

Corrections Management and Supervision Course

I. SERIES 1

A. Jail Operations Overview

- a. Why is this being taught
- b. Title 15, Division 1 Chapter 1
 - i. Board of State and Community Corrections
- c. Sub Chapter 1
 - i. Standards and Training
 1. Local Corrections
 2. Probation Officers
- d. Adult Corrections Officer Supplemental Core Course
 - i. Title 15 section 180
 1. Establishes the minimum amount of training required for entry-level staff
 - ii. Who's Teaching
 1. ASU
 2. Classification
 3. Gang/Intel
 4. IA
 5. Civil
 6. Cal-ID
 7. County Fire
 8. Medical
 9. Range
 10. CIT DBH
 11. ERD
 - iii. Adult Learning Methods
 1. 7 primary learning styles
 - a. Verbal
 - b. Visual
 - c. Musical
 - d. Physical
 - e. Logical/mathematical
 - f. Social
 - g. Solitary
 - iv. How We Teach
 1. Lecture
 2. Teach-Back
 3. Demonstration
 4. Roll Play
 5. Games
 - v. How We Test
 1. JKT – Job Knowledge Tests
 2. WST – Written Skills Tests
 3. BST – Behavioral Skills Tests

- e. Mandated Training
 - i. Currently 56 hours
 - 1. Specified Objectives
 - a. Constitutional Rights, Civil Rights and Case Law
 - b. Implications of Classification
 - c. Gangs and Subcultures in Institutions
 - d. Identifying Contraband
 - e. Responding to Telephone Calls
 - f. Mechanical Restraints and Safety Cell
 - g. Cell Extractions
 - h. Receiving Inmates
 - i. Booking Inmates
 - j. Processing New Inmates Prior to Housing
 - k. Orienting New Inmates
 - l. Issuing Supplies to New Inmates
 - m. Verifying Identity Prior to Release
 - n. Returning Property Prior to Release
 - o. Reviewing Bail Bonds
 - p. Processing Release on Own Recognizance
 - q. In Custody Releases
 - r. Time Served Releases
 - s. Basic Precautions
 - t. Searching the Facility
 - u. Supervising Meals
 - v. Supervising Cleaning of Cells
 - w. Supervising Recreations
 - x. Supervising use of the Telephone
 - y. Disturbances and Disputes
 - z. Progressive Discipline
 - aa. Inmate Grievances
 - bb. Manipulation of Staff by Inmates
 - cc. Legal Issues
 - dd. Principles and Problems
 - ee. Distribution of Commissary Goods
 - ff. Suicide Issues
 - gg. Indicators of Substance Abuse
 - hh. Indicators of Physical/Medical Problems
 - ii. Assisting Medical Personnel in the Distribution of Medication
 - jj. Selection of Inmate Workers
 - kk. Assignment of Responsibilities to Inmate Workers
 - ll. Legal Issues
 - mm. General Visitation
 - nn. Professional Visitation
 - oo. Legal Issues
 - pp. Processing Non-Legal Mail
 - qq. Processing Legal Mail

- rr. Distribution of Mail
- ss. Emergency Planning
- tt. Fire and Life Safety

f. Additional Training

i. Department Specific

1. Seven Days

- a. Use of Force/Taser
- b. Specialty Logs
- c. INFORM Training
- d. Religion-RLUIPA
- e. Internal Affairs
- f. Crime Scene
- g. Cell Searches
- h. Strip Searching
- i. Cal ID/LiveScan
- j. PREA
- k. Suicide Prevention
- l. ADA
- m. AB953
- n. Retention
- o. Facility Shakedown

ii. Crisis Intervention Team (CIT)

1. 32-hours

B. Title 15

a. Regulations

i. State and Federal Mandates

ii. Board of State and Community Corrections (BSCC)

- 1. Minimum Standards for Local Detention Facilities – Title 15 – Crime Prevention and Corrections

b. Litigation

i. Often times it takes a lawsuit for things to change

1. Stewart vs. Gates

- a. In 1975 inmates in Orange County Jail filed a lawsuit challenging the conditions of their confinement
- b. Attorneys with the ACLU represented the plaintiffs and this legal action would redefine how Orange County Sheriff's Deputies conducted their day to day running of the jails.
- c. Brought inmate rights into the spotlight and everything pertaining to inmate rights came under strict scrutiny from the courts.
- d. Civil rights attorneys and proper inmates were diligent in filing grievances against the Department, but not only the department also against its employees.
- e. The District Court determined that unconstitutional conditions of confinement existed at the jail and issued

injunctive relief ORDERING certain minimum reforms shall be implemented in a number of areas

- f. These areas included:
 - i. population caps
 - ii. telephone access
 - iii. visitation
 - iv. law library access
 - v. mail
 - vi. religion
 - vii. recreation
 - viii. administrative housing
 - ix. meals
 - x. sleeping conditions
- 2. Medina vs. County of San Bernardino
 - a. In 2005, Jameelah Medina was arrested for having an invalid train pass
 - b. She was processed at West Valley Detention Center
 - c. Medina was raised in a Muslim family, wore a headscarf to cover her hair, ears, neck and part of her chest in public and in the presence of men who are not her immediate family members, in accordance with her religious beliefs
 - d. Despite her repeated requests to keep her head covered during her day-long incarceration, she was forced to remove her hijab in the presence of male deputies and to remain uncovered for much of the day
 - e. Medina was never prosecuted in connection with the arrest
 - f. The ACLU, Women's Rights Project and ACLU Program on Freedom of Religion and Belief filed a lawsuit against the County on behalf of Medina
 - g. Settlement – County must pay:
 - i. \$45,000 to Americans Civil Liberties Union Foundation (ACLU)
 - ii. \$10,000 to Medina
 - iii. \$35,000 in Legal Fees
 - h. Adopt policy to accommodate women who wear headscarves for religious reasons
 - i. Will not be required to remove headscarf unless in private area under supervision of a female officer – out of view of men
 - j. Department will provide temporary headscarves
 - k. Once removed, will be issued a temporary headscarf and put it on before being in an area where she can be seen by men
 - l. At no time will she be required to remove it in the presence of men.

- m. Once release, will be returned her own headscarf and be allowed to change back in private
- n. Policy shall be incorporated into the training of all jail/correctional personnel – sworn and non-sworn
- o. In person training given to all current and future personnel – must be trained within 45 days

c. Recap

i. Substantial Burden

- 1. The degree to which a given regulation would require an inmate to alter or abandon his/her religious practice
- 2. Cannot impose a “substantial burden” on the religious exercise of inmates
- 3. If facility regulations on religious exercise are inconvenient or more difficult for inmates, the facility will not be in violation of RLUIPA

ii. Compelling Governmental Interest

- 1. One that furthers “good order, security and discipline, consistent with consideration of cost and limited resources
- 2. Document, document, document

C. Use of Force Investigations

a. Our New Policy

- i. Current Detention and Corrections manual refers to Department Policy
- ii. The Prison Law Office
- iii. California Department of Corrections and Rehabilitation Policy
- iv. Our New Policy

b. Prison Law Office (PLO)

i. Who are they

- 1. The PLO is a firm based in Berkeley headed by Son Specter, that provides legal services to inmates

ii. Why are they involved in our county?

