VISITOR DRESS CODE:** Staff shall deny or terminate visits if visitors are wearing prohibited attire.

Prohibited attire:

- Gang attire
- Hats
- Clothing or accessories displaying obscene or offensive language or pictures
- Sheer, or transparent garments
- Tank tops, halter tops, strapless or spaghetti strap tops
- Clothing exposing the breast/chest, midriff area, genital area, or buttocks
- Shorts, skirts, and dresses shorter than mid-thigh
- Clothing revealing underwear

## **12.1800. VISITING PROCEDURES**

Shoes shall be worn.  
(Rev. 03/2019)

**1852.00. MONITORING VISITS:** Staff are expected to maintain facility security by observing inmates during visits.

Staff shall not listen to conversations between an inmate and their attorney, religious advisor, or licensed physician (privileged). Staff may listen to any non-privileged conversation of an inmate. (Refer to People v. Loyd, Penal Code Section 636, and Bureau Policy Section 9.420.10)  
(Rev. 03/2019)

**1885.00. TERMINATION OF VISIT:** Staff observing violations of law or facility rules by visitors or inmates may terminate those visits, and, if appropriate, place the inmate on discipline.  
(Rev. 03/2019)

**1885.05. DENIAL OF VISITS:** Shift supervisors may deny any public or official visit if it is determined a visitor may compromise facility security, safety of staff, or safety of inmates.  
(Add. 10/2007)

**1885.10. TEMPORARY SUSPENSION OF VISITING PRIVILEGES:** Staff shall temporarily suspend inmates' visiting privileges if Health Services supervisors determine a medical condition could endanger inmates or staff.

Additionally, staff may temporarily suspend visiting privileges in accordance with discipline policies. (Refer to Bureau Policy Section 12.2300.30 and Facility Specific Policy)  
(Rev. 03/2019)

**1886.00. MINOR VISITS:** Generally, visitors under 18 shall be escorted by a responsible adult.

EXCEPTIONS: Staff shall permit minor children age 12 and over to visit inmate parents unaccompanied by an adult. Inmates' minor spouses who can provide a marriage certificate and photo identification shall be permitted to visit. (Refer to Haas v. Board of Supervisors of San Bernardino County)  
(Rev. 03/2019)

**1888.00. CHILDREN IN THE FACILITY:** Staff shall require visitors to keep their children within arm's reach. Staff may terminate visits when parents fail to

## **12.1800. VISITING PROCEDURES**

maintain control of their children. Children shall not be left unattended for any reason.

(Rev. 12/2016)

**1890.00. INMATES IN INTAKE:** Inmates in intake shall not be allowed public or social visits. Other visits (official visitors or bail agents) shall be allowed. Facility Commanders/designees shall establish written procedures and Facility Specific Policy to address how these visits shall occur. (Refer to Bureau Policy Section 12.1740.15)

(Rev. 03/2019)

**1896.00. INMATES' RIGHT TO REFUSE VISITS:** Inmates have the right to refuse visits.

(Rev. 03/2019)

**1897.00. VISITORS WITH SERVICE ANIMALS:** A service animal is a dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability. A service animal is not required to be specially licensed as a service animal, or certified as such by a state or local government. Service animals are not pets. A miniature horse is approximately 24" to 34" from the floor to the shoulder and 70 to 100 pounds. (Refer to ADA Title II, Regulation 28 CFR, Section 35.104, California Civil Code Sections 54-55.3, Penal Code Sections 365.5-365.7, and Bureau Policy Section 18.005.00)

Visitors entering a facility accompanied by a dog or a miniature horse the visitor claims is a service animal shall generally be admitted. A visitor claiming the need for the service animal shall not be asked about their disability nor be required to provide proof of disability. The visitor shall not be required to verify the animal's capability as a service animal.

When a visitor with an animal attempts to enter a facility, staff should:

- Ask if the animal is required because of a disability and what work or task the animal has been trained to perform
- If the visitor states the animal is a pet, the animal shall be denied entrance into the facility
- If the animal growls, or otherwise acts in a manner that poses a direct threat to the health and safety of others, it shall not be allowed into the facility

Barking alone is not a reason to direct the visitor and service animal to leave the facility. Some service dogs are trained to bark to alert its owner of an onset of a

## **12.1800. VISITING PROCEDURES**

medical condition such as a seizure. Staff should speak to the visitor and summon medical assistance if necessary.

A service animal shall have a harness, leash, or other tether, unless either the visitor is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the visitor's control (voice control, signals, or other effective means).

Visitors with disabilities shall be permitted to be accompanied by their service animals in all areas of a facility where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Facilities shall not ask or require a visitor with a disability to pay a surcharge or to comply with other requirements generally not applicable to visitor without service animals. (Refer to ADA Title II, Regulation 28, CFR Part 35 and Bureau Policy Section 18.050.01)

Animals with harnesses, packs, or any other coverings are subject to search. Any visitor who refuses to allow an animal to be searched for any reason shall not be provided access to the facility. (Refer to Bureau Policy Section 18.050.02)

If staff are called to a disturbance involving an animal that initially appeared to be passive and under control of the visitor, but subsequently begins displaying aggressive behavior, the visitor shall be ordered to remove the animal from the facility due to its aggressive behavior.

If the visitor is ordered to remove the animal from the facility, the visitor shall be allowed to return to the facility and complete their visit without the service animal. (Refer to ADA Title II, Regulation 28, CFR Section 35.136 and Bureau Policy Section 18.050.03)

When staff denies entry to a visitor bringing an animal into a facility, or if the visitor is ordered to remove the animal after having been admitted, staff shall immediately notify the shift supervisor and prepare an interoffice memorandum for the shift supervisor. The memorandum shall include the following information:

- The name, date of birth, address, telephone number, and any other identifying visitor information of the visitor with the animal
- A description of the involved animal
- A description of the specific behavior on which staff based their decision to exclude, or order the removal of, an animal from the facility

## **12.1800. VISITING PROCEDURES**

- A description of the steps staff took to accommodate the disabled visitor and the visitor's response to those steps.

(Refer to Bureau Policy 18.050.04)

Staff shall not accept responsibility for watching, feeding, watering, or otherwise caring for any service animal. In the event the visitor is arrested or otherwise unable to care for the animal, staff shall ask the visitor who the animal should be released to and attempt to contact that person. If nobody can be located or pick up the animal in a reasonable amount of time, staff shall contact the local animal control service. (Refer to Bureau Policy Section 18.050.05)

Nothing in this policy shall discourage staff from taking appropriate steps to ensure the safety and security of the facilities, other staff, visitors, and inmates. Allergies and fear of animals are not valid reasons for denying or refusing service animals entrance onto a facility. (Refer to Bureau Policy Section 18.050.06)  
(Rev. 03/2019)

**1898.00. VISITOR INJURIES:** In the event of a visitor emergency, Health Services staff shall respond and provide emergency treatment.

Staff shall advise the injured visitor to proceed as they would for an injury in their own residence, calling their preferred doctor or hospital.

If the injured visitor has no preferred doctor or hospital, or cannot respond and must be taken to a hospital or emergency clinic staff shall:

- Immediately notify the shift supervisor
- Call 911 and request medical aid for the injured person. Give detailed instruction on how to reach the injured person. Send staff to wait for the ambulance and guide them to the injured person, staff shall not leave the injured visitor until the ambulance arrives
- Not make any comment concerning the injury or county responsibility or liability
- Write a detailed interoffice memorandum to the Facility Commander/designee about the incident

(Rev. 03/2019)

## **12.1900. RELIGIOUS VISITORS/VOLUNTEERS**

**1910.00. VISITS FOR RELIGIOUS PURPOSES:** Generally, religious visits shall be considered official visits and shall be conducted in official visiting areas. Time allotments shall be discretionary based on specific activities and circumstances that affect facility security. Facility Commanders/designees may approve, deny, or assign such visits to alternate locations.

**Identification:** Religious visitors shall provide proof of their identity and official religious capacity. A license, certificate of ordination, or letter from a church official (on church letterhead) shall be sufficient proof of a visitor's official religious capacity. Facility Commanders/designees maintain authority to grant or deny visits for religious purposes in response to specific circumstances on an individual basis.

**Clearance:** Religious visitors shall present the appropriate identification and have an approved Security Clearance Application (ASU#100714) in order to have an official visit. Such documentation shall be approved by the Inmate Services Unit (ISU). Religious visitors wanting an official visit shall contact the supervisor of the INROADS program at ISU. Upon approval from ISU, religious visitors shall be placed on an approved list. ISU shall be responsible for updating the religious visiting list. Staff shall ensure visitors are on the approved list and shall verify the visitor's identification.

Generally, the religious visitor shall wait until their application is approved before they can visit. However, a shift supervisor may allow a same day visit if exigent circumstances exist.

