

7.100. REPORTS:

110.00. CRIMINAL REPORTS: Safety staff shall complete criminal reports when facts substantiating felony or misdemeanor crimes have occurred. Shift supervisors shall enter any incidents that do not require criminal reports onto the supervisor's log.

Criminal reports shall be completed on incidents involving physical harm, serious threat of physical harm to staff, inmate or another person. Reports shall be submitted within 24 hours of the incident. (Refer to Title 15, Section 1044 and Department Manual Section 3.146)
(Rev. 09/2019)

110.03. CRISIS INTERVENTION REPORTS: The Crisis Intervention Team (CIT) program is a community partnership working with behavioral health consumers and family members. Crisis Intervention is defined as the assistance of law enforcement and behavioral health services personnel with individuals who are having a mental health crisis.

A Crisis Intervention Report (CIR) is used to document vital information from a crisis incident. The information in the report is voluntarily obtained from the individual and is used as a tool to help a person in a crisis. Safety staff shall complete as much information in the report as they can if the individual refuses to answer the questions. Safety staff are not required to be CIT trained to complete a CIR.

Each facility shall have an assigned CIT coordinator and alternate. The coordinator shall hold the rank of at least sergeant, the alternate may hold the rank of corporal. The coordinator and alternate shall be responsible for overseeing the CIT program at their facility.

The CIT coordinator responsibilities shall include:

- Liaison between the facility and the CIT Committee
- Liaison between the facility and the area Community Crisis Response Team (CCRT) Supervisor (resolve conflicts and identify/plan resolution measures for repeat consumers)
- Maintaining a current roster of CIT trained safety staff at the facility
- Reviewing CRISIS calls for service dispositions for accuracy
- Ensuring completed CIRs are emailed timely to the Department of Behavioral Health

There is no requirement to process federal inmates in the CIT program.

COMPLETING A CIR: CIRs are located in Inform and patrol templates. When completing the form under the living arrangements section check the box marked unknown and write in the facility name (for example WVDC).

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When dealing with an individual in a mental health crisis, safety staff shall:

- Complete a one-time CIR on all inmates classified as Seriously Mentally Ill (SMI) or Seriously Mentally Ill Lockdown (SMIL), this includes inmates participating in the Incompetent to Stand Trial (IST) program. Housing safety staff shall complete the initial CIR.
- Complete a CIR on individuals who attempt suicide or have a legitimate suicidal crisis, including inmates classified as SMI/SMIL or IST inmates. (Refer to Bureau Policy Section 7.127.00)
- Complete a CIR and a Welfare and Institution Code Section (WI) 5150 report on inmates being released from custody and transported to Arrowhead Regional Medical Center Behavioral Health.

INDIVIDUALS HAVING A CRISIS: Safety staff observing individuals exhibiting crisis behaviors shall complete a CIR and contact Health Services staff.

- Expresses thoughts of self-harm or suicide
- Inability to respond appropriately (disorganized speech or behavior and/or overwhelming confusion, failure to react to the environment)
- Gross inability to meet the ordinary demands of life
- Prolonged sadness or irritability
- Sharp changes in mood
- Paranoia (excessive fears or worries)
- Showing signs of delusions (erroneous beliefs/misunderstanding of experiences) or hallucinations (hearing voices perceived as distinct from the person's own thoughts)

This section excludes inmates classified as SMI/SMIL.

CRISIS CALL–Non-Criminal: When it is determined a CIR is necessary, the safety staff member shall contact dispatch and request a Deputy Report (DR) for the incident using "CRISIS" as the call type. Safety staff shall only use this call type when the incident involves no crime, no additional police reporting, and no arrest. Safety staff shall clear the incident using the disposition code, RTF (Report to Follow).

CRISIS CALL–WI 5150 Report: When a WI 5150 report is completed, safety staff shall complete a CIR and include it in the report. The call shall be cleared using the disposition code, RTF (Report to Follow).

CRISIS CALL–Criminal: When a Criminal Report and CIR are completed, safety staff shall include a CIR in the criminal report. The call shall be cleared using the disposition code, CIR (Crisis Intervention Report).