- 1. The PLO have litigated conditions of confinement against the CDCR and they have turned their attention toward county facilities.

iii. How we got to this point

- 1. PLO have sued surrounding counties, and, in the fall of 2014, they turned their attention to our county.
- 2. Our sheriff decided to work with the PLO first as opposed to going to directly to trial in federal court. This new use of force policy is a direct result of all parties cooperating

c. 8th and 14th Amendments

i. Under both the 8th and 14th amendments the use of force is permitted so long as the force is applied in good faith effort to restore discipline

1. Whitley v Albers

- a. Five factors were relevant in the determination of whether the force used was lawful of excessive and these should be noted

- i. The need for the application of force
 - ii. The relationship between the need and amount of force that was used
 - iii. The extent of the injuries inflicted
 - iv. The threat to safety of staff and inmates based on the facts reasonably perceived by the responsible officials
 - v. Any efforts made to temper the severity of forceful response.
 - 2. Hudson v McMillian
 - a. The court decided that if malicious/sadistic force is used, contemporary standard of decency is always violated regardless of whether significant injury occurs or not.
 - b. The court further affirmed that force is excessive when it is the wanton and unnecessary infliction of pain and adopted the 5 factors outlined by the Whitley case regarding whether the force was used in good faith to restore order and discipline or whether it undertaken maliciously and sadistically to cause harm.
 - 3. Hope v Pelzer
 - a. The court indicated that physical abuse directed at an inmate after he terminates his resistance to authority constitutes excessive force.
 - b. The use of force must stop when the need to restore order or discipline no longer exists.
- d. Use of Force Reporting
 - i. A Level I use of force includes any reportable use of force that does not result in injury, or a complaint of persistent pain, and does not involve the use of takedown or less-lethal or non-lethal device.
 - ii. A level II use of force includes any use of force that results in a complaint of persistent pain or any injury other than serious bodily injury or death, or any use of a takedown, OC, PepperBall, Taser™, or less-lethal shotgun that does not result in serious bodily injury or death.
 - iii. A Level III use of force includes any use of force that results in serious bodily injury or death. Serious bodily injury means any injury causing serious impairment of physical condition and includes, but is not limited to: loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing and serious disfigurement.

D. Annual Security Review/Inspections and Audits

a. Overview

- i. There are many reasons for a jail inspection. Ultimately, inspections are conducted because there is a governmental interest in providing for both the safe confinement of inmates and the protection of the public

- and staff. Inspections are intended to assess compliance or noncompliance with standards.
- ii. Once that is done and accomplishments or deficiencies are listed, subsequent inspection can demonstrate a jail's movement toward full compliance or its continuation of compliance. Another is the audit of the facility's documentation to verify compliance with the standards on an ongoing basis.
- b. San Bernardino County Sheriff's Department/Administrative Support Unit (ASU)
- i. The Administrative Support Unit is responsible for compliance on all county, state, and federal regulations and to help provide consistency throughout the Bureau.
 - ii. ASU provides support for all Type I, Type II and Court Holding Facilities
 - iii. ASU facilitate several inspections that are required either by the state or the county
 1. Board of State and Community Corrections (BSCC) Inspection (Biennially)
 2. Environmental Health Inspection (Annually)
 3. Grand Jury Inspection (Annually)
 4. Fire Inspection (Biennially)
 - iv. It is important to remember that the Penal Code and County Regulations are required and is why your facility is being inspected. It is a good idea to discuss any concerns or issues with ASU prior to any inspection
 - v. You should receive an email a week prior to the inspection to confirm the inspection and the time the inspector(s) plans on being at the facility. For Type II facilities plan on having the inspector(s) eat at your facility.
 - vi. Facility security is an important issue; inspector(s) should have proper identification with them.
- c. Board of State and Community Corrections (BSCC)
- i. Established in 2012, the California Board of State and Community Corrections is an independent statutory agency.
 - ii. The BSCC conducts regular inspections of both adult and juvenile facilities, develops standards and administers significant public safety-related grant funding.
 - iii. Statues relating to authority, programs and mandates are in the California Penal and Welfare and Institutions Codes, With operating regulations in Title 15 of the California Code of Regulations and physical plant regulations in Title 24.
 1. All inmates are entitled to read the Board of Sate and Community Corrections Minimum standards for local detention facilities. They may read it in a common area and shall not be allowed to take it into their cell or dorm.
- d. Public Health/Environmental Health
- i. Inspects places where food is eaten, processed, sold or stored for sanitation and food safety.

- ii. Investigates complaints of suspected foodborne illness, unsanitary conditions and other problems
 - iii. Reviews plans and inspects construction of food facilities
- e. San Bernardino County Fire
 - i. Title 15 Section 1032
 - 1. Pursuant to Penal Code Section 6031.1(b), the facility administrator shall consult with the local fire department having jurisdiction over the facility, with the State Fire Marshal or both, in developing a plan for fire suppression which shall include, but not be limited to:
 - a. A fire suppression pre-plan developed with the local fire department to be included as part of the policy and procedures manual. (Title 15, California Code of Regulations Section 1029)
 - b. Regular fire prevention inspections by facility staff on a monthly basis with two-year retention of the inspection records.
 - c. Fire prevention inspections as required by Health and Safety Code Section 13146.1(a) and (b) which requires inspections at least once every two years; (d) and evacuation plan: and (e) a plan for the emergency housing of inmates in the case of fire.
 - 2. Corrections Bureau Policy 15.500 Fire Safety Officer
 - a. Each facility commander shall appoint, in writing, a Fire Safety Officer (FSO). The FSO shall be a safety officer responsible for scheduling regular inspections, testing and review of fire/safety equipment and procedures.
 - b. A copy of the designation letter shall be forwarded to ASU for filing
 - c. The FSO shall ensure that the biennial inspection of the facility by fire officials is conducted. Upon completion of the biennial fire inspection and review by the facility commander, the FSO shall forward a copy of the inspection form to ASU for filing.
 - d. The FSO along with the responsible fire authority shall annually review the facility fire suppression pre-plan and document this review. The Facility Commander shall sign and date the annual review page located in front of the fire suppression pre-plan folder and forward a complete copy of the fire suppression pre-plan to the Administrative Support Unit.
 - e. The FSO shall perform a monthly fire and life safety inspection of the facility for compliance with safety and fire prevention standards. The monthly inspection shall be documented on a monthly fire and life safety inspection report form.

- f. Corrections Bureau Policy 15.100 Facility Inspection
 - i. Facility commanders shall establish written procedures regarding facility inspections. Such plans shall provide for regular schedules of housekeeping tasks and inspections to identify and correct unsanitary or unsafe conditions or work practices. These inspections shall be conducted at least once a month.
 - ii. Inspection areas
 - 1. At a minimum, the following areas and any other areas determined by the Facility Commander shall be inspected by the Facility Commander or his designee.
 - a. Safety
 - b. Security
 - c. Storage and inventory of supplies
 - d. Cleanliness and appearance
 - e. Maintenance
 - f. Records and logs
 - iii. Newly appointed facility commanders
 - 1. Within 60 days of taking command of a Detention Facility, the Facility Commander shall complete (or have completed) a facility security inspection
 - iv. Annual security review
 - 1. Security reviews are the evaluation of internal and external security measures of the facility to ensure the safety of staff, inmates and the community by preventing escapes and other incidents. Facility commanders shall, at least annually, review, identify and evaluate security needs, and make a written record of actions taken to improve facility security.

E. Logs and Specialty Logs

- a. Overview
 - i. Throughout the country most jails and prison require routine inmate safety checks in accordance with policy and/or state regulations
 - ii. These inmate safety checks may be required hourly or several times an hour depending on the needs of the inmates and the facility.
- b. Safety Check
 - i. Deputies are to conduct at least hourly safety checks of inmates.
 - ii. Safety checks shall include direct visual observation and complete documentation of the observations on logs.
 - iii. The intent of the safety checks is to account for the presence of inmates and to look for signs of observable distress or trauma.
 - iv. Safety staff shall make direct visual observations of each cell, dorm/bunk areas, restrooms, showers and other areas where inmates could be located within their assigned housing areas. Special attention shall be paid to those areas hidden from staff's routine view
 - v. Safety staff shall ensure the required information entered on logs is accurate, legible and written in ball point pen black ink.
 - vi. Logs shall be posted in locations that cause safety staff to walk past the area under observation to access the logs.