Approved applications shall be filed in an administrative file in ISU. Religious applications shall be valid for one year from the date of approval. At the end of the year staff shall discard expired applications. Religious visitors shall reapply if they wish to continue religious visits.

Generally, religious visits shall only be conducted on a one-on-one basis. A shift supervisor may allow a religious visitor to be accompanied by a member of the inmate's family if exigent circumstances exist. (Refer to Bureau Policy Section 12.2030.00 and Facility Specific Policy)  
(Rev. 03/2019)

**1915.00. RELIGIOUS VOLUNTEERS:** Volunteers requesting to minister within the secure areas of a jail shall complete the Religious Volunteer Application (ASU#000702).

Religious volunteers shall not conduct themselves in a manner which brings discredit to themselves, the Department, or the County. Volunteers who are a principal in an investigation of a criminal nature shall immediately notify ISU.

## **12.1900. RELIGIOUS VISITORS/VOLUNTEERS**

Volunteers may be terminated or released at any time with or without cause. (Refer to Department Manual Sections 1.678.10, 1.714.00, and 1.726.00.)

**Rules:** Religious volunteers shall not accept or give anything to inmates including messages. Safety staff shall inspect items brought into jail facilities for religious services. Religious volunteers shall immediately notify ISU when a relative is booked into custody at any San Bernardino County Sheriff's Department jail facility. Religious volunteers shall not minister to relatives or friends in custody.

Religious volunteer teams shall be limited to six members.

**Identification:** Upon approval from ISU, religious volunteers shall be placed on an approved list. ISU shall be responsible for updating and distributing the religious volunteer list to the jail facilities. Staff shall ensure volunteers are on the approved list and shall take the volunteers' driver license in exchange for a building pass. Religious volunteers shall wear building passes in plain view at all times.

**Training:** Religious volunteers shall be trained on their responsibilities under the department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The type of training received by the volunteer shall be based on the services they provide and the level of contact they have with the inmates.

ISU shall be responsible for notifying religious volunteers of the department's zero tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. All volunteers having inmate contact shall sign the Acknowledgement of Prison Rape Elimination Act Training/Pamphlet form. Such forms shall be electronically filed and retained by ISU. (Refer to Bureau Policy Section 3.107.00)

(Rev. 03/2019)

## **12.2000. OFFICIAL VISITS:**

**12.2005.00. OFFICIAL VISITS:** Facility Commanders/designees shall establish written procedures regarding official visiting. Such procedures shall include late visits, cancelling visits, officer interview rooms, probation interviews, and authorized areas for official visits. (Refer to Facility Specific Policy)  
(Rev. 03/2019)

**12.2030.00. OFFICIAL VISITORS:** Official visits are those conducted by the following:

- An attorney who is requested by the inmate or the inmate's family (all other attorneys shall use the regular visiting area)
- Attorney of record including private investigators and legal assistants with letters of identification from the attorney of record. This does not include legal runners
- Peace officers, parole agents, public defenders District Attorney investigators, and probation officers who are conducting an investigation
- Attorneys, investigators, and legal assistants or interviewers from the Conflict Panel
  - A current list of Conflict Panel attorneys, investigators, and legal assistants or interviewers shall be maintained by the Administrative Support Unit (ASU) in Starlink
- Notary public having paperwork requiring an inmate's signature
- Bail agents having paperwork requiring the inmate's signature (power of attorney, bail agreement, or promissory note)
- Religious officials meeting the requirements set forth in Bureau Policy Section 12.1910.00
- City, County, Tribal Government, Federal, State or Consulate officials with proper identification acting in an official capacity
- Licensed process servers
- Veteran Affairs employees (who have been cleared by the Inmate Services Unit (ISU))
- Other persons acting in an official capacity who are approved by the Facility Commander/designee.

Note: Safety staff shall be present for all inmate visits with notary publics, bail agents, or licensed process servers. Safety staff shall monitor the exchange between the inmate and such persons. Unlicensed servers shall not be allowed to visit in the official visiting area or be allowed an unsupervised visit.

Facility Commanders/designees shall establish Facility Specific Procedures for photocopying identification belonging to official visitors. The procedures shall, at a minimum, specify if such copies are required and, if so, where copies are to be maintained.

## **12.2000. OFFICIAL VISITS:**

Exception: An official visitor accompanied by a member of the inmate's family shall be granted a regular visit. (Refer to Title 15, Section 1068, Penal Code Section 825(b) and Bureau Policy Sections 12.1740.15 and 12.1810.15)  
(Rev. 06/2020)

**12.2030.02. PRIVATE INVESTIGATOR EMPLOYEES:** Private investigators who are retained or contracted by an attorney may hire an employee to conduct interviews and investigations (Refer to Business and Professional Code 7521.5(e)). These employees work under the license of the private investigator. Employees of a private investigator may be granted an official visit provided the following criteria are met:

- The attorney of record shall submit a letter of application indicating they have hired the private investigator firm to conduct investigations involving their client
- The private investigator firm shall submit a letter of application identifying and verifying the person named is an employee working for the private investigator as their investigator and is assigned to a specific named inmate
- The attorney of record/private investigator letter shall contain the employee's full name, date of birth, driver license number, date of official visit, inmate's name and booking number
- The investigator shall provide a valid photograph identification and investigator card before entering the official visit
- Each employee shall have a letter listing the requested inmate's name and booking number for the visit
- The attorney of record letter and the private investigator letter shall only be valid for the date of the visit listed within the letter

A shift supervisor shall conduct a record check and grant or deny the application within 10 days of receiving the letter of application from the private investigator's employee.

The approval shall be granted if:

- The employee has no prior felony convictions
- The employee has not been in custody within the last six months
- The employee is not a drug addict or registered drug offender
- The employee has no excessive misdemeanor convictions that indicate they are a security risk

If the employee is approved for the official visit, the shift supervisor shall sign and date the letter. The original letter with the shift supervisor's signature shall be filed in the inmate's booking jacket.

## **12.2000. OFFICIAL VISITS:**

If the private investigator's employee is not approved for an official visit, the shift supervisor shall sign the letter indicating the private investigator employee is not eligible for an official visit and the letter shall be returned to the private investigator. A copy of this letter shall be retained in the inmate's booking jacket. No private investigator's employee shall be granted an official visit without the attorney letter, the private investigator's letter, the letter of application, and the completion of a record check. (Refer to Facility Specific Procedures)  
(Rev. 06/2020)

**12.2030.05. AUTHORIZED HOURS FOR OFFICIAL VISITS:** Official visits shall only be allowed between 0800–2200 hours. No other time shall be allowed without the approval of the shift supervisor.  
(Rev. 04/2011)

**12.2030.10. OFFICIAL VISIT DURING MEALTIME:** If the request for an official visit occurs during an inmate's scheduled meal, it shall be the inmate's decision to either accept the visit or eat the meal. If the inmate decides to accept the official visit during the meal period, they may be provided a sack lunch upon return to the housing unit.

If the inmate has a medical diet, the inmate may be allowed to eat the meal prior to attending the official visit. Staff shall notify the official visitor that the inmate is eating a medical diet and will be available as soon as possible after eating their meal.

If the inmate elects to eat the scheduled meal and accepts the visit, the time allotted for the visit may be reduced if it interferes with another previously scheduled visit.  
(Rev. 03/2019)

**12.2030.25. REFUSAL BY INMATE:** When an inmate refuses a visit, staff shall either:

- Document the inmate's refusal of an official visit in the housing unit log along with the inmate's name, booking number, and the reason for the refusal
- Enter the information from the yellow request into the inmate's visitor summary screen in JIMSnet. Staff shall check the inmate "refused box"

(Rev. 03/2019)

**12.2070.00. POSSESSION OF CELLULAR TELEPHONES/ELECTRONIC COMMUNICATION DEVICES DURING OFFICIAL VISITS:** Cellular telephones, smart phones, or other electronic communication equipment shall not be permitted into an official visit in accordance with Penal Code Section 4575(a).

**12.2000. OFFICIAL VISITS:**

These devices are not monitored, and an inmate in possession of such equipment could provide information or arrange situations that would jeopardize the safety and security of the facility.

(Rev. 03/2019)

**12.2070.10. POSSESSION OF LAPTOPS AND TABLETS DURING OFFICIAL VISITS:** Except for as provided in Bureau Policy Section 6.030.00, laptops and tablets are prohibited.

(Rev. 03/2016)

## **12.2100. COURT ORDERS**

### **2110.00. CONFIDENTIAL COURT ORDERS PER PENAL CODE SECTION**

**987.9:** Confidential court orders per Penal Code Section (P.C.) 987.9 are generated by the defense in capital cases. The contents of these orders need to be protected against deliberate or accidental discovery by the prosecution. The attorney of record or his designee shall deliver all confidential court orders to the facility in which the inmate is housed. Only valid/certified copies of court orders shall be accepted.