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CRISIS CALL–Arrest (Supplemental Bookings): When a Criminal Report and CIR are completed and the inmate is booked for a supplemental criminal charge, safety staff shall include a CIR in the criminal report. The call shall be cleared using the disposition code, CIA (Crisis Intervention Arrest).

Safety staff shall use the following disposition codes and procedures when completing the documentation listed above:

- RTF=Incidents involving only a CIR
- RTF=WI 5150 Reports
- CIR=Crisis intervention with a criminal report to follow
- CIA=Crisis intervention with a criminal report to follow, including a supplemental booking on a new charge

SUICIDAL INMATES: All suicidal inmates shall be evaluated by a Behavioral Health doctor. The Behavioral Health doctor shall verify if the inmate had a legitimate suicidal crisis. Intake staff shall only complete a CIR when the Behavioral Health doctor has verified the inmate had a legitimate suicidal crisis. Intake staff shall ensure they receive written documentation from the Behavioral Health doctor indicating the inmate needs a CIR. Such documentation may be in the form of a medical chrono or notations on the suicide watch log.

CIRs shall not be completed if the inmate is returning to suicide watch after completing a court appearance. Staff completing the report shall ensure Centralized Classification Unit (CCU) staff updates the inmate's housing history showing a CIR was completed.

CRISIS INTERVENTION TRACKING: Facility Commanders/designees shall ensure policies and procedures outlined in the Department's Crisis Intervention Team Manual located in Starlink are followed regarding CIRs and tracking. Completed CIRs shall be routed to the Department of Behavioral Health within 48 hours of the incident via email: CIT@DBH.sbcounty.gov.

(Rev. 09/2019)

110.05. EXTENSIVE INVESTIGATIONS: Safety staff shall immediately notify a shift supervisor of incidents requiring extensive investigations. Shift supervisors shall assign the investigation at their discretion, unless otherwise mandated in the Detention and Corrections Bureau Policy Manual.

(Rev. 09/2009)

110.08. EVIDENCE COLLECTION AND STORAGE: Each facility shall develop evidence collection and storage procedures based on department policy. (Refer to Facility Specific Procedures Manual)

(Rev. 09/2019)

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110.10. RESPONSIBILITY OF ARRESTING AGENCY: Arresting officers are responsible for their arrestees until they are booked by the facility. Jail safety staff who find contraband during searches of arrestees shall give the contraband to the arresting officer for disposition.

(Rev. 02/2019)

120.00. DEPUTY RESPONSIBILITY: (Refer to Department Manual Section 3.146)

(Rev. 09/2019)

120.05. APPROVAL OF REPORTS: (Refer to Department Manual Section 2.324 and Facility Specific Procedures Manual)

(Rev. 09/2019)

122.00. INMATE SEXUAL ASSAULT REPORT: Facilities shall complete the Survey on Sexual Violence Adult Incident Forms (U.S. Department of Justice Form #SSV-IA) when inmates report sexual assaults and shall submit those forms to the Administrative Support Unit (ASU). ASU shall forward the information to the Department of Justice. (Refer to the Prison Rape Elimination Act of 2003)

(Rev. 02/2019)

123.00. INMATE INJURY REPORT: Staff shall document inmate injuries on an Inmate Injury Report form (ASU#021101). Inmate injury reports shall be assigned an inmate injury report number (Refer to Bureau Policy Section 7.125.00). Safety staff shall complete criminal reports on inmate injuries when they are caused by a criminal act, when unusual circumstances exist or when directed by a shift supervisor.

Shift supervisors shall notify Civil Liabilities when injured inmates are admitted into the hospital.

(Rev. 09/2019)

124.00. INMATE INJURY LOG: Inmate injury logs shall be maintained at each facility. Logs shall contain:

- Inmate injury report number
- Date and time of the injury
- Inmate's name and booking number
- Location where injury occurred
- Brief description of injury
- Name and employee number of staff completing inmate injury report

(Refer to Facility Specific Procedures Manual)

(Rev. 09/2019)

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125.00. INMATE INJURY REPORT NUMBER: Staff completing inmate injury reports shall obtain report numbers from inmate injury logs. This number shall be a nine-digit number consisting of the following information:

- First two numbers shall be the two-digit numerical facility designator
- Next two numbers shall be the last two digits of the current year
- Next two numbers shall be the two-digit number of the current month
- Last three numbers shall be a three-digit sequential serial number, beginning with 001. This sequential serial number shall begin with the number 001 at the beginning of each month.