- vii. Shift supervisors shall conduct visual checks of the housing logs for completeness and document the check with his initials, employee number and time of the check. This shall occur at least once per shift.
 - viii. The shift supervisor shall direct staff to document the reason for the delayed log entry in an interoffice memorandum. This memorandum shall include the reason for the delay, notifications made to supervisors, date, time and location of the log. A copy of the memorandum shall be attached to the log and touted per facility specific policy.
- c. Sobering Cell
- i. Sobering cells shall be used to hold only those inmates who are a threat to their own safety or the safety of others due to their state of intoxication.
 - ii. Safety staff shall conduct random direct visual observation at least once every 30 minutes and note observations on the Specialty Cell Log.
 - iii. Staff shall notify a shift supervisor when arrestees are placed in sobering cells
 - iv. An initial medical evaluation shall be completed by a designated Health Service staff member upon placement in a sobering cell and at least every four hours thereafter. In no case shall an arrestee remain in a sobering cell longer than four hours without an evaluation by a Health Services staff member.
 - v. Inmates shall be removed from the sobering cell and placed in a regular booking cell as soon as they indicated an ability to continue in the booking process.
- d. Suspended Booking
- i. Temporary holding cells shall be used to hold inmates who are argumentative, unwilling or refuse to comply with the booking process and are not in need of the protective environment of the sobering cell or the more restrictive control of restraints of the safety cell. Such inmates shall not be placed in the same cell with any other inmates.
 - ii. Safety staff shall conduct random direct visual observation at least once every 60 minutes and note observations on the facility housing log.
 - iii. Shift supervisors shall evaluate all suspended booking every four hours
 - iv. Arrestees shall not remain in suspended booking longer than eight hours without an evaluation/consultation by Health Services staff.
 - v. Arrestees shall be removed from the suspended booking cell and continue with the booking process as soon as they indicate a willingness and ability to continue with the booking process.
- e. Safety Cell
- i. Safety cells shall be used to house only those inmates who display behavior that results in the destruction of property or reveals intent to cause physical harm to self or others. The safety cell shall not be used for punishment.
 - ii. Safety staff shall conduct random direct visual observation at least twice every 30 minutes and note observations on the Specialty Cell Log.

- iii. Water shall be offered to inmates hourly and at mealtime. Staff shall document when inmates accept or refuse food and/or fluids on the Specialty Cell Log.
 - iv. Inmates shall be placed in a safety cell with the approval of a psychiatrist, designated licensed clinician and/or trained registered nurse and a shift supervisor. A shift supervisor shall review continued retention, with Health Services staff, every 4 hours. Staff shall ensure an evaluation is conducted within 12 hours of placement in the cell and every 24 hours thereafter, by a psychiatrist, designated licensed clinician and/or trained registered nurse Health Services personnel.
 - v. A psychiatrist, designated licensed clinician and/or trained registered nurse Health Service staff shall be responsible to medically clear inmates for removal from the safety cell.
- f. Restraints
- i. Shift supervisors shall review the need for continued retention in restraints a minimum of every hour and document this review on the log.
 - ii. Health Services shall be advised whenever inmates are left restrained. Health Services shall conduct an assessment as soon as possible, but no later than one-hour after the time of placement and shall check on the inmate every four hours thereafter.
- g. Restraint Chair
- i. The restraint chair shall be used only by properly trained personnel. Proper training shall, at a minimum, include viewing a video, training exercise, and a demonstration.
 - ii. Restraint chairs shall only be used with the approval of a shift supervisors to:
 1. Temporarily restrain, for a reasonable amount of time, violent inmates who have physically demonstrated a present intent to cause physical harm to themselves or others
 2. Restrain inmates who have a high violence potential or who are a security risk, during movement in and out of facilities, as an enhanced security or protective measure
 3. Move or transport inmates that have been restrained by the Emergency Response Team.
 4. Safety staff shall conduct random direct visual observation of inmates in a restraint chair at least twice every 30 minutes
 5. Safety staff shall remove restraints at least once an hour to allow inmates to exercise their arms and hands in a range of motion exercise (to prevent circulatory problems). A shift supervisor and Health Services shall oversee the exercise. Safety staff shall explain on the observation log why extremities could not be exercised, and a shift supervisor shall be notified.
 6. Health services and a shift supervisor shall be present when inmates are removed for hydration and sanitation reasons.
 7. Restraint chairs shall be kept away from walls and other obstructions.

F. CTO Program

G. Senate Bill 54 – The California Values Act

- a. The California Values Act
 - i. Approved by California Governor Jerry Brown – October 5, 2017
 - ii. Enacted in the State of California – January 18, 2018
 - iii. Prohibits state and local law enforcement agencies, including school police and security departments, from using money or personnel to investigate, interrogate, detain, detect or arrest persons for immigration enforcement purposes.
- b. ICE Overview
 - i. The department may allow personnel to conduct investigations only if doing so would not violate any federal, state or local laws.
 - ii. In 2003, the U.S. Immigration and Customs Enforcement (ICE) was created to enforce federal laws governing border control, customs, trade and immigration to promote homeland security and public safety.
 - iii. ICE merged the former U.S. Customs Service and the Immigration and Naturalization Service.
 - iv. There are two operational enforcement branches
 1. Homeland Security Investigations (HSI)
 2. Enforcement and Removal Operations (ERO)
 - v. ICE's priority is enforcing illegal immigration by identifying IN CUSTODY inmates using biometric fingerprints during the booking process
 - vi. ICE has the sole responsibility to identify and arrest undocumented individuals who pose a threat to public safety.
- c. The department is prohibited from
 - i. Enforcing federal immigration laws and participating in immigration enforcement programs
 - ii. Asking an inmate's immigration status for the purpose of immigration enforcement
 - iii. Using ICE as interpreters for department related duties
 - iv. Giving ICE personnel a dedicated workspace
 - v. Booking and inmate on an ICE hold/detainer
 - vi. Providing ICE with confidential inmate information or transferring inmates to ICE
UNLESS
 - vii. There is an authorized judicial warrant, or a judicial probable cause determination signed by a federal judge/magistrate
OR
 - viii. The inmate meets one of the requirements listed in the Bureau Policy Section 8.800.25
- d. ASU approved ICE Forms
 - i. There are two forms used by ICE personnel when requesting information about potential inmates wanted by ICE.
 1. I-247D – Immigration detainer – request for voluntary action
 2. I-247N – Immigration detainer – request for voluntary notification.

3. On occasion ICE may also use the I-247 or I-247A form which we will also accept.
- e. Responding to Ice Requests
 - i. When ICE sends a request, department personnel shall complete an ICE eligibility worksheet
 - ii. Department personnel shall provide information to ICE about an inmate that is not available to the public, or transfer an inmate to immigration authorities only in the course of the following circumstances
 1. The inmate has a conviction
 - a. Of a serious or violent felony
 - b. Of a felony that is punishable by imprisonment in state prison
 - c. That occurred within the past fifteen years for any other specified felony
 - d. That occurred within the last five years of a misdemeanor for a specified wobbler offense
 - e. An aggravated felony as defined under the immigration lawOR the Inmate Has
 - f. A judicial warrant or a judicial probable cause signed by a federal judge
 - g. Is facing charges for a crime that is a serious or violent felony and there is a finding of probable cause by a magistrate at a preliminary hearing
 - h. Is facing charges for a crime that is a felony punishable by imprisonment in state prison and there is a finding of probable cause by a magistrate at a preliminary hearing
 - f. ASU Approved ICE Forms
 - i. There are four ASU approved ICE forms when ICE personnel are requesting information about potential inmates wanted by ICE
 1. 161226 – consent to immigration and customs enforcement interview
 2. 161227 – immigration and customs enforcement request – used for three separate ICE requests
 3. 161228 – immigration and customs enforcement notification of shared information
 4. 161229 – ICE inmate eligibility worksheet
- H. In Custody Death Review Process
- a. Supervisors Responsibilities
 - i. In the event of any in-custody death (ICD), regardless of the circumstances or apparent cause of death, the scene shall be secured, protected and the death shall be investigated by homicide detail.
 - ii. The supervisor shall:
 1. Respond to all ICD incidents
 2. Notify the Homicide Detail for investigation
 3. Advise the Facility Commander and Civil Liabilities