(Rev. 03/2019)

**2110.05. PROCESSING P.C. 987.9 ORDERS:** All P.C. 987.9 orders requiring confidentiality shall be delivered to a shift supervisor who shall:

- Read the court order to determine what is being requested or ordered
- Ensure the court order is valid and has a judge's signature (stamp acceptable), is dated and that the defendant named in the order is housed at the facility
- Place the name and booking number of the inmate on an envelope
- Write the name of the visitor or visitors designated in the court order on the envelope without a title or other identifying information
- Place the court order/request in the envelope and tape seal it.
- Write "DO NOT OPEN", shift supervisor's initials, and date/time on the envelope
- If the visit is designated as a one-time occurrence, place the date/time on the envelope. If the court order is a blanket court order, no date or time is necessary
- Follow the above procedure but indicate the date/time and place of appointment if the court order is for something other than a visit (hospital visit, dental visit, etc.) outside of the facility.
- Generate an interoffice memorandum for safety staff security sign-up and post the memorandum on the briefing board
- Have the envelope filed in the inmate's jacket
- Complete a Request for Special Visit form (ASU#000605) and forward it to the medical clinic for filing in the inmate's medical jacket

(Rev. 03/2019)

**2120.00. COURT ORDERED CONFIDENTIAL VISIT:** At the time a confidential court order for special visit is requested pursuant to a confidential court order:

- The special visit shall be handled through official visiting
- Visitors shall be required to have a copy of the court order in their possession
- Obtain the sealed envelope from the inmate's booking jacket

## **12.2100. COURT ORDERS**

- Verify the name on the envelope with a picture identification (ID) card from the visitor
- Do NOT complete an official visit form
- Do NOT document the confidential official visit in JIMSnet
- Complete the authorized confidential visit information on the sealed envelope
- Complete the authorized confidential visit information on the Request for Special Visit form (ASU#000605)
- Have the inmate sent to the official visit area
- Document the date/time of the visit on the envelope and the Request for Special Visit form (ASU#000605)
- Initial the entry(s)
- On blanket court orders, place a dash (-) the date/time of each visit on the envelope found in the inmate's booking jacket

\*Note: If the visitor requests the visit in a clinical setting, the official visiting clerk will coordinate those efforts with the facility's Health Services staff. Use of the medical clinic is on a first-come-first-serve basis. (Refer Bureau Policy 17.1020.05)  
(Rev. 03/2019)

**2120.05. NEW COURT ORDERS:** Designated one-time-only visits are valid for one visit only; a new court order is necessary to revisit the inmate.  
(Rev. 11/1999)

**2130.00. SUBPOENA DUCES TECUM:** Whenever a private defense attorney or the Public Defender's Office submits a request for a staff member's file in the form of a subpoena duces tecum, court order or Pitchess motion, such documents must be forwarded to the Internal Affairs Division.

Subpoenas duces tecum is not required for the release of Deputy Reports (DRs) or an inmate's jail record (except for medical records) when requested by a law enforcement agency, court or the District Attorney's Office for criminal investigative purposes. All requests should be in writing on the requesting agency's letterhead.  
(Rev. 03/2019)

**2130.05. PROCESSING A SUBPOENA DUCES TECUM:** When the Sheriff's Department receives a request for documents in the form of a subpoena duces-tecum (whether the request is received at the facility level or at Sheriff's Headquarters), the subpoena shall be forwarded immediately to the Sheriff's Civil Liabilities Division. Once reviewed, the requested information is researched, assembled, and sent to Civil Liabilities for disbursement to the requesting party.  
(Refer to Department Manual Sections 2.240.00 and 2.428.00)

## **12.2100. COURT ORDERS**

(Rev. 03/2019)

**2140.00. IN-CUSTODY PATERNITY TESTING:** Paternity testing is the use of genetic DNA to determine whether two individuals have a biological parent-child relationship. A paternity test establishes genetic proof that a man or woman is the biological parent of an individual.

Upon presentation of a valid administrative order from the court to the Department of Child Support Services (DCSS) or valid court minute order issued by the court to Children and Family Services (CFS) for genetic testing, an approved representative or vendor shall be allowed to collect DNA from an inmate from which the order was issued.

(Rev. 03/2019)

**2140.05. COLLECTION OF DNA:** A safety staff member shall be present with the representative or vendor at all times during the collection process. If the inmate refuses the DNA collection, the inmate shall be sent back to their housing area immediately. The inmate shall not be forced to submit to the collection if they refuse. The representative or vendor will notify the court that the inmate has refused the DNA collection.

The representative or vendor collecting DNA for paternity testing shall only be allowed to bring in the following when entering the facility:

- Clear plastic bag
- DNA swabs
- A valid driver license or ID card
- Employee vendor badge
- Appropriate court paperwork

No cameras shall be allowed in the facility to photograph inmates. If a photograph of the inmate is requested for identification purposes, staff may provide a copy of the inmate's photograph from JIMSnet.

(Rev. 03/2019)

**2145.00 INMATE PETITION FOR NAME OR GENDER CHANGE:** Inmates sentenced to the county jail have the right to petition the court to obtain a name or gender change. The sentenced inmate must file the petition with the Court, and it will be up to the Court to rule on the petition.

An inmate shall provide a copy of the petition for a name or gender change to the Department at the time the petition is filed. Petitions can be accepted by delivering it directly to a staff member or by a third party delivering it to the

## **12.2100. COURT ORDERS**

facility in which the inmate is housed. Inmates can notify staff they have a petition to submit to the Department through the automated kiosk.

Upon receiving the court order granting the name or gender change, the Department shall use the inmate's new name or gender, and prior names shall be listed as an alias.

A copy of the requested petition shall be filed in an Administrative File and the original shall be placed in the inmate's booking jacket. Copies of the petition shall be forwarded to Cal-ID and Sheriff's Records. Staff responsible for updating the inmate's JIMS screen will need to contact Sheriff's Records to make the modification. (Refer to Code of Civil Procedure: Section 1279.5.)

(ADD. 04/2020)

## **12.2200. COMMISSARY AND ICARE PACKAGE**

**2210.00. COMMISSARY AND ICARE PACKAGE:** Inmates housed in Type II facilities and inmate workers assigned to Type I facilities may purchase items from commissary. To prevent extortion, prostitution and other financially motivated crimes facilitated by criminal enterprises or other criminal organizations, inmates may not exceed \$200 per week on commissary purchases (this amount includes purchased telephone time).

iCare packages may be purchased for an inmate by a third party once per week. Packages will be delivered to inmates in their housing unit during commissary and iCare distribution.

Physical commissary and iCare package limitations are in place to prevent potential fire hazards, reduce clutter in living areas and minimize any sanitation and hygiene problems.

(Rev. 03/2019)

**2210.04. COMMISSARY AND ICARE PACKAGE ITEM APPROVAL BY FACILITY COMMANDERS/DESIGNEES:** The director of the Inmate Services Unit (ISU), in coordination with Facility Commanders/designee, shall determine the items available from commissary and iCare package. New items shall not be sold without approval from the Facility Commanders/designees.

(Rev. 03/2019)

**2210.05. COMMISSARY AND ICARE PACKAGE PROCEDURE:** Facility Commanders/designees shall establish written procedures for commissary and iCare package distribution. (Refer to Facility Specific Policy)

(Rev. 03/2019)

**2210.07. RETENTION OF RECEIPT FOR COMMISSARY AND ICARE PACKAGE PURCHASES:** Inmates shall retain a receipt for all commissary and iCare package items in their possession. Commissary and iCare package items that cannot be accounted for with a receipt shall be considered contraband and confiscated accordingly without compensation. Inmates who fail to maintain a receipt for all commissary and iCare items found in their possession, shall be subject to disciplinary action.