(Rev. 10/2016)

126.00. INMATE DISCIPLINE REPORTS: (Refer to Bureau Policy Section 12.2300.00)

(Rev. 02/2019)

127.00. ATTEMPTED SUICIDE REPORT: Safety staff shall complete incident reports when inmates attempt suicide while in custody. Attempted suicides include but are not limited to self inflicted injuries requiring medical intervention. Such reports shall be written on department criminal report forms and shall be issued DR numbers. An interoffice memorandum shall not be acceptable for this purpose.

CIRs shall not be completed if the individual is returning to suicide watch after completing a court appearance. (Refer to Bureau Policy Section 7.110.03)

(Rev. 09/2019)

128.00. INDECENT EXPOSURE REPORT: Safety staff shall complete criminal reports when inmates willfully and lewdly expose their private parts in any place where there are persons, including staff, to be offended or annoyed. (Refer to Penal Code Section 314)

For purposes of this section private parts may include breasts, buttocks, and male/female genitalia.

(Rev. 03/2016)

130.05. DEPUTY REPORT (DR) LOG BOOK PROCEDURES: Facility Commanders/designees shall establish written procedures for maintaining DR log books. (Refer to Facility Specific Procedures Manual)

(Rev. 09/2019)

150.00. INCIDENTS OF GASSING: Penal Code Section 243.9 defines gassing as the intentional placing or throwing, or causing to be placed or thrown, upon the person of another, any human excrement or other bodily fluids or bodily substances or any

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mixture containing human excrement or other bodily fluids or bodily substances that results in actual contact with the person's skin or membranes.

Staff shall immediately report battery by gassing incidents to a shift supervisor.

Safety staff shall complete criminal reports on incidents of battery by gassing when probable cause exists to believe the crime occurred. Reports shall be submitted to the District Attorney's Office for prosecution.

(Rev. 01/2009)

150.05. INCIDENTS OF BATTERY BY GASSING MEDICAL TEST: The Chief Medical Officer of the facility or their designee may order inmates to receive examinations or tests for hepatitis or tuberculosis (or both) to protect the health of staff victimized by gassing. Tests may be conducted on a voluntary or involuntary basis, after an effort has been made to elicit the inmate's cooperation. Tests shall be performed in a medically approved manner, immediately after the exposure incident. Inmates may be required to undergo periodic examinations as deemed necessary by the Chief Medical Officer or their designee.

Test results shall remain confidential and test results shall not be used for any disciplinary action. Test results shall be provided to the staff member.

Decisions made shall be consistent with response procedures defined by the Centers for Disease Control and Prevention. (Refer to Penal Code Section 243.9, Penal Code Section 7510 and Management of Occupational Blood Exposures)

(Rev. 09/2019)

152.00. BLOODBORNE PATHOGEN EXPOSURE REPORT: (Refer to Penal Code Sections 243.9 and 7500-7555, Department Manual Section 4.515, SBSB Blood Borne Pathogen Exposure Control Plan located in the Civil Liabilities link contained in Starlink, and Bureau Policy Section 17.615.00)

(Rev. 09/2019)

7.200. SEXUAL ABUSE AND SEXUAL HARRASSMENT

1200.05. INTRODUCTION: The Prison Rape Elimination Act (PREA) is a federal act established to address the prevention and elimination of sexual assault and rape in correctional systems. PREA applies to all in-custody inmates.

The Department maintains a zero-tolerance policy toward all forms of sexual abuse and sexual harassment. All allegations of sexual abuse and sexual harassment shall be investigated.

The Department maintains a zero-tolerance policy regarding the intentional misgendering of transgender and intersex inmates by staff. All staff will use the name and pronouns specified by the transgender or intersex inmate. Consistent use of the incorrect name and pronoun will be considered and handled as sexual harassment. Nothing in this section shall prohibit Health Services staff from complying with regulations or laws governing the dispensing of pharmaceuticals and the use of an inmate's legal name.