4. Notify health service personnel and have the inmate's medical file pulled and copied for homicide investigators
 5. Notify bridge personnel and have the following items pulled and copied for homicide investigators
 - a. Copy of the contents and outside of the inmate's booking jacket
 - b. CNI printout
 - c. CII (rap sheet) print out
 - d. Housing history (JIMSnet)
 - e. Visitors Log (JIMSnet)
 - f. Phone logs
- b. ICD Process
- i. ICD incident investigated by Homicide
 - ii. Homicide Commander's ICD memo sent to Specialized Ops Chief for approval
 - iii. ASU, Health Services Administrator (HSA) and Facility Commander gets a copy of memo with Homicide binder
 - iv. ASU and HSA memos sent to Corrections Bureau Chief for approval, then to Facility Commander for review
 - v. Facility Commander ICD memo sent to Chief for approval
 - vi. ICD board is scheduled at HQ
 - vii. Chief sends ASU Commander a Pre-Litigation Directive memo
 - viii. Any discrepancies from the incident, ASU will schedule a Pre-Litigation & Debriefing session with involved staff
 - ix. ASU Commander sends Debrief memo to Chief for approval
 - x. Chief sends BOC, ICD findings memo to the Sheriff for approval
 - xi. Dispo incident and send to Civil
- c. Staff Responsibilities
- i. 14.220.00 Emergency Announcement
 1. When a deputy is made aware of a possible death, he shall immediately notify the supervisor and other personnel.
 - ii. 14.220.00 Housing Deputy Responsibilities
 1. The housing deputy will ensure all inmates in the section where the incident has occurred are locked down prior to opening the victim's cell door. The deputy will then open necessary doors for responding personnel.
 - iii. 14.260.10 Response to a Hanging Victim
 1. Surgical scissors, or rescue knives are available for use in cutting down hanging victim. These items are located throughout each of the facilities.
 2. The inmates shall immediately be cut down from the hanging position, the material used to support the inmate is cut first; half way between the knot on his neck and the other knot tied to the support. The inmate is placed on his back. If the material around his neck is so tight that he cannot breathe, the material on the opposite side of the knot shall be cut.
 3. Cut down knife

- a. Generally stored in a secured location like a control station.
- iv. 14.260.15 Emergency Medical Aid
 - 1. Any staff member who becomes aware that an inmate has a potential medical emergency, is attempting suicide or has committed suicide shall immediately summon medical aid. Until the arrival of trained medical personnel, staff should provide appropriate first aid, whether the inmate is conscious or unconscious.
- v. 14.210.10 Preservation of the Scene
 - 1. The scene is considered a crime scene regardless of the circumstances of the death and will be preserved by the housing deputy or the deputy who discovered the death. While maintaining the scene, the crime scene deputy shall keep notes on personnel who enter the scene, the location of items in the scene, and a list of any witnesses.
 - 2. The area shall be preserved and protected as a homicide crime scene.
 - 3. All other inmates in the same area as the death or suicide shall be isolated for further interviews by the investigating officer.
- vi. 14.270.00 Per Government Code Section 27491.3:
 - 1. All personal property belonging to a deceased inmate, including personal items in his housing unit shall be collected.
 - 2. These items shall be inventoried, and a property inventory receipt prepared for the Deputy Coroner to sign. The Deputy Coroner shall take possession of the property from the investigating officer.

II. SERIES II

A. PREA

- a. PREA Requirement – Employee Training
 - i. Zero-tolerance policy for sexual abuse/harassment
 - ii. How to fulfill responsibilities (prevention, detection, reporting, and responding)
 - iii. Inmates’ right to be free from sexual abuse/harassment
 - iv. The rights of inmates and employees to be free from retaliation
 - v. Dynamics of sexual abuse/harassment in confinement
 - vi. Common reactions of sexual abuse victims
 - vii. Avoiding inappropriate relationships with inmates
 - viii. Professional communication with inmates (LGBTI)
- b. PREA Requirement – Inmate Education
 - i. Inmates are taught zero-tolerance policy at intake
 - ii. Provided comprehensive education within 30 days
 - iii. Ensure such education is continuously and readily available to inmates
- c. PREA Requirement – Screening for Risk of Victimization

- i. All inmates must be screened using objective screening instrument within 72 hours
 - ii. High risk inmates are not placed in involuntary segregated housing
- d. PREA Requirements – Reporting to Inmates
 - i. Disposition of case – substantiated, unsubstantiated, or unfounded
 - ii. If the suspect staff member is no longer posted in unit
 - iii. No longer employed
 - iv. Suspect has been indicted or convicted
 - v. These obligations terminate once the inmate is released
- e. 2018 YTD Stats
 - i. ASU has processed 89 completed PREA cases
 - ii. Nearly doubled since previous year
 - iii. Majority are from WVDC
- f. Prior Stats
 - i. 2014 – 80 completed cases
 - ii. 2015 – 81 completed cases
 - iii. 2016 – 44 completed cases
 - iv. 2017 – 49 completed cases
 - v. Started tracking PREA in 2014
- g. What Warrants a PREA Investigation
 - i. Grievance/Request slip
 - ii. We-Tip
 - iii. Disclosure from inmate
 - iv. Third party disclosure
 - v. Employee witness
- h. Do all PREA Complaints need a report
 - i. Generally recommended to pull a DR
 - ii. Not all PREA grievances need a DR
 - 1. Inmate flags a grievance as PREA but complaint is about hot water
 - 2. Sergeant must thoroughly investigate the complaint and document findings in grievance
 - 3. ASU will pull a single DR at the end of the year to document all such grievances
- i. Primary Steps – PREA Investigation
 - i. Conduct recorded interview with involved parties and witnesses
 - ii. Pull a PREA DR through Sheriff's Dispatch
 - iii. Notify the PREA Compliance Manager at your facility via email
 - iv. Notify SART if necessary and refer to Health Services Afterwards Move the suspect if necessary
 - v. Notify Health Services and provide info about the abuser
 - vi. Complete criminal report
 - vii. Complete DOJ SSV-IA
 - viii. Forward a copy of entire report and copies of audio/video/photographic evidence to ASU
 - ix. Additional steps listed on the Sexual Abuse Checklist Form

- x. Any audio/video/photographic evidence referenced in report should be submitted to ASU
 - j. Protecting Against Retaliation
 - i. Policy 7.214.00 – The department shall be responsible for protection 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.
 - k. Protection Measures
 - i. Housing changes or transfers
 - ii. Removal of alleged staff or inmate abusers from contact with victim
 - iii. Arranging emotional support services for inmates or staff that fear retaliation
 - iv. Victims and/or witnesses shall be monitored for at least 90 days
 - l. Retaliation Monitoring Form
 - i. ASU #130326
 - m. PREA Compliance Manager
 - i. Completes the Survey on Sexual Violence (SSV-IA) if not done by investigating sergeant
 - ii. Ensures complete PREA investigation is packaged and routed correctly
 - iii. Completes the Retaliation Monitoring Form if necessary
 - iv. Monitors disciplinary reports of involved parties
 - v. Monitors housing assignments and program changes
 - vi. Monitors negative performance review and reassignments of staff
 - n. PREA Investigations Involving Employees
 - i. Deputies listed as a suspect should not be completing supplemental reports
 - ii. Be mindful of POBR prior to interviewing employee
 - o. Strip Searches
 - i. Generate a lot of PREA allegations
 - ii. Change in strip search policy
 - iii. Supervisor presence during search
 - iv. Retrieving contraband from inside the inmate????
 - p. Sexual Abuse Incident Reviews
 - i. Policy 7.215.00 – 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.
 - ii. Board – Bureau PREA Coordinator, facility Executive Officer, facility PREA Manager, Health Services Administrator, and a Behavioral Health Supervisor.
 - q. PREA Compliance Managers
 - i. Each facility shall assign
- B. Jail Statistics
- a. What you need to know about bureau statistics
 - b. Jail Statistics
 - i. They are not just numbers