(Rev. 03/2019)

**2210.08. ALLOWABLE INMATE PROPERTY:** It is the inmate's responsibility to ensure they do not exceed the established limits of commissary and iCare package items. The following list outlines the maximum personal items an inmate is allowed; which can be obtained through commissary and iCare:

## **12.2200. COMMISSARY AND ICARE PACKAGE**

### **Health Aids**

- 1 Pair V4ORCE Velcro shoes (workers and medical chrono ONLY)
- 1 Pair orange deck shoes (shower shoes)
- 2 Washcloths
- 2 Disposable razors
- 2 Toothbrushes
- 2 Toothpaste
- 2 Mouthwash
- 1 Floss loop pack
- 2 Denture adhesive pack
- 10 Each 2-pack medication
- 2 Vitamins
- 2 Cough drops
- 2 Alka Seltzers
- 2 Lip balms
- 2 Hydrocortisone
- 2 Anti-fungal cream
- 2 Foot powder
- 1 Pair reading glasses
- 2 Shaving cream
- 2 Hair products
- 1 Hair tie pack
- 2 Deodorant
- 1 Soap box
- 2 Soaps
- 2 Lotions
- 1 Cotton swabs pack
- 1 Comb
- 1 Palm Brush
- 1 Plastic mug

### **Female**

- 7 Pairs of briefs
- 2 Packs of douche (1 open, 1 unopened)
- 2 Packs of tampons

### **Communication**

- 10 Greeting cards
- 10 Envelopes
- 5 Pencils
- 5 Erasers
- 20 Stamps
- 5 Writing pads
- 2 Manila envelopes
- 5 Stamped post cards
- 1 10" x 15" Important document file folder
- 1 Dictionary

### **Recreation**

- 1 Pack of poker cards
- 2 Packs of pinochle deck
- 2 Activity books
- 1 Pack of colored pencils

### **Food**

- 20 Food items
- 20 Candy items
- 20 Snack items
- 20 Chips items
- 20 Cookies and Pastry items
- 20 Condiments packets
- 20 Beverages packets
- 2 Cereal/tortillas packages
- 2 Communion pre-filled cups (grape juice and wafer: 1 opened, 1 unopened)

### **Discipline/PIM Inmates**

- Legal paperwork
- Personal hygiene items
- Mail/ Letter writing material
- Religious items (including 3 religious books)
- (2) Non-religious paperback books

Examples of commissary and iCare package items:

- Food (chili with beans, Ramen soups, light tuna pouch, chicken breast)
- Candy (3 Musketeers, Atomic Fireballs, Sour Balls, Kit Kat, M&M Peanut)
- Snack (trail mix bar, peanuts, dill pickle, Ritz Bits)
- Chips (Cheetos, Doritos, Takis fuego, Fritos)
- Cookies and Pastries (cinnamon roll, danish apple round, Oreos)
- Cereal/Tortillas (flour tortillas, cereal bag, oatmeal variety)
- Condiments (ketchup packet, mayonnaise packet, grape jelly packet)
- Beverages (Maxwell House singles, creamer packets, fruit punch-individual)

(Rev. 08/2019)

**2210.10. STAFF ACCEPTING COMMISSARY AND ICARE PACKAGES:** Staff shall not accept or sign for inmates' commissary or iCare package without prior approval from a shift supervisor. (Refer to Facility Specific Policy)

(Rev. 03/2019)

**2210.15. INMATES ON SUICIDE WATCH:** Inmates on suicide watch shall not purchase commissary or receive iCare packages.

(Rev. 03/2019)

## **12.2200. COMMISSARY AND ICARE PACKAGE**

**2210.20. INMATES HOUSED AT THE HOSPITAL JAIL WARD:** Staff assigned to the hospital jail ward shall distribute commissary slips to inmates as requested. Staff shall submit completed forms to the commissary vendor at West Valley Detention Center (WVDC). Transportation Division staff shall deliver commissary orders and/or iCare packages to the hospital jail ward.

(Rev. 03/2019)

**2212.00. INMATES HOUSED AT A TYPE I JAIL FACILITY:** The commander of a Type I jail facility shall establish Facility Specific Policy for purchasing commissary.

(Add 01/2019)

**2214.00. EXCESS ITEMS:** Staff shall be responsible for placing excess non-food items on the inmate's property. Staff shall complete a Property Inventory form (ASU#080502) for confiscated personal property to be stored in the inmate's property. Staff shall provide the inmate with a copy of the form and file the original in their booking jacket.

Excess food items shall be confiscated and destroyed to prevent infestation of insects and rodents. When food items are deemed to be in excess, the inmate shall be given the choice of which property they wish to dispose of without compensation. Staff shall complete a Property Inventory form (ASU#080502) for confiscated and destroyed excess food items. Such seized food items shall be disposed of in a proper receptacle not accessible to the inmate population. (Refer to Bureau Policy Sections 12.2210.08 and 12.2210.13)

(Rev. 03/2019)

**2220.00. CARE BAGS:** Staff shall ensure inmates receive hygiene and stationery supplies sufficient to provide for short-term needs. Generally, this is accomplished by providing care bags to indigent inmates and those held over 24 hours. All inmates shall be charged for the initial care bag.

Indigent inmates with no monies in their account will carry a negative balance. Any future monies received or deposited in the inmate's account will be used to settle any negative balances until they are no longer in custody.

Any inmate requiring additional care bags shall order them through commissary.

Care bags shall contain two stamped envelopes, two sheets of paper, one razor, one toothbrush, toothpaste, comb, two bars of soap, and a pencil. Inmates classified in certain administrative housing units shall have razors removed from care bags due to safety and security reasons. (Refer to Title 15, Section 1265)

(Rev. 03/2019)

**12.2200. COMMISSARY AND ICARE PACKAGE**

**2220.02. RECEIVING RESPONSIBILITIES:** Facilities shall establish procedures for care bag distribution. (Refer to Facility Specific Policy)  
(Rev. 01/2019)

## **12.2300. INMATE DISCIPLINE**

**2300.00. DISCIPLINARY STATUS:** Placing an inmate on discipline shall result in the loss of commissary, iCare packages, social visits, outside recreation, telephone, television, and reading materials (other than religious literature, mail/letter writing material and 2 non-religious paperback books).  
(Rev. 02/2020)

**2300.15. DISCIPLINARY GUIDELINES FOR INMATES WHO COMMIT SEXUAL ABUSE:** Inmates shall be subject to disciplinary sanctions pursuant to Bureau Policy Section 12.2523.00 following results from a discipline hearing determining the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Discipline sanctions shall take into consideration:

- Nature and circumstances of the abuse committed
- Inmate's disciplinary history
- Whether an inmate's mental disabilities or mental illness contributed to their behavior

Supervisors shall refer inmates who have committed sexual abuse on another inmate to Health Services within 60 days of learning of the abuse. Health Services shall refer these inmates to Mental Health to attempt to conduct a mental health evaluation. (Refer to Bureau Policy Section 12.2523.00)

For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

Inmates may only be disciplined for sexual contact with staff upon finding that the staff member did not consent to such contact.

Staff may discipline inmates for consensual sexual activity. However, staff shall not deem such activity to constitute sexual abuse if it is determined the activity is consensual and not coerced.  
(Rev. 08/2019)

**2300.30. SUSPENSION OF VISITING PRIVILEGES:** In addition to the loss of privileges described in Bureau Policy Section 12.2300.00, inmates' social visits may be temporarily suspended for offenses which pose a significant threat to staff, other inmates or facility security. Such suspensions shall:

- Be considered individually based on particular offenses (no mass suspensions)

## **12.2300. INMATE DISCIPLINE**

- Not be imposed unless considered as part of the discipline hearing described in Bureau Policy Section 12.2515.00 and only upon the approval of the Facility Commander/designee
- Not exceed 30 days from the last day of the inmate's discipline and only occur after an inmate's disciplinary time has been served and the inmate has been removed from disciplinary housing
- Not apply to visits from clergy or attorneys, or both

(Refer to Bureau Policy Sections 12.1885.10 and 12.2510.00 and Facility Specific Procedures Manual)

(Rev. 02/2020)

**2300.40. DISCIPLINE LIMITATIONS AND EXCLUSIONS:** Staff shall not use safety cells for disciplinary purposes.

Staff shall not withhold food, hygiene items, or access to counsel (including telephone calls with legal counsel or legal visits) or legal materials as a form or result of discipline. Staff shall ensure inmates on discipline status receive, at a minimum, 30 minutes of tier time daily for showering. (Refer to Title 15, Sections 1083(i) and 1266)

Mass discipline shall not be allowed. Disciplines shall be specific to individual inmates and specific violations of inmate rules. Staff shall not allow inmates to exercise punishment over other inmates.

Staff may withhold an inmate's bedding or clothing when destruction of such items has occurred. The decision to withhold such articles of clothing and bedding shall be reviewed by the Facility Commander/designee during each 24-hour period. Safety staff taking an inmate's clothing shall obtain approval from a shift supervisor and complete a Strip Search Authorization form (ASU#020402) prior to depriving an inmate from an article of clothing. (Refer to Bureau Policy Section 9.120.00)

Staff shall not withhold correspondence privileges except where correspondence regulations have been violated. Correspondence shall not be suspended for longer than 72 hours without the review and approval of the Facility Commander/designee.