The Department strives to ensure all of our detention facilities protect inmates from all forms of sexual assault, including harassment by staff and other inmates. Staff shall not discourage or intimidate an inmate from reporting sexual misconduct or assault. When a staff member learns that an inmate is subject to a substantial risk of imminent sexual abuse, that staff member shall take immediate action to protect the inmate.

Staff members shall immediately report:

- Any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in the facility
- Retaliation against inmates or staff who report such incidents
- Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation

The facility shall report all allegations of sexual abuse and sexual harassment to the facility's designated PREA compliance manager.

Staff shall not reveal or discuss any information related to the sexual abuse report to anyone other than to the extent necessary, as specified in bureau policy, to make treatment, investigation, and other security and management decisions.

(Rev. 10/2019)

201.00. DEFINITIONS:

GENDER NONCONFORMING: A person whose appearance or manner does not conform to traditional societal gender expectations.

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INTERSEX: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.

PREA COMPLIANCE MANAGER: A designated supervisor at every detention facility who will be responsible for coordinating the facility's efforts to comply with PREA.

PREA COORDINATOR: The Department's designated staff member who will be responsible for ensuring compliance with the PREA standards at all detention facilities.

SEXUAL ABUSE (inmate on inmate): Any of the following acts where the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

SEXUAL ABUSE (staff, contractors or volunteers on inmate): Includes any of the following acts, with or without inmate consent:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above
- Any display by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of an inmate

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SEXUAL HARASSMENT:

- Repeated and unwelcomed sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate toward another
- Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures

TRANSGENDER: A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

UNFOUNDED ALLEGATION: An allegation that was investigated and determined not to have occurred.

UNSUBSTANTIATED ALLEGATION: An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

(Rev. 10/2019)

202.00. NON-SAFETY STAFF RESPONSIBILITIES FOR INMATES REPORTING SEXUAL ASSAULTS: Any staff member (including Professional Staff, Culinary, Maintenance, and Chaplains) is considered a first responder when an inmate reports a sexual abuse or harassment incident. When an inmate reports a sexual assault to a non-safety staff member, the staff member shall immediately contact a safety staff member. The non-safety staff member shall separate the victims and suspects if it is safe to do so. The staff member shall immediately summon assistance.

An inmate may report a sexual assault through an inmate request slip, grievance, jail crisis hotline, a third party (inmates or members of the public), anonymously, or through face to face contact. When a member of the public reports a sexual abuse or sexual harassment incident on behalf of an inmate, they shall be immediately forwarded to a sworn shift supervisor.

(Rev. 02/2019)

204.00. SAFETY STAFF RESPONSIBILITIES FOR INMATES REPORTING SEXUAL ASSAULTS: Upon learning that an inmate may have been sexually abused, safety staff shall:

- Separate the victim and the suspect
- Notify a shift supervisor (as soon as practical)
- Preserve and protect any crime scene until appropriate steps can be taken to collect evidence. If abuse occurred within 72 hours, request the victim does not

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engage in any actions that may destroy physical evidence (showering, drinking, eating, brushing teeth, washing clothing, etc.) and ensure the suspect does not engage in these actions

- Gather basic information about the assault:
 - When the assault occurred
 - Who they were assaulted by
 - The location of the assault

If safety staff is unavailable, professional staff shall request the victim not take such actions that could destroy physical evidence.

The information gathered shall be written in a supplemental report and submitted to the safety staff member in charge of the investigation by the end of the safety staff's shift.

Safety staff shall evaluate the necessity for immediate medical attention and request Health Services to provide such care. Health Services shall not provide examinations related to the sexual assault. If an inmate requires examinations, the shift supervisor or their designee shall contact the Law Enforcement Medical Services (LEMS) who will notify the Sexual Assault Response Team (SART).

(Rev. 10/2019)

205.00. SUPERVISOR RESPONSIBILITIES FOR CONDUCTING INMATE ON INMATE SEXUAL ASSAULT INVESTIGATIONS: The shift supervisor, with the rank of corporal or above, shall be responsible for evaluating the circumstances surrounding the sexual assault that occurred between inmates. The shift supervisor will make an initial determination as to the severity of the incident reported and the necessity for the involvement of the Specialized Investigations Division. If the Specialized Investigations Division is not needed, a qualified safety supervisor may be assigned to investigate.