- ii. What statistics might I encounter in my job
 - iii. Why are statistics important in jails?
- c. Statistics = Jail Management, law, rules, regulations, grants and funding
- d. Statistics are provided to and shared with
 - i. Management
 - ii. County Counsel
 - iii. District Attorney
 - iv. Department of Justice (Federal and State)
 - v. Other law enforcement agencies
 - vi. Courts
 - vii. Law firms in response to legal actions
 - viii. The media and the general public
- e. Statistical Governance
 - i. Fuller MOU 1987
 - ii. Feather – 1993
 - iii. Feather – 1995
 - iv. Haas – 1998
 - v. Court Stipulated Capacities
 - 1. Haas v SB Co./SBCSO – December 2014
 - a. Design Capacities
 - b. Rated Capacities
 - c. BSCC Rated Capacities
 - d. Population/Bed Capacity
 - e. Available beds
- f. Statistical Tracking and Reports
 - i. Daily Facility Count
 - ii. DPMR (Daily Population Management Report)
 - iii. Bookings
 - iv. Releases
 - v. Average Daily Population (referred to as ADP)
 - vi. Average Length of stay (pretrial and pre-sentenced)
 - vii. Prison Rape Elimination Act (PREA)
 - viii. Assaults: Inmate v Inmate v Staff
 - ix. Deaths in custody
 - x. Medical statistics
- g. Statistical Relationship
 - i. DPMR
 - ii. Command Reports
 - iii. BSCC – Monthly Jail Profile Survey
 - iv. BSCC – Quarterly Jail Profile Survey
 - v. Monthly Jail Beds/Average Daily Population Report
 - vi. DOJ/BJA Annual Jail Survey
 - vii. DOJ/BJA Annual in Custody Death Survey
 - viii. DOJ/BJA Annual PREA Survey
- h. Statistical Elements of a Report Flow
 - i. Daily Population Reports
 - ii. PMU Stats (early releases & DRO release)

- iii. Bookings and Releases
- iv. Cite Releases and Misdemeanor Warrant Releases
- v. Inmates sentenced and awaiting transport to state prison
- vi. Federal inmates
- vii. Inmates not assigned to housing
- viii. Work release, weekenders, ECP
- ix. Medical stats
- x. Pre-trial release due to lack of housing
- xi. Early release of sentenced inmates
- xii. Final report to state
- i. Daily Facility Count – Type II Jails
 - i. Daily report prepared by each facility
 - 1. Core Rover
 - 2. Duty Officer
 - 3. PM1 or PM2
 - a. AM reports are not necessary – facility specific
- j. Statistical Reports
 - i. Daily report prepared by each Type I facility
 - 1. Must be completed daily
 - 2. Duty officer
 - 3. PM1 or PM2
 - 4. Designed to aid in BSCC annual reports
 - 5. Pass the baton
- k. Booking and Release & ADP
- l. Today's Population – DPMR
- m. Facility Ratings and Capacities
- n. PREA Complaint Case Tracking Log
- o. Board of State and Community Corrections
 - i. Department required reporting to the state that you need to be aware of
 - 1. Monthly Report on the Detention of Minors
 - 2. Annual Survey of Law Enforcement Facilities
 - 3. Annual Type I Jail Profile Survey

C. Notifications

- a. Notification and Reporting of Serious Incidents
 - i. In addition to the Departments Notification Matrix, the facility commander or his designee shall be immediately notified in the following instances:
 - 1. Potential employee misconduct that may result in discipline
 - 2. Injury to employee(s)
 - 3. Injury to a member of the public where hospital transportation is required
 - 4. Use of Force resulting in an employee(s) or inmates(s) being transported to the hospital
 - 5. Major disturbance where three or more inmates are transported to the hospital

6. Booking of any law enforcement officer, county employee or department employees family member
7. Any media on the facility
8. Inmate being hospitalized as a result of an accident or criminal act
9. In-custody death
10. Escape or attempted escape
11. Erroneous release
12. Sexual assault involving a staff member
13. Off duty incident involving any employee under their command
14. Any other incident that is deemed to have potential liability or concerns that the Facility Commander should be made aware of.

As used in the section immediate notification means in person or by telephonic contact. Voicemail and email shall not be considered appropriate notifications.

b. Injuries

i. On Duty Injury: No medical attention required

1. Any employee that is injured on duty and acting within the scope of their duties and no medical attention is required, shall immediately report the injury to their supervisor or WC
2. When the employee and supervisor agree no medical attention is needed the employee shall complete the "Minor Injury Report" memorandum and submit it to the station commander.
3. The station commander shall forward the memorandum to Civil Liabilities Division.

ii. On Duty Injury: Medical Attention Required

1. Any employee that is injured on duty and acting within the scope of their duties, and medical attention is received, shall immediately report the injury to their supervisor or WC
2. After receiving treatment, the employee shall submit a memorandum to their station commander. The memorandum shall include the circumstances, facts and the nature of the injury.
3. If the employee is unable to complete the memorandum, their immediate supervisor shall be responsible for the memorandum.

iii. On Duty Injury: Supervisory Responsibility

1. The immediate supervisor shall submit a cover memorandum to their station commander. The memorandum shall include the nature of the injury, how it occurred, and verify that it occurred on duty. The supervisor shall include an opinion whether the injury was caused as a result of misconduct or carelessness by the employee.
2. The supervisor shall provide the employee the workers compensation benefit form if treatment is required
3. The employee shall complete the top portion and the supervisor the bottom portion.

4. The supervisor shall complete the "Medical Service Order" form giving authorization of treatment.
 5. The supervisor is responsible for sending all materials to Civil Liabilities and to the station commander.
- c. Quarantine/Suspension of Standards
- i. Any facility administrator may temporarily suspend any standard or requirement herein prescribed in the event of any emergency which threatens the safety of a local detention facility, its inmates or staff, or the public. Only such regulations directly affected by the emergency may be suspended.
 - ii. The facility administrator shall notify the BSCC in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days required approval of the chairperson of the BSCC.
- d. Environmental Health Shutdown
- i. The Department of Public Health conducts yearly inspections of all Type II, Type I and Court Holding facilities
 - ii. During these inspections a number of factors may cause a facility's kitchen area to be closed by the Health Department.
 - iii. The most frequent is vermin such as rodents or cockroaches
 - iv. The Health Department has sole discretion on this and can close down the kitchen as it would any other business
 - v. If this happens you will have a supervisory board review with the Health Department, where they will have a compliance agreement with all parties involved. At this time the area will be closed until a reinspection is done and infestation is eliminated.
- e. Escape Procedures
- i. Supervisory Responsibilities:
 1. The shift supervisor or his designee shall initiate the following actions:
 - a. Code Red or Facility Lockdown
 - b. Shift supervisors shall use "shift Supervisor's Escape Plan Checklist" ASU form 100512 and "Shift Supervisor Jail Escape Worksheet" ASU form #091412.
 - ii. What to do


[REDACTED]

f. Errant Release

[REDACTED]

g. In Custody Death

- i. The affected Facility Commander shall complete an ICD Facility Commander's Review and Findings Memorandum using the information contained in the Homicide Detail's criminal report and ICD Memorandum from the Homicide Detail, Health Services Administrator and Administrative Support Unit.
- ii. The Facility Commander's memorandum should express his opinion on whether the ICD is complete and approved for presentation to the Board of Deputy Chiefs for convening an ICD Review Board. It also should express his opinion on whether he agrees or disagrees with the Homicide Details criminal report, Investigative Summary Memorandum as well as the ASU Commander's and Health Services Administrator's Finding and Recommendations Memorandum.