(Rev. 08/2019)

**2305.00. PROPERTY INVENTORY:** Inmates placed on discipline shall be permitted to have the standard compliment of the following items:

- Bedding and mattress (Refer to Bureau Policy Section 12.2300.40 for exception)
- Legal paperwork

## **12.2300. INMATE DISCIPLINE**

- Personal hygiene items
- Mail/Letter writing materials
- (3) Religious books
- (2) Non-religious paperback books

Staff shall remove and inventory the remainder of an inmate's personal property using a Property Inventory form (ASU#080502) and place it into a discipline property locker or secured authorized area. Opened perishable goods shall be confiscated and destroyed to prevent infestation of insects and rodents. Contraband shall be confiscated and disposed of in an approved manner. (Refer to Facility Specific Procedures Manual)

(Rev. 02/2020)

**2315.00. STORAGE OF INMATE'S PROPERTY:** Safety staff shall inventory an inmate's property and complete a Property Inventory form when inmates are removed from their cells and are not permitted to take their property with them. Staff shall inventory property in the inmate's presence and obtain the inmate's signature on the form. When the property cannot be inventoried in the inmate's presence, staff shall document on the form the reason. Examples include, but are not limited to, inmates being admitted to the hospital and inmates posing significant threats to staff. The original form signed by the inmate and safety staff shall be placed in the inmate's booking jacket and a copy placed inside the inmate's property bag. A copy of the signed form shall be given to the inmate.

(Rev. 02/2020)

**2325.00. DISCIPLINE PROPERTY LOCKER:** (Refer to Facility Specific Procedures Manual)

(Rev. 2/2020)

**2335.00. RETURNING INMATE PROPERTY:** Safety staff shall return an inmate's personal property and have them sign the Property Inventory form. A copy of the signed form shall be given to the inmate. The original completed form shall be filed in the inmate's booking jacket.

(Rev. 02/2020)

**2345.00. INMATES OUT FOR HOSPITAL/CLINIC APPOINTMENTS:** (Refer to Facility Specific Procedures Manual)

(Rev. 02/2020)

## **12.2500. DISCIPLINE GUIDELINES**

**2500.00. INTRODUCTION:** Inmate rules and regulations disciplinary guidelines have been established to guide inmate behavior. The Inmate Rules and Regulations pamphlet shall be given to inmates during the booking process. Disciplinary guidelines shall also be displayed in all inmate housing areas.  
(Rev. 09/2019)

**2505.00. PUBLIC INFORMATION FOR INMATES ON DISCIPLINE:** (Refer to Bureau Policy Section 14.980.00)  
(Rev. 9/2019)

**2507.00. MINOR RULE VIOLATIONS:** Violations of facility rules not posing a threat to facility safety or security are considered minor violations. Staff shall complete a Minor Discipline Report form (ASU#081204) and obtain a shift supervisor's approval prior to imposing minor disciplines. Minor disciplines shall not result in administrative housing, loss of good and work time (Penal Code Section 4019) and no hearing or additional due process is required. Minor Discipline Reports may be contested through the grievance process. (Refer to Title 15, Section 1081)  
(Rev. 09/2019)

**2507.05. MULTIPLE MINOR RULE VIOLATIONS:** Staff may charge inmates who accumulate three minor rule violations within 30 consecutive days with a major rule violation (Inmate Discipline Report ASU#000402). Copies of all three Minor Discipline Report forms shall be attached to the inmate's Major Discipline Report form. (Refer to Bureau Policy Section 12.2523.20, Subsection 4)  
(Rev. 09/2019)

**2510.00 MAJOR RULE VIOLATIONS:** Major rule violations affect the safety, security, efficiency, or operation of the facility.

Safety staff shall document major violations on the Inmate Discipline Report form and submit the completed form to a shift supervisor for approval prior to the end of their shift, unless a delay is authorized by a supervisor. Reports shall be concise, explain the facts of the violation, why staff was led to believe the inmate committed the offense, and provide a basis of evaluation for the supervisor reviewing the report. Safety staff writing the discipline shall not request or recommend a particular discipline sentence. Reviewing supervisors shall take into account aggravating and mitigating factors when recommending discipline sentences. Professional staff should complete an inmate discipline supplemental report (ASU#000403) anytime the inmate committed the offense in their presence, and Safety staff has completed a discipline report for the violation. Safety staff completing the discipline report shall attach the supplemental to their original report.

## **12.2500. DISCIPLINE GUIDELINES**

Staff shall ensure inmates receive a copy of the discipline after a shift supervisor has reviewed the report and signed the form.

Staff may, with a shift supervisor's approval, move inmates to a different housing location, to maintain the safety and security of the facility pending discipline hearings. Staff shall not deny inmates their personal property or privileges prior to the discipline hearing. (Refer to Bureau Policy Section 12.2300)  
(Rev. 04/2020)

**2510.05. MULTIPLE DISCIPLINE VIOLATIONS:** Inmates receiving multiple discipline violations occurring during a single discipline incident shall be disciplined only for the most serious offense.  
(Add. 01/2011)

**2512.00. JAIL DISCIPLINE REPORT NUMBER AND JAIL DISCIPLINE LOG:** Facilities shall maintain a Jail Discipline Report (JDR) log. Inmate discipline reports shall be recorded on the Facility's JDR log and issued a JDR number for tracking purposes. Reporting staff shall ensure the JDR number is entered on each page of the discipline report. (Refer Penal Code Section 4019.5 and Facility Specific Procedures Manual)  
(Rev. 12/2019)

**2512.05. INMATES TRANSFERRING WITH PENDING DISCIPLINES:** Staff shall ensure inmates being transferred within the bureau are sent with a copy of their disciplines. Staff receiving the discipline forms shall ensure they are routed to the proper locations. The accepting facility shall conduct the pending disciplinary hearing within a reasonable amount of time. (Refer to Facility Specific Procedures Manual)  
(Rev. 12/2019)

**2515.00. DISCIPLINE HEARING:** Discipline hearings are non-judicial proceedings to determine if evidence exists to find if inmates violated facility rules.

Inmates have a right to a disciplinary hearing no sooner than 24 hours and no later than 72 hours after they are notified in writing they are subject to discipline. Written notification will consist of a preliminary copy of the initial discipline report. Verbal notification of the pending discipline will not be considered official notification as it pertains to the start of the 24 hour period. The 24 hours following written notification will allow inmates time to prepare a defense for the discipline hearing. Inmates may waive their right and have the hearing before the 24 hour period. If inmates waive their hearing rights before 24 hours, the hearing supervisor shall conduct the hearing and mark the "waived 24 hour" review on the discipline report.

## **12.2500. DISCIPLINE GUIDELINES**

Inmates are entitled to make a statement, present evidence, and call witnesses on their behalf. Inmates requesting to call witnesses shall submit a written list of person(s) requested to testify and the questions to be posed to each witness. This list shall be submitted prior to the disciplinary hearing and shall not be considered as a request for the postponement of the hearing. Inmates shall be provided with appropriate assistance if requested.

Inmates who may be illiterate or have issues that are complex shall have access to staff or another inmate if assistance is requested.

Inmates shall be provided in writing any evidence relied on and the reasons for the discipline.

Inmates have the right to be present for their discipline hearings unless facility security is jeopardized, or they refuse the hearing. Any inmate absence shall be documented on the Inmate Discipline Report form.

Discipline hearings shall be conducted by a discipline hearing officer, who shall be the person designated by the Facility Commander/designee, with at least the rank of corporal. In order to ensure impartiality, discipline hearing officers shall not be the reporting or investigating officer or a witness to the incident.

Discipline hearing officers shall interview the inmates and record relevant information on the Inmate Discipline Report form. Certain facts specific to the discipline may not become known until the hearing; these facts shall be considered as part of the final disposition.

At the conclusion of the hearing, the discipline hearing officers shall inform inmates of their discipline sanctions and notify them that their discipline sentence has begun.

Hearing officers shall inform inmates of time limits for discipline appeals and they may only appeal the decision through the grievance procedure.

Decisions of the hearing officer are subject to an administrative review by the Facility Commander/designee to ensure conformity with the provisions of this policy.

(Refer to Title 15, Section 1081)

(Rev. 09/2019)

**2517.00. DISCIPLINE REPORT:** Discipline hearing officers shall forward original Inmate Discipline Reports to the Facility Commander/designee for administrative review upon completion of the discipline hearing. The administrative review is conducted to ensure forms were filled out completely and discipline guidelines were followed.

## **12.2500. DISCIPLINE GUIDELINES**

Copies of the Inmate Discipline Report form shall be given to the inmate and copies shall be filed in the inmate's booking jacket upon completion of the administrative review. Completed Inmate Discipline Report forms shall be retained in an administrative file at each facility. (Refer to Penal Code Section 4019.5., Bureau Policy Sections 11.550.00 and 12.200.00, and Facility Specific Procedures Manual)  
(Rev. 12/2019)

**2519.00. EARNING BACK GOOD AND WORK TIME:** Loss of good and work time shall not be applied as a universal discipline to inmates for violating facility rules. Good and work time may be taken only from sentenced inmates at the time of the discipline.

Inmates losing good and work time as a result of disciplinary actions may only earn back work time originally credited under Penal Code Section 4019. Good time may not be worked back except under special circumstances. Authority to restore good time shall be delegated to Facility Commanders/designees. This decision shall not be delegated lower than a lieutenant.