A deputy may be designated as the investigator as long as they have received specialized training in conducting sexual abuse investigations in confinement settings.

The investigator shall conduct tape recorded interviews with the victim, witnesses, and suspect. The Department Manual shall be adhered to when collecting evidence and for initiating medical examinations. (Refer to Department Manual Sections 3.244 and 5.115)

Supervisors or investigators shall complete the Sexual Abuse Checklist (ASU#181226).

Supervisors or investigators shall ensure the case is forwarded to the District Attorney's Office for review and a copy of the report shall be forwarded to the Administrative Support Unit (ASU) for data collection and reporting purposes.

(Rev. 10/2019)

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205.05. SUPERVISOR RESPONSIBILITIES FOR CONDUCTING SEXUAL ASSAULT INVESTIGATIONS INVOLVING STAFF AND INMATE: In the event a supervisor becomes aware of a sexual assault involving a staff member, the supervisor shall notify the Facility Commander/designee immediately. The Facility Commander/designee shall notify the Deputy Chief of the Detention and Corrections Bureau.

Sergeants shall conduct a tape-recorded interview with the victim inmate to determine the validity of the complaint based on the circumstances and evidence. If the sergeant or their supervisor determines there is evidence that an assault may have taken place, a criminal investigation shall be conducted. The Facility Commander/designee and Deputy Chief shall be notified and the Specialized Investigations Division will take over the investigation. If it is determined the inmate may have been sexually assaulted by a staff member, the inmate shall be transferred to another facility, and the facility the inmate was transferred to shall ensure the inmate is contacted by the facility's PREA compliance manager. Once the criminal investigation is complete, supervisors shall ensure the case is forwarded to the District Attorney's Office for review and a copy of the report shall be forwarded to the Internal Affairs Division and ASU.

If it is determined there is no evidence of a criminal act, the Facility Commander/designee and the Deputy Chief shall be notified and an administrative investigation may be conducted.

For the purposes of PREA, consensual sexual relationships between staff and inmates are considered sexual assaults against the inmate.
(Rev. 10/2019)

209.00. REPORTING REQUIREMENTS: Inmates may report sexual abuse or sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member using the following methods:

- Verbally, which shall be documented in an interoffice memorandum and submitted to the facility's PREA compliance manager
- Inmate request slip
- Inmate grievance form
- Jail crisis hotline

The Jail Crisis Hotline has been established for inmates to report sexual abuse or sexual harassment by staff or other inmates. All hotline complaints shall be investigated.

Inmates and staff shall be permitted to report such incidents to any rank or position they feel comfortable reporting to.

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The general public may report sexual abuse and sexual harassment on behalf of the inmate. Staff shall accept such reports made in writing, anonymously, and from third parties and shall promptly submit these documents to the facility's PREA compliance manager. Staff shall document any verbal reports on an interoffice memorandum and submit it to the facility's PREA compliance manager.

Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security for reporting purposes.

Information regarding sexual abuse and sexual assault and how to report these occurrences shall be displayed in the Public Information Plan, inmate orientation video, inmate rules and regulations pamphlets and the information shall be posted in areas with high inmate traffic.

Staff may utilize the Sexual Assault Services Hotline to privately report the sexual abuse and sexual harassment of inmates.

(Rev. 02/2019)

209.05. PREA NOTIFICATION: If a call is received through the Jail Crisis Hotline from an inmate housed in a San Bernardino County jail facility, or from an outside source and any of the criteria listed below is applicable:

- An in-progress inmate-on-inmate sexual assault
- A sexual assault which occurred within 24 hours of the call
- A sexual assault involving any jail staff member
- Or the inmate is reporting they need medical attention as a result of a sexual assault:

We-Tip will immediately contact the San Bernardino County Sheriff's Dispatch Supervisor. The Dispatch Supervisor will immediately notify the on-call PREA coordinator from ASU.