- h. Power Failure
 - i. Check your facilities Emergency Operations Plan
 - 1. Each facility shall have an evacuation plan.
 - 2. Staff shall be familiar with the facility exit paths and steps to take if facility loses power.
 - 3. Staff is responsible for knowing which keys operate the different doors in the facility.
 - ii. Shift supervisors shall determine if a Code Red should be announced.
 - iii. Inmate movement shall stop, and inmates shall be locked down in the nearest secure area.
 - iv. Inmate count shall be conducted.
 - v. Determine when it's appropriate to evacuate the visiting area.
 - vi. Staff shall not resume normal duties until the Code Red is lifted.
 - vii. Staff shall not enter/exit the facility without authorization from the shift supervisor.
 - viii. Releases may continue at the supervisor's discretion.
- i. Cal ID Issues
 - i. Inmate fingerprinting shall be completed in the identification rooms located in the booking areas.
 - ii. Electronic Scan Failure: use fingerprint cards to print inmates.
 - iii. Completed fingerprint cards shall be forwarded to Cal ID at the end of each shift.
- j. Booking of a Relative
 - i. Members of the Department shall notify their immediate supervisor when any immediate family member has been booked into any San Bernardino County Sheriff's Department detention facility.
 - ii. Notification shall be made within 24 hours after the member learns of the booking.
 - iii. Supervisors shall ensure that division commanders are notified as soon as practicable and the division commanders shall notify the Deputy Chief.

D. Internal Affairs

- a. Internal Affairs Mentor Sergeant Role
 - i. Provide support/assistance for supervisors conducting administrative investigations
 - ii. Check reports for content and grammar
 - iii. Check formatting
 - iv. Listen to recorded interview
 - v. Watch videos
- b. Behavior to be investigated
 - i. Any act of misconduct which has a job nexus and could result in discipline.
 - 1. Job nexus – course and scope of employment or off-duty conduct which adversely impacts the Department.
 - 2. Discipline
 - a. Transfer for purpose of punishment
 - b. Written Reprimand

- c. Suspension
- d. Demotion
- e. termination
- c. Types of Administrative Investigations
 - i. Admin – Internally generated
 - ii. Civilian complaint
 - 1. Complaint form or letter
 - 2. We accept third party complaints
 - 3. If the complainant cannot fill out the complaint form due to illiteracy, you can assist them.
 - iii. Traffic collision
- d. Handling complaints in the field
 - i. Call people back
 - 1. Applies to employees and supervisors
 - 2. Your conduct can become the complaint
 - 3. Failure to perform supervisory duties
 - ii. Recording call/contacts with civilians
 - 1. If it's a non-criminal interview, you have to obtain permission to record
 - iii. Criminal = Notify command staff immediately
 - iv. Administrative = notify command staff ASAP
- e. POBR
 - i. Known as the Public Safety Officers Procedural Bill of Rights Act (POBR)
 - ii. AB 301 passed in 1977
 - iii. Provides employment protections for public safety employees
 - iv. Some rights duplicated in Labor Code
 - v. Our department extends POBR rights to all employees
 - vi. California Government Code Sections 3300-3312
 - vii. When does it kick in?
 - 1. Any questioning, as part of an investigation, by a supervisor that may lead to punitive action
 - 2. POBR exception: Does not apply to any interrogation of a peace officer in the normal course of duty, counseling, instruction or informal verbal admonishment by a supervisor. (Public safety statement).
- f. POBR Violations
 - i. Consequences of violating Police Officers Bill of Rights (POBR)
 - 1. Inability to use information obtained
 - 2. Overturning of discipline
 - 3. \$25,000 fine per violation
- g. Supervisory Inquiries
 - i. No suspected misconduct or not focused on a particular employee
 - 1. Allegation of misconduct vs. suspected misconduct
 - 2. May question employees
 - ii. Unfounded = memo
 - iii. Misconduct = admin
 - iv. Suspected misconduct and particular employee

1. This is not a supervisor inquiry anymore
 2. POBR rights attach
 3. Don't know employees name, but I think its him (Labio v. Los Angeles)
- h. State of Mind Matters
- i. When in the supervisor's mind, the conduct of a particular employee will likely result in disciplinary action it is not a supervisory inquiry. (Labio v. Los Angeles)
 - ii. POBR allows for unplanned contacts in the normal course of duty for informal counseling, instruction or verbal admonishment (Steinert v. Covina)
 - iii. Don't set the employee up for a lie.
- i. When assigned an Administrative Investigation
- i. Review the complaint
 - ii. Talk to your supervisor and identify issues
 - iii. Draw P# through Internal Affairs
 - iv. Talk to your Internal Affairs Mentor Sergeant
 1. Will provide assistance/guidance during investigation and interviews
 2. Double check scope and nature
 - v. Identify the issues (policy violations?)
 - vi. Formulate questions surrounding those issues
 - vii. Create a list of persons to be interviewed and formulate questions to ask them
 - viii. Remember, this is not a head hunting mission
- j. Investigation
- i. Get your intel first before you interview anyone
 - ii. Document and system research
 1. Criminal report
 2. CAD audit (Unit History, DMV, CR-HST, JIMSnet)
 3. Email Audit – 3-year retention
 4. Video review
 - iii. Visits scene, take photographs etc.
- k. Civilian Interviews
- i. Must ask permission to record
 - ii. When interviewing the complainant ask specific questions regarding each allegation
 1. Which deputy did what?
 - iii. Were there any other witnesses
 - iv. Do they have any evidence (recordings, documents, etc.)?
- l. Scheduling Employee Interviews
- i. You set the date and time
 - ii. Can be immediate if attorney/representative is not requested
 - iii. Less than one week is reasonable if they want an attorney/representative
 - iv. Be reasonable with the attorneys/representative's schedule
 - v. Accommodate the employee's schedule

- m. Role of the Attorney/Representative
 - i. During interview, attorneys/representatives can do two things
 - 1. Make objections for the record
 - 2. Ask clarifying question
 - 3. If attorney is being obstructive
 - a. "I'd like to note for the record that you're being obstructive"
 - b. Do this several times if needed
 - c. Tell employee you're discontinuing the interview
 - d. Reschedule for another date/time
 - ii. Can set "ground rules" with attorney before interview
 - 1. If you have an objection, state your foundation up front and it will be noted for the record then we'll move on
 - 2. If you have clarifying questions, go through me. I'll clarify then we'll move on
 - 3. At end of interview, ask attorney if he/she has any clarifying questions.
 - iii. Do witness employees have a right to representation
 - 1. Yes, if in their mind they believe any of their answers may incriminate them in some way
 - 2. Also applies when writing criminal reports, memos, etc.
- n. Administrative Investigation Advisement Forms
 - i. Page 1 – Scope and Nature
 - ii. Page 2 & 3 – Police Officer's Bill of Rights (POBR)
 - iii. Page 4 – Miranda and Garrity
 - 1. Miranda suggested in all interviews with an explanation (employee protection)
 - iv. Page 5 – Integrity Admonition
 - v. All of these Admonishments should be recorded
- o. Scope and Nature
 - i. Short and to the point
 - ii. Specific to date, time and location, if possible
 - iii. Use report number or incident number if applicable
 - iv. Make it clear – you want to know what they did (subject), what someone else did (witness) or both
 - 1. "The facts and circumstances surrounding...."
- p. Examples
 - i. The facts and circumstances surrounding your observations and actions while working graveyard in Unit 6 on July 28, 2011, to include:
 - 1. Your use of force on inmate Don Smith
 - 2. Your oral report of that force to Sergeant Jones
 - 3. Your statements to SCS Brown following the use of force
 - ii. The facts and circumstances surrounding your observations while working day shift in Intake Control on July 27, 2015, to include actions and statements of deputies dealing with inmate Jerry Jones.