Inmates shall be only permitted to earn back work time in accordance with Bureau Policy Section 12.2523.00. Time earned back shall be credited in full day increments. One day of work time shall be returned for each 8 hours inmates work, in addition to their assigned work.

Eligible inmates wishing to earn back work time shall submit Request for Return of Lost Work Time form (ASU#050301). Staff providing forms shall confirm inmates are eligible to work back time and calculate the maximum number of days inmates may work back and enter them on the form prior to giving it to inmates. Staff shall complete appropriate sections each time inmates work back time. Completed forms shall be forwarded to shift supervisors for approval. Shift supervisors shall forward approved forms to duty officers to adjust outdates accordingly.

Completed Request for Return of Lost Work Time forms shall be filed in the inmate's booking jacket. (Refer to Facility Specific Procedures Manual)  
(Rev. 12/2019)

**2521.00. DISCIPLINARY RESTRICTIVE DIET:** Disciplinary restrictive diets shall be used for major violations as determined by the Facility Commander/designee. (Refer to Title 15, Section 1247)

Disciplinary restrictive diets are authorized exceptions to the three meals per day standard. Disciplinary restrictive diets shall be served twice in a 24 hour period, or as determined by Health Services staff.

## **12.2500. DISCIPLINE GUIDELINES**

Staff shall not place inmates receiving therapeutic diets on disciplinary restrictive diets without the review of a responsible physician or pursuant to a written plan approved by a physician. (Refer to Title 15, Section 1248 and Health Services Division Operational Procedure Manual Section 328.2)

Disciplinary restrictive diets shall only be authorized for use in Type II facilities.  
(Rev. 04/2020)

**2521.05. APPROVAL FOR DISCIPLINARY RESTRICTIVE DIET:** Disciplinary restrictive diets shall not be served without the approval of Health Services and the Facility Commander/designee.

Disciplinary Restrictive Diet Instruction forms (ASU#060701) shall be completed and forwarded to Health Services to determine if medical reasons exist to prevent inmates from receiving disciplinary restrictive diets. A Facility Commander's/designee's written approval shall be required if inmates are going to receive disciplinary restrictive diets for up to 72 hours. Disciplinary restrictive diets shall not be given for more than 72 hours without the Facility Commander's/designee's written approval whom they may designate in their absence. Original Disciplinary Restrictive Diet Instruction forms shall be attached to the original Inmate Discipline Report forms, and copies of the forms shall be distributed to the Facility Commander/designee, Health Services, Food Services, inmate's housing unit, and booking jacket.  
(Rev. 09/2019)

**2522.00. DISCIPLINES FOR INMATES CLASSIFIED AS SERIOUSLY MENTALLY ILL (SMI), SERIOUSLY MENTALLY ILL LOCKDOWN (SMIL) OR INMATES WITH INTELLECTUAL DISABILITIES:** Safety staff writing a discipline for a Seriously Mentally Ill (SMI), Seriously Mentally Ill Lockdown (SMIL) inmate or an inmate with an intellectual disability shall submit the discipline to the appropriate shift supervisor for review.

A copy of the discipline will be forwarded to the appropriate Mental Health staff, Correctional Mental Health Services (CMHS) or Jail Based Competency Treatment (JBCT) staff, for a mental health review.

Mental Health staff will review and return a Mental Health Disciplinary Review form containing their recommendation. The recommendation will state if the discipline is appropriate, or if the inmate's actions were due to a mental health behavior modification or an intellectual disability issue. If the discipline is determined to be a mental health or an intellectual disability issue it may be voided.

A copy of the discipline will be served to the inmate if it is deemed appropriate.

## **12.2500. DISCIPLINE GUIDELINES**

The 72 hour review timeline will begin when the inmate is served their copy.  
(Rev. 12/2019)

**2523.00. DISCIPLINARY GUIDELINES TABLE:** The following guidelines shall be used as a reference when disciplines are imposed. The times listed are maximum time limits allowable for the specified offense(s) and shall not be exceeded.

	<b>2523.05. OFFENSES AGAINST PERSONS</b>	<b>Special Diet</b>	<b>Maximum Discipline Housing</b>	<b>Maximum Loss of Good &amp; Work Time Credits</b>	<b>Eligible to Earn Back Work Time</b>
1.	Assault with a Deadly Weapon	Yes	30	120	No
2.	Assault with Great Bodily Injury	Yes	30	120	No
3.	Battery on Staff	Yes	30	120	No
4.	Forced Sexual Penetration	Yes	30	120	No
5.	Gassing/Attempted Gassing	Yes	30	120	No
6.	Indecent Exposure (P.C. 314)	Yes	30	120	No
7.	Murder/Attempted Murder	Yes	30	120	No
8.	Sexual Assault	Yes	30	120	No
9.	Take a Hostage	Yes	30	120	No
10.	Battery on Fellow Inmate	Yes	20	120	No
11.	Robbery/Extortion	Yes	20	120	No
12.	Mutual Combat	No	20	10	No
13.	Sexual Harassment toward staff and other inmates	No	20	10	No

	<b>2523.10. OFFENSES AGAINST INSTITUTIONAL TRANQUILITY</b>	<b>Special Diet</b>	<b>Maximum Discipline Housing</b>	<b>Maximum Loss of Good &amp; Work Time Credits</b>	<b>Eligible to Earn Back Work Time</b>
1.	Escape, Attempted Escape, Possession and/or Fashioning Escape Tools	Yes	30	120	No
2.	Inciting a Riot/Rioting	Yes	30	120	No
3.	Major Disturbance: Disrupting facility operations (ERT, Multiple staff response, facility/unit lockdown)	Yes	30	120	No
4.	Challenge to Fight Staff	No	20	20	No
5.	Involved in any Felony Not Previously Addressed	No	20	120	No
6.	Possession of Narcotics/ Marijuana	No	20	30	No
7.	Consenting Mutual Sexual Behavior	No	15	20	No
8.	Directly Cursing at Staff	No	15	20	No

**12.2500. DISCIPLINE GUIDELINES**

9.	Intentionally Interfering with Gates/Doors	No	15	20	Yes
10.	Involved in any Misdemeanor not Previously Addressed	No	15	20	Yes
11.	Manufacture and/or Possession of Home Brew or Any Alcoholic Beverage	No	15	20	No
12.	Refusing to Obey a Direct Order (Face to Face, Intercom, and PA system)	No	15	20	No
13.	Under the Influence of Drugs or Alcohol	No	15	20	No
14.	False Emergency Calls	No	10	20	No
15.	Gambling	No	10	20	Yes
16.	Other Drug Related Activity	No	10	20	No
17.	Telephone Violations: (Fraudulent or Unauthorized Use)	No	10	40	Yes
18.	Using Offensive Gestures Toward Staff	No	10	10	No
19.	Horseplay (Rough or Boisterous Play)	No	5	10	No
20.	Minor Disturbance (Isolated incident, interruption, commotion, interference)	No	5	10	No
21.	Unauthorized Communications	No	5	10	No

	<b>2523.15. OFFENSES AGAINST PROPERTY</b>	<b>Special Diet</b>	<b>Maximum Discipline Housing</b>	<b>Maximum Loss of Good &amp; Work Time Credits</b>	<b>Eligible to Earn Back Work Time</b>
1.	Arson	Yes	30	120	No
2.	Breakage: Glass, etc.	Yes	30	120	No
3.	Destruction of County Property (Major Destruction in excess of \$950)	Yes	30	120	No
4.	Facility Door(s)/ Equipment Sabotage (Popping Doors)	Yes	30	120	No
5.	Food Adulteration (deliberate contamination of food/beverage products with intent to cause harm)	Yes	30	120	No
6.	Kiosk Equipment Sabotage	Yes	30	120	No
7.	Possession of an Electronic Device	No	30	120	No
8.	Destruction of Clothing, Bedding, and Mattress	No	15	10	No
9.	Destruction of County Property (Minor Destruction under \$950)	No	15	10	No
10.	Flooding (toilet, sink, shower, sprinkler, fire hose)	No	15	20	No
11.	Contraband: Medication,	No	10	20	No

## **12.2500. DISCIPLINE GUIDELINES**

	Manipulation/Unauthorized Medical Device				
12.	Food Tampering (unauthorized handling of food/beverages)	No	10	20	No
13.	Petty Theft (other than food)	No	10	20	No
14.	Possession of Matches or Lighters	No	10	15	No
15.	Possession/Smuggling of Tobacco, Smoking	No	10	20	No
16.	Smuggling	No	10	20	No
17.	Theft of Food	No	10	20	Yes
18.	Altering ID Card, Cup or Spoon	No	5	10	No
19.	Covering windows, lights, vents and wall postings	No	5	10	Yes
20.	Housing Cleanliness, affixing objects to walls	No	5	10	Yes
21.	Possession of Pets (rodents, snakes, spiders, scorpions, lizards, birds, insects, etc.)	No	5	10	Yes
22.	Violation of Property Privileges, Possession of any item that has been altered from its original purpose (razors, soap, toothbrush, etc.), Possession of Money, Facility Equipment	No	5	10	Yes