If a call is received through the Jail Crisis Hotline from an inmate housed in a San Bernardino County jail facility or from an outside source and the reported inmate-on-inmate sexual assault incident occurred 24 hours or more before the time of the call:

We-Tip will send the reported sexual assault notification to the attention of the PREA Coordinator via fax or email to ASU.

(Rev. 02/2019)

210.00. PREA COORDINATOR: The ASU Commander shall be the Department's designated PREA coordinator ensuring compliance with all facilities.

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(Rev. 02/2019)

212.00. PREA COMPLIANCE MANAGER: Each facility shall have a PREA compliance manager designated by the Facility Commander/designee. The Facility Commander/designee shall designate an alternate PREA compliance manager in the event the primary is unavailable. The PREA compliance managers shall be responsible for coordinating the facilities' efforts to comply with PREA. The PREA Managers shall be responsible for:

- Monitoring retaliation
- Completing the Survey on Sexual Violence Adult Incident Forms (U.S. Department of Justice Form #SSV-IA) when a sustained finding of sexual abuse or sexual harassment has occurred. The compliance manager shall submit such forms to ASU

(Rev. 02/2019)

212.05. PREA COMPLIANCE MANAGERS OUTSIDE AGENCY NOTIFICATION: Upon receiving an allegation that an inmate was sexually abused while confined at another agency's facility, the Facility Commander/designee that received the allegation shall notify the Facility Commander/designee or appropriate office of the agency where the alleged abuse occurred. Such notification shall be:

- Provided immediately
- Documented and investigated, a copy of our investigation shall be forwarded to the outside agency

(Rev. 02/2019)

213.00. GBTI/PREA COMMITTEE: The purpose of the Gay, Lesbian, Bisexual, Transgender, Intersex (GBTI)/PREA Committee is to discuss the housing, programming/educational and work options for inmates who self-identify as a GBTI inmate. Generally, the GBTI/PREA Committee will meet at least two times per month, subject to modification as needed. Generally, the GBTI/PREA Committee will consist of seven representatives, subject to excused absences. The GBTI/PREA Committee members are:

- Facility Commander/designee (Chair)
- Centralized Classification Unit (CCU) representative
- Health Services supervisor/designee
- Mental health supervisor/designee
- Inmate Services representative
- PREA/GBTI Compliance Manager
- County-employed social worker with knowledge of issues impacting the GBTI community. The social worker shall act as a GBTI advocate.

(Add. 10/2019)

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213.10. GBTI/PREA INMATES: All GBTI/PREA inmates will be reviewed by the GBTI/PREA Committee. This includes all pre-trial and sentenced GBTI/PREA inmates.

Inmate who identify as GBTI and does not wish to be housed with other GBTI inmates, will not be subject to review of the GBTI/PREA Committee unless the inmate makes a specific request to the committee.

(Add. 10/2019)

213.20. GBTI/PREA COMMITTEE FUNCTIONS: The GBTI/PREA Committee shall do the following:

- Review inmate initial classification and intake forms for accuracy
- Ensure each inmate clearly understands their housing options and each housing assignment is voluntary. The GBTI/PREA Committee will formally discuss and evaluate each housing assignment. They will take into consideration any specific request from the GBTI inmate reference a housing assignment to ensure their safety while in custody
- Discuss and evaluate the most appropriate housing location for transgender and intersex inmates. The assessment will be individualized, and gender identity will be taken into consideration
- Discuss, evaluate and place (if applicable) GBTI inmates into available work assignments and available program/education opportunities
- Identify, evaluate and monitor any ongoing mental health or medical care issue or concerns. The mental health and medical professionals on the GBTI/PREA Committee shall ensure all applicable privacy issues are addressed related to the inmate's medical record
- The Facility Commander/designee will bring forward any GBTI inmate grievances that deal with housing, program or work assignments. However, the GBTI/PREA Committee shall not review or make recommendations on any grievance that alleges misconduct on behalf of staff. Those grievances shall be investigated pursuant to Bureau Policy and Facility Specific Procedures Manual

The Facility Commander/designee shall have the final authority over all decisions made by the GBTI/PREA Committee. If there is disagreement among the GBTI/PREA Committee members or the inmate, that information will be documented on the GBTI/PREA evaluation form.