- iii. The facts and circumstances surrounding reports you prepared regarding the disposition of prescription medication you received during calls for service from June 17, 2012 to present.
 - iv. The facts and circumstances surrounding inconsistent statements you made during your criminal interview on July 27, 2014
 - q. Scope and Nature
 - i. Pre-interrogation discovery – not required
 - 1. Case by case basis
 - 2. Review of recordings or reports to refresh memory
 - 3. Often an extensive demand
 - ii. Revising the scope
 - r. Recording Employee Interviews
 - i. All employee interviews are recorded
 - ii. No surreptitious recording
 - iii. Person being interviewed, and/or their representative can also record
 - s. Interviewing
 - i. Interview with a partner, if possible
 - ii. The second interview's job is to make sure the questions are answered
 - iii. Watch for excuses without an admission of the misconduct
 - iv. Conduct in chronological order
 - 1. If unable, separate main topics
 - v. Watch for "circle talk"
 - vi. If there are multiple acts of same conduct you must address each act individually in the interview (such as log violations)
 - vii. POBR objections
 - 1. Outside scope is the most common objection
 - a. If you realize you did not include a topic on the scope, it is possible to add it during a break
 - viii. It's the employee's job to control their attorney/representative.
 - ix. If the attorney/representative objects to a question, you can still order the employee to answer
 - x. It is possible to cancel an interview
 - xi. The role of the representative is to ask clarifying questions, not steer the employee's answers
 - xii. Do not allow an employee the opportunity to avoid answering a question by requesting a break
 - 1. Give strategic breaks
 - t. Employee Interviews
 - i. Ask the hard questions
 - 1. Make a list of questions to address each allegation of misconduct
 - a. Example – each separate incident of forging observation logs
 - 2. Did you hit him because he was of a different race?
 - 3. Did you have sexual intercourse with her
 - 4. Did you steal the money?
 - ii. Ask the hard questions

1. Are you telling the truth now or when I asked you the questions the first time?
2. Why did you say “ _____ ” the first time?

Lying by omission is also a lie...if clear by question what info you're trying to get, they have a duty to tell.

iii. Avoid Admissions

1. “We haven’t provided the training we should have, but you knew this was wrong, correct”?

iv. Avoid “Do you remember” and “Do you recall”

1. “Do you remember if anyone else was there”? vs. “Was anyone else there”?

v. Ask open ended questions

1. “Who did you talk to next”? vs. “You talked to Jones next, right”?

vi. Make sure your question is answered

vii. Insubordination

viii. Refuse to interview or answer questions must advise of insubordination

1. “I am ordering you to answer the question”
2. If they still refuse, must advise of insubordination and consequences

“If you refuse to answer you may be charged with insubordination, which include discipline up to and including termination. Do you understand? Do you still refuse to answer”?

u. Re-Interviews

- i. Employees must be given the opportunity to review audio of previous interviews.
- ii. You may have them review written summaries, if available
- iii. If you created a new scope for the investigation, read it while being recorded
- iv. No need to read the Admin Packet again
 1. While on tape, remind them the rights afforded during the previous interview are still in effect
 2. No need for new signatures (except on scope page)

v. Short Form vs. Long Form

- i. Show examples
- ii. If all allegations are Unfounded, Exonerated or Frivolous, use short form
- iii. If any of the allegations are Sustained or Not Sustained, must use long form

w. Short Form

- i. Must get command staff permission to use
 1. Once you have completed your investigation run by your command staff for approval to use short form
- ii. Do not type interviews
- iii. Must address every allegation

x. Long Form

- i. Must type out all interviews
- ii. Do not address allegations

y. Report Writing

- i. Type from the recording
- ii. Content accuracy
 1. Do not change meaning!
- iii. Summarizing
- iv. Run, First and last name the first time mentioned in each report. Last name only after that.
- v. Type in past tense and use active verbs
- vi. Type out single digit numbers (one, five, nine, etc.)
- vii. Use numerals for 10 and over (10, 22, 101, etc.)
- viii. Make sure if quotes are included they are exact
 1. Avoid if possible
 2. Only quote if very relevant
- ix. Do not use slang or “cop talk”
 1. Stated, enroute, unit, responded to, advised

Admin reports must be perfect

- x. Reviewed by Executive Staff, attorneys, hearing officers and judges
- xi. Grand juries, District Attorneys, Attorney General and Federal Courts may all have access to investigation.
- xii. Reports might be kicked back for corrections

z. Long Form Summary

- i. Should be no longer than 2 -3 pages
- ii. Generally, one paragraph per allegation
- iii. What evidence showing allegation is true, false, etc.
- iv. “During an Administrative interview, Jones said...”
- v. Not every employee needs to be in summary unless needed to explain a point
- vi. No opinions in long form summary

aa. Administrative Information Pages

- i. Used for documenting all other information that did not come from an interview.
 1. Information from belt recordings
 2. Information from videos
 3. Information from Excel spreadsheet
 4. The use of first person is okay on this page

Everything in the summary must come from somewhere in the investigation. If it wasn't obtained from an interview, document on an admin info page where it came from.

bb. Attachment Pages

- i. For items you are including with the report
 1. Police Reports
 2. Video
 3. Medical Records
 4. Inmate Information Sheets
 5. District Attorney case dispositions
 6. Schedules

- ii. Attachment page for Administrative Investigation Advisement Form for target employee(s) only (Board or Skelly only)
- iii. Attachment page for compact discs of interviews (Board or Skelly only)
- iv. No attachment page is needed for the citizen's complaint
- cc. Personnel Reports
 - i. Purpose to correct behavior and performance
 - ii. Specific dates and times will help later with WPIP
 - iii. Document what happened
 - iv. Document what is expected of them
 - 1. You will arrive on time, in uniform, ready for work
 - 2. You will turn in all reports at the end of shift unless given permission by the W/C
 - v. Avoid policy sections
 - vi. Do not use wording such as "don't let this happen again" or "try to do better."
 - vii. Do not write "further such conduct will result in discipline"
 - 1. Can make PR appealable
 - viii. Per POBAR 3306, an employee has 30 days to file a written response to any adverse comment in file
 - ix. A Letter of Discussion or Personnel Report does not trump further discipline
- dd. Inmate Grievance to Admin
 - i. Get a grievance extension for inmate
 - ii. Conduct admin
 - iii. IA will prepare grievance response to close out investigation
- ee. Criminal Investigation
 - i. When informed of possible criminal conduct – stop and notify command staff immediately
 - ii. Absent exigency, do not initiate criminal investigation
 - iii. Do not question or inform employee or witnesses
 - iv. Outside investigators will be assigned (Homicide/CAC)
 - v. Administrative investigation is tolled pending criminal investigation
- ff. Criminal or Administrative
 - i. One of your deputies is "messaging around" with Explorer
 - ii. Deputy did not take report or arrest on man gun call
 - iii. Civilian reports deputy said he would not arrest if she lifted her shirt
 - iv. Allied agency reports deputy was rude during assist call
 - v. Deputy reports he thinks other may have stolen property on call
 - vi. Defense attorney reports deputy's report is "inaccurate" and drug evidence mishandled
- gg. Ordering Memos
 - i. Generally, advise against
 - ii. Employees often misunderstand what is expected of them (mass memo problems)
 - iii. Interviewing is better if there's a problem incident
 - iv. Employee may be entitled to a representative prior to submission
 - v. UOF – Ask direct questions of individuals, not group inquiry

- hh. Things That Will Get You in Trouble
 - i. "Hey Sarge, I just want to run something by you. It's no big deal"
 - ii. Failure to address obvious misconduct is equal to approval (It must be okay, Sarge knows)
 - iii. Failure to take control and give direction
 - iv. Chaotic Situations require leadership
 - 1. If you don't provide it, someone else will
 - 2. You will still be held accountable, no matter who is actually running things
 - v. Failure to report up the chain of command
 - vi. Ignoring an employee who is trying to put you on notice
 - 1. I need help
 - 2. I don't know how to do that
 - vii. UOF Investigations – must be thorough
 - 1. Citizens' complaints
 - viii. Terminating probation, involuntary transfer of employee
 - 1. Be careful what you say
 - ix. Tolerating bad behavior is a problem
 - 1. Tardiness
 - x. Importance of documentation
- ii. Tips
 - i. Emails (maintained for three years)
 - ii. Group text messages
 - iii. Dealing with employees who want to talk about admin
 - iv. Watch out for CR4 "DR drawn in error"
 - v. Being a role model
 - vi. Praise in public, scold in private
 - vii. Be direct when giving orders and asking questions
 - 1. "Is this our work or theirs"
 - 2. "Take care of it"

E. Civil Liabilities

- a. Civil Liabilities
 - i. Track all Workers' Comp claims and manage modified duty assignments
 - ii. Helps defend the County, Department and employees in claims and lawsuits. Attend depositions, settlement conferences, closed Board of Supervisor meeting and trials.
 - iii. Works closely with Risk Management, County Counsel and outside law firms.
 - iv. Responds to critical incidents (OIS's, ICD's, Major TC's and significant UOF incidents)
 - v. 1 lieutenant, 3 sergeants, 1 part-time sergeant and support staff
 - vi. Civil Liabilities information on starlink
- b. Employee Injuries
 - i. They have to want treatment, don't assume they want to go to the doctor.
 - ii. 3 forms (occupational injury form, MSO, claim for benefits) scanned and emailed to the Civil Liabilities county email ASAP.