	<b>2523.20. ADMINISTRATIVE OFFENSES:</b>	<b>Special Diet</b>	<b>Maximum Discipline Housing</b>	<b>Maximum Loss of Good &amp; Work Time Credits</b>	<b>Eligible to Earn Back Work Time</b>
1.	Accumulation of Three (3) Major Violations in Sixty (60) Days	No	30	120	No
2.	Work Release Failure	No	30	120	No
3.	Lying to Staff, False Reporting and/or False Allegations	No	15	20	No
4.	Accumulation of Three (3) Minor Violations in Thirty (30) Days	No	10	20	Yes
5.	Grievance System Abuse (Excessive Grievances)	No	10	20	Yes
6.	Inmate Worker Violation: Refusing to Work or Comply with Inmate Worker Standards Agreement	No	10	60	No
7.	Business Dealings Between Inmates	No	5	10	No
8.	Cell/ Bunk/Tank Jumping	No	5	10	Yes
9.	Inmate Worker Violation: AWOL from Work	No	5	10	Yes
10.	Inmate Worker Violation: Poor Work Habits	No	5	10	No
11.	Loss of ID Card, Cup or Spoon	No	5	10	Yes

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**12.2500. DISCIPLINE GUIDELINES**

12.	Ordering Commissary for Other Inmates	No	5	10	No
13.	Ordering/Possessing Items in Violation of Religious Agreement	No	5	10	No
14.	Tattooing, Tattoo Kits (Giving and Receiving)	No	5	10	No

	<b>2523.25. SECURITY VIOLATIONS:</b>	<b>Special Diet</b>	<b>Maximum Discipline Housing</b>	<b>Maximum Loss of Good &amp; Work Time Credits</b>	<b>Eligible to Earn Back Work Time</b>
1.	Weapons Fashioning/Possession	Yes	30	120	No
2.	Loss of Checked Out Tool(s)	No	10	20	No
3.	Rifling Through Desks or Documents	No	10	30	No
4.	Outside Assigned Area without Authorization/Roaming	No	5	10	No

(Rev. 09/2019)

## **12.2600. RELIGION**

**2610.00. SERVICES AND STUDIES:** The Department shall not promote one religion over another and shall not persuade inmates to accept one set of religious beliefs over another. Inmates shall be afforded reasonable opportunities to practice their religion. Inmates shall have the opportunity to participate in religious services and to receive religious counseling. (Refer to Penal Code Section 4027 and the Religious Land Use and Institutionalized Persons Act of 2000, 42USC 2000cc)

The commander of the Inmate Services Unit (ISU), in consultation with Facility Commanders/designees, shall ensure organized religious services and studies are provided to interested inmates.

Requests for religious services or studies may be denied when:

- The number of inmates requesting such is insufficient to justify use of staff resources
- Such services would require a significant change in established schedules of required programs, activities or room usage

Staff may restrict the number of inmates participating in a particular service or study to prevent the comingling of inmate classifications. Restrictions may be placed to ensure sufficient numbers of staff are available to monitor participating inmates.

Staff shall not require inmates to participate in religious services.

Religious services shall be scheduled by ISU, in consultation with the facility where the services will be provided. Written schedules indicating times and types of religious services/studies shall be posted in all housing locations. Religious studies shall be scheduled by facility chaplains or ISU.

The commander of ISU, in consultation with Facility Commanders/designees shall pre-approve religious items distributed to inmates.

Sacramental wine may be brought into the jails for use in specific rites and ceremonies. However, such wine may only be used by approved religious leaders whose faith doctrines mandate the use of wine in specific rites and whose doctrines refuse any nonalcoholic substitutions.

Sacramental wine brought into the facility shall be:

- Restricted to the amount needed to conduct the activities for which it is required (typically one to two ounces)
- Kept in a clear small plastic bottle

## **12.2600. RELIGION**

- Transported through normal security procedures and routes by the religious leader who will use it
- In the possession of the religious leader at all times
- Used exclusively by the approved religious leader. At no time shall the wine be given or administered to inmates, staff or volunteers

Prohibited items: Services, studies, and materials promoting violence, racism or criminal behavior shall not be allowed. Inmates shall not be allowed to consume/handle alcoholic beverages, controlled substances or items containing alcohol or controlled substances. (Refer to Penal Code Section 4573.5)

(Rev. 03/2019)

**2615.00 CATHOLIC MASS AND COMMUNION SERVICES:** The Roman Catholic Diocese or other such congregations may hold services specific to the catholic faith.

The Host (wafers) shall be brought into the facility within a Pyx (small container). The Pyx shall be inspected by staff before entering the facility. The Pyx containing the Host can be opened, however, staff shall not remove the wafers from the Pyx. Only a Catholic Priest or Deacon as approved by the commander of the Inmate Services Unit (ISU) and designated by the Church shall be allowed to administer the Host to the inmates during Communion.

The Catholic Priest may also bring a Mass kit into the facility. The Mass kit may include a small cup, a cloth, a small plastic crucifix with stand, and plastic Jesus, two battery powered candles, and two clear vials; one containing water and one containing Sacramental Wine. The Mass kit shall be inspected each time it enters the facility. These items shall only be handled by the Priest. Staff shall monitor the Mass Services to ensure the safety and security of the facility is being maintained. The Pyx and the Mass kit shall be subject to inspection prior to leaving the facility.

(Add. 07/2019)

**2630.00. REQUESTS FOR SPECIFIC RELIGIOUS SERVICES AND PRACTICES:** Inmates shall submit religious requests via the automated kiosks to request specific religious rituals or to participate in services not regularly scheduled or commonly requested. Facility chaplains shall interview inmates to ascertain the details of the request. Chaplains shall fill out appropriate sections of Religious Request forms (ASU#080902); such forms shall be submitted to the Facility Commander/designee for completion. Facility Commanders/designees shall ensure inmates are permitted to practice their religion while maintaining safety and security of the facility. When it is necessary to limit inmates' religious practices or participation in services, such limitations shall be imposed in the least restrictive manner. Such requests shall be reviewed on a case-by-case

## **12.2600. RELIGION**

basis. Original forms shall be filed in an administrative file for 30 months. Copies of forms shall be given to inmates and placed in their booking jacket.  
(Rev. 07/2019)

**2642.00. RELIGIOUS REQUEST SLIPS:** (Refer to Bureau Policy Section 12.310.00)  
(Rev. 03/2019)

**2643.00. RELIGIOUS LITERATURE AND RELIGIOUS BOOKS:** Religious literature and religious books shall be distributed to inmates, at no cost, upon request from the inmate library. Staff shall allow inmates to possess up to three religious books.

Library staff shall coordinate with ISU to maintain a sufficient supply of religious books and for requests regarding religious books that are not normally retained in the library. Library staff shall not require inmates to return religious books within the allotted time afforded other library items; inmates may retain religious books for as long as they desire. Staff shall permit inmates to retain religious books upon release from custody. (Refer to Bureau Policy Section 12.690.10)  
(Rev. 07/2019)

**2645.00. RELIGIOUS OBJECTS AND ARTIFACTS:** Religious objects and artifacts shall only be allowed in written or photocopy form.  
(Rev. 11/2008)

**2650.00. INMATE MARRIAGES:** (Refer to Bureau Policy Section 12.3000)  
(Rev. 03/2019)

**2652.00. DIETS:** Each facility shall designate a staff member to review inmate requests for religious diets. Chaplains will no longer review religious diet requests.

Inmates wishing to receive religious diets shall submit their request via the automated kiosk. No tests of religious knowledge or sincerity shall be administered. The facility designee shall review the request and complete the appropriate sections of Religious Request forms (ASU#080902). The designee shall complete and have the inmate sign the Religious Diet Agreement form (ASU#160413). Original forms shall be filed in an administrative file for 30 months. Copies of forms shall be given to inmates and placed in their booking jacket.

Shift supervisors shall fill out the appropriate sections of the Religious Request forms to initiate the diet when the designee is unavailable. The designee shall complete the form process as soon as practicable.

## **12.2600. RELIGION**

Religious Request forms shall be forwarded to Health Services staff to determine if a medical reason exists to prevent the inmate from receiving the diet. Completed forms shall be forwarded to the Facility Commander/designee for final review and disposition.

Religious Request forms shall be submitted to the Facility Commander/designee for completion. Original forms shall be maintained in an administrative file for 30 months. Copies of forms shall be given to inmates, placed in their booking jacket and forwarded to Food Services and Health Services.