(Add. 10/2019)

214.00. DEPARTMENT'S RESPONSIBILITY TO PROTECT AGAINST RETALIATION: The Department shall be responsible for protecting all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff.

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The PREA compliance manager shall utilize multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, the PREA compliance manager shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Such monitoring shall be documented on the Retaliation Monitoring Form (ASU#130326). Areas the PREA compliance manager shall monitor include:

- Any inmate disciplinary reports
- Housing
- Program changes
- Negative performance reviews
- Reassignments of staff

The PREA compliance manager shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need, and document the additional monitoring. In the case of inmates, such monitoring shall include periodic status checks.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the PREA compliance manager shall take appropriate measures to protect that individual against retaliation. Such measures may be transferring or monitoring the inmate.

The Department's obligation to monitor shall terminate if it is determined the allegation is unfounded.

(Rev. 10/2019)

215.00. SEXUAL ABUSE INCIDENT REVIEWS: Every sexual abuse incident, including allegations that have been unsubstantiated, shall have an oral review board convened. Allegations determined to be unfounded shall not require a review. The review board shall conduct a thorough assessment of the conditions and circumstances surrounding the sexual abuse incident.

The Detention and Corrections Bureau PREA coordinator shall chair the board with the following members: Facility Executive Officer and the facility's PREA compliance manager, the Bureau's Health Services Administrator, and a supervisor from Behavioral Health Services.

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Such reviews should occur within 30 days of the conclusion of the investigation.

ASU shall submit a report of the review board's findings to the Facility Commander/designee and PREA compliance manager. The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

(Rev. 10/2019)

220.00. SEXUAL ABUSE DATA COLLECTION AND STORAGE: ASU shall be responsible for collecting accurate, uniform data for every allegation of sexual abuse at Type I and Type II facilities. ASU shall update the incident-based sexual abuse data at least annually.

The data collected shall include at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

The Department shall maintain, review, and collect data as needed from all available incident-based documents, including criminal reports, investigation files, and sexual abuse incident reviews.

Upon request, the Department shall provide all such data from the previous calendar year to the Department of Justice no later than June 30th.

ASU shall ensure sexual abuse data is securely retained for a minimum of 10 years after the date of the collection.

(Rev. 02/2019)

220.05. SEXUAL ABUSE DATA REVIEW FOR CORRECTIVE ACTION: ASU shall review collected data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:

- Identifying problem areas
- Taking corrective action on an ongoing basis
- Provide ongoing training
- Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole
- Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse

The annual report shall be submitted to the Deputy Chief of the Detention and Corrections Bureau. Upon approval, the sexual assault statistics shall be placed on the Department's website.

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(Rev. 10/2019)

7.500. FACILITY FORMS

500.05. FACILITY FORMS: All forms used in Detention and Corrections Bureau facilities will be San Bernardino County Sheriff's Department forms, Detention and Corrections Bureau forms, or Facility Specific forms. Staff shall fill out forms legibly and write their names and/or employee numbers where indicated.

The Administrative Support Unit (ASU) shall maintain the master file of all bureau forms. It shall be the responsibility of ASU to review all proposals and make recommendations about the approval of new forms or the modification of existing forms.

Staff proposing new forms and revisions shall be responsible for the design and instructions for the completion of the form. ASU shall publish and distribute guidelines to all Facility Commanders/designees for introducing new or modified forms. These guidelines shall include routing instructions and specific information required for review.

ASU shall make recommendations regarding approval and shall initiate the publication and distribution of all approved forms. ASU shall maintain all appropriate records regarding approval of each form. Bureau forms shall not be placed in the Sheriff's template folder without ASU approval.

Bureau forms shall have the control number and revision date on the bottom left corner of the form. The control number shall be "ASU#" followed by "yr/mo/-date.", ie., ASU#000401.

Each facility is responsible for developing and maintaining Facility Specific forms as needed. (Refer to Facility Specific Policy)
(Rev. 02/2019)

520.00. ORDERING FORMS: (Refer to Facility Specific Policy)
(Rev. 02/2019)

540.00. FACILITY SPECIFIC FORMS: Facilities shall be responsible for developing and maintaining their own Facility Specific forms.
(Rev. 02/2019)