- iii. Employee's home address and personal number should be on these forms
- iv. A memo will be completed by the employee describing how the injury occurred, if there is no DR related to the injury. (i.e. tripped downstairs in housing unit, etc.)
- v. If there is a DR, note the DR in the supervisor memo to the Commander
- vi. Final packet to Civil Liabilities
- c. Liability
 - i. Keeping Track of High Risk/High Liability Incidents
 - 1. Officer involved accidents
 - 2. Claims against the County
 - 3. Use of force reporting
 - 4. ICD's
- d. Officer Involved TC's
 - i. Importance of supervisor responding to scene
 - ii. Audio recorded interviews (Not employee)
 - iii. Good photographs
 - iv. Good t/c/or MAIT investigation
 - v. Just following these four points can drastically reduce an agencies liability

Remember: Notify Civil Liabilities of all significant T/C's involving an employee
- e. Traffic Collision Flowchart
 - i. If a police report accompanies the T/C, The W/C will complete the short form T/C memo
 - ii. If a police report is not needed, the W/C will complete the long form T/C memo
 - iii. Memos go to station commander then to civil liabilities and then to SARB
 - iv. SARB's finding will determine the next stop of the memo
- f. County Incident Form
 - i. This form is necessary on all T/C's or incidents in which county property was damaged
 - ii. Do not put your staff's personal address on this form
- g. Remember
 - i. Immediate supervisors are the first line of liability representation
 - ii. Identifying potential issues and addressing them at the onset, assist the department and you.
 - iii. Briefings should include:
 - 1. Safe driving
 - 2. Tactics
 - 3. Highly publicized events
 - 4. Training

All of this can reduce liability
- h. Claims Against the County
 - i. Precursor to a lawsuit
 - ii. Receive 25+ claims a month
 - iii. Anyone can file one, even inmates

- iv. Complete a thorough investigation
- v. If the claimant has an attorney, do not interview without asking the attorney
- vi. Capture documents
- vii. Recorded interviews and photographs
- viii. Claims can uncover unreported misconduct
- ix. Do not include a copy of a use of force with the claim response
- i. Use of Force Reporting
 - i. Supervisor investigation
 - ii. Belt recordings, video and good photographs
 - iii. Documents will protect you in court
- j. In Custody Death
 - i. 3.228 In-Custody Death Policy
 - 1. When a prisoner who is in the custody of this Department dies, regardless of the circumstances or apparent cause of death, the scene shall be secured and protected, and the death shall be investigated by the homicide detail of the specialized investigations division. The following notifications shall be immediately made:
 - a. Watch Commander and Facility or Station Commander
 - b. Homicide Detail, Specialized Investigations Division
 - c. Civil Liabilities Division
 - 2. When the death occurs at a jail facility other than the West Valley Detention Center or Glen Helen Rehabilitation Center, the West Valley Detention Center shall be notified if the deceased inmate is a pre-sentenced prisoner and GHRC shall be notified if the deceased inmate is a sentenced inmate who has been transferred to court or work duty.
 - 3. Things to consider:
 - a. Pull the logs immediately
 - b. Have the Duty Officer begin pulling booking jacket
 - c. Video
 - d. Audio
 - e. Medical logs
- k. Post ICD Case Information
 - i. What to expect
 - 1. A debrief with the involved employees
 - 2. Depending on the circumstances, Civil Liabilities immediately begins to work on hiring defense counsel for our involved employees
 - 3. This provides the opportunity for our staff to meet the attorney to start the foundation for a possible defense
 - 4. Past practice allowed for too much time to lapse

F. Jail Classification & Population Management

- a. 2012 SBSB Decision to Centralize Classification

- i. A special master reviewing/tour our facilities housing (related to a state court order) noticed deficiencies in our classification system and recommended we centralize classification
 - ii. A BSCC representative noticed the same deficiencies and recommended we change our classification system
 - b. Identified Problems
 - i. Not properly adhering to HAAS decision
 - ii. Classification was not centralized
 - iii. Lack of training
 - iv. Lack of supervision
 - v. Housing inmates together that were not of like classification
 - vi. AB 109-realignment
 - c. History of AB 109
 - i. Proposition 36 (2000)
 - 1. The Substance Abuse & Crime Prevention Act of 2000. In 2007, the LA Times reported a UCLA study revealed a total of 75% of those assigned to treatment did not show up or did not complete the treatment
 - ii. Assembly Bill 109 & Assembly Bill 117
 - 1. Went into effect on October 1, 2011. The prison population had risen 180% of its capacity. (Courts gave two years to comply to reduce population to no more than 137.5% of designed capacity)
 - iii. Proposition 47
 - 1. Safe Neighborhoods and Schools Act. Was set to expire November 4, 2017 but Governor Brown extended it to November 2, 2022
 - d. Effects of Proposition 36/AB 109/Proposition 47
 - i. Due to the failure of Prop 36, the severity of crimes increased which naturally produced an increase in jail sentences
 - ii. Due to AB 109, a larger number of inmates with a higher level of criminal sophistication are now housed in county jails
 - iii. It forced county jails to early release inmates believed to be non-violent offenders
 - iv. Proposition 47 decriminalized many felonies in order to control the jail/prison populations throughout state

How did this all benefit prison gangs/organized crime/street gangs?
 - e. History of the "HAAS Agreement"
 - i. 1998 – Collection of confinement lawsuits brought against the County and the Department, concluding with HAAS v BOS
 - ii. Settlement reached with a Memorandum of Understanding
 - iii. Authorizes the Sheriff to set population capacities at WVDC and GHRC and undertake a variety of release options. (CDC and HDDC were not part of HAAS).
 - f. Jail Population Caps Effective Dec. 1, 2014 HAAS 90% all Facilities
 - i. West Valley Detention Center
 - 1. Capacity – 3347

- 2. Capacity Males – 2911
 - 3. Capacity Females – 436
 - ii. Central Detention Center
 - 1. Capacity – 1104
 - 2. Capacity Males – 940
 - 3. Capacity Females – 164
 - iii. Glen Helen Rehabilitation Center
 - 1. Capacity – 1350
 - 2. Capacity Males – 1024
 - 3. Capacity Females – 326
 - iv. High Desert Detention Center
 - 1. Capacity – 2098
 - 2. Current Capacity – 1049
- g. AB 109
 - i. Driving Force
 - 1. Reduce the state’s cost for incarceration of felons and parolees
 - 2. Reduce State Prison population to comply with Federal Order
- h. How Are We Managing the Population?
 - i. HAAS Trigger Point
 - ii. Identify population problems
 - iii. Classification Reviews
 - iv. Inter-Bureaus Transfers
 - v. Utilizing Type 1 Jails
 - vi. Re-structuring of jail housing
 - vii. OR, Cite Release (PC 827.1)
 - viii. Sentenced