Inmates receiving a religious diet shall be fed first, with inmates prescribed a special diet. Inmates who refuse to eat their religious diet shall not be offered a regular food tray. The religious diet slip does not need to be signed by the inmate or completed by staff. Inmates shall remain on their religious diet until they request removal or until they violate the Religious Diet Agreement. (Refer to Bureau Policy Section 11.760.00)

Staff shall complete the staff section of the Warning of Non-Compliance with Religious Diet form (ASU#100428) if they witness inmates consuming foods not consistent with their religious diet. Staff shall forward such forms to the facility designee for completion. The designee shall interview the inmate and complete the form. The completed form shall be forwarded to the Facility Commander/designee for review. Original forms shall be filed in an administrative file for 30 months. Copies of forms shall be forwarded to the designee, the inmate, and placed in the inmate's booking jacket.

The designee shall complete the Notice of Removal from the Religious Diet form (ASU#100427) if an inmate receives more than one Warning of Non-Compliance with Religious Diet form. Such forms shall be forwarded to the Facility Commander/designee for review. Original forms shall be filed in an administrative file for 30 months. Copies of forms shall be forwarded to the designee, Food Services, the inmate and placed in the inmate's booking jacket. (Rev. 07/2019)

**2658.00. HEAD COVERINGS:** The Department recognizes modesty is a key component of some religious practices. Therefore, when inmates profess a religion requiring such modesty, staff shall ensure the inmate's privacy is maintained. When removal of head coverings are required by staff for legitimate security interest without exigent or emergency circumstances, staff shall:

- Keep the inmate out of view from other inmates and uninvolved staff
- Be of the same gender as the inmate
- Have the inmate remove the head covering in an area of privacy

## **12.2600. RELIGION**

Inmates shall be permitted to wear head coverings that are a verified requirement of their faith (Yakama, hijab, and kufi). Such head coverings shall be permitted to be worn at all times. Inmates that require a head covering for modesty shall be issued two county head covers.

Inmates wearing head coverings not required for modesty or a requirement of their faith shall be permitted to wear them only during prayer or religious services. Such head coverings shall not be worn while in the dayroom or outside the housing unit. Staff shall permit inmates to carry head coverings with them while enroute to religious services. Head coverings being carried are explicitly subject to search for security reasons.

Inmates wishing to receive head coverings for religious purposes and who did not have them during booking shall submit requests to facility chaplains.

Chaplains shall fill out appropriate sections of Religious Request forms (ASU#080902). Such forms shall be submitted to the Facility Commander/designee for completion. Original forms shall be filed in an administrative file for 30 months. Copies of forms shall be given to inmates and placed in their booking jacket. (Refer to Bureau Policy Sections 8.120.18, 8.120.19 and 9.111.00)

(Rev. 07/2019)

## **12.2800. LIBRARY SERVICES**

**2800.05. LIBRARY FUNCTIONS:** Staff assigned to the library shall maintain the library rotation schedule, assist Pro Per inmates during law library time, coordinate with the Inmate Services Unit (ISU) to maintain a sufficient supply of holy books, and coordinate library book donations. Library staff shall inspect donated books for contraband prior to placing them in the library book rotation.

To maintain order in the facility and to prevent staff, visitors and other inmates from viewing potentially offensive material publications given to inmates shall not contain:

- Information which could incite disturbances, destruction of property, violence of any kind, racism, or any material that encourages retaliation or intimidation towards victims or witnesses of crime
- Instructions for the manufacturing of weapons, explosives, poisons or destructive devices
- Blueprints, drawings or similar descriptions of a facility; or information depicting, encouraging or describing methods of escape from a facility
- Information depicting or describing procedures for the brewing of alcoholic beverages, or the manufacturing of controlled substances
- Sexually explicit matter including but not limited to pictorial depictions of nudity showing genitalia, unclothed buttocks, or female breasts exposing nipples or areola, or material showing actual or simulated sexual acts

(Rev. 03/2019)

**2810.00. HOLY BOOKS:** All holy books shall be requested and distributed like any other library book in the facility. Library staff shall coordinate with ISU for requests regarding holy books that are not normally kept in the library. Staff shall allow each inmate to retain up to three holy books; this is in addition to the six reading materials allotted to inmates. Library staff shall not require inmates to return holy books within the allotted time afforded other library items; inmates may retain holy books for as long as they desire. Staff shall permit inmates to retain holy books upon release.

(Rev. 03/2019)

**2815.00. LIBRARY REQUEST SLIPS:** Inmates shall complete the Library Request Slip form (ASU#080403) for library requests. Staff shall give inmates the requested literature as soon as it is available. Library requests regarding religious holy books shall be processed through the library. Library staff shall sign and date request slips and they shall be kept until literature is returned by inmates.

(Rev. 03/2019)

**2820.00. LIBRARY BOOK DISTRIBUTION:** (Refer to Facility Specific Policy)

(Rev. 03/2019)

## **12.2900. INMATE EDUCATION PROGRAMS**

**2901.00. INMATE EDUCATION PLAN:** The Facility Commander/designee of any Type II facility shall plan and shall request of appropriate public officials an inmate education program. When such services are unavailable by the appropriate public officials, the Facility Commander/designee shall develop and implement an education program with available resources. Such plans shall provide for the voluntary academic and/or vocational education of both sentenced and non-sentenced inmates. Reasonable criteria for eligibility shall be established and an inmate may be excluded or removed from any class based on sound security practices or failure to abide by facility rules and regulations. (Refer to Title 15, Section 1061)  
(Rev. 03/2019)

**2902.00. INMATE EDUCATION PROGRAMS:** Facility Commanders/designees shall establish written procedures for inmate education programs. Such procedures shall be in the form of Facility Specific Policy. (Refer to Facility Specific Policy)  
(Rev. 03/2019)

**2903.00. INROADS PROGRAM COORDINATOR:** Generally, all inmate education programs will be established, delivered and maintained through the INROADS program coordinator at Glen Helen Rehabilitation Center (GHRC).  
(Rev. 03/2019)

**2930.40. PARTICIPATION IN EDUCATION PROGRAMS:** Inmates may request information about educational programs or may request to participate in a particular program. The request shall be submitted using an automated kiosk which will be directed to the Support Services unit. Support Services shall review the request and provide the information requested. If the inmate is requesting participation in a particular program, Support Services staff will determine if the inmate is eligible for the program. If the program is unavailable at the facility where the inmate is currently housed, Support Services staff shall make an effort to match the inmate with the program at another facility and may transfer the inmate to another facility for participation in the program.  
(Rev. 03/2019)

## **12.3000. INMATE MARRIAGE**

**3000.00. INTRODUCTION:** Inmates may be permitted to marry while in-custody. Staff shall not aide the inmate or become involved in this process.

San Bernardino County inmates shall not marry one another while in-custody.

Only marriages recognized by the State of California shall occur within the facility.

(Add. 04/2011)

**3000.02. VISITS FOR THE PURPOSE OF MARRIAGE:** Inmates wishing to have a visit for the purpose of marriage may have their partner schedule a regular inmate visit.

The marriage officiate shall follow the necessary steps required to have an official visit in order to obtain the inmate's signature.

The Sheriff's Department shall have the right to refuse any visit for the purpose of marriage that may compromise the safety or security of the facility, inmates, or staff.

(Add. 04/2011)

**3005.00. INMATE'S RESPONSIBILITY:** The inmate shall be responsible for the following:

- Making arrangements to obtain a marriage license
- Contacting the County Recorder-Clerk's Office for instructions on obtaining a confidential marriage license. A confidential marriage is a marriage ceremony that is not open to the public and does not require any witnesses
- Making arrangements for any fees related to obtaining the marriage license

(Rev. 03/2019)

**3007.00. INMATE MARRIAGE:** In addition to Bureau Policy Section 12.1800, the following rules shall be observed during the visit for the purpose of marriage:

- Flowers shall not be permitted
- No contact shall be involved and all marriages shall be conducted through inmate visiting
- Exchanging of rings or other symbolic exchanges shall not be permitted
- Cameras, audio, or video recordings shall not be permitted
- Only jail issued inmate clothing shall be allowed

## **12.3000. INMATE MARRIAGE**

- Violations of law or facility rules during the visit may be cause for immediate termination of the ceremony

In the event of an emergency, the visit may be canceled or postponed by the facility without prior notice. (Refer to Bureau Policy Sections 12.1740.14, 12.1850.05, 12.1885.00, and 12.2070.00)  
(Rev. 03/2019)

**3009.00. MARRIAGE OFFICIATES:** A marriage officiate is a clergyperson or authorized individual as defined in Family Code Section 400. Marriage officiates shall only be allowed to bring the paperwork necessary to complete the inmate marriage (marriage license, notary book, pen, etc.). Staff shall not allow the inmate's partner to accompany the officiate during the official visit.

Marriages shall not be performed by jail chaplains, department affiliated religious volunteers, or members of the department.  
(Rev. 03/2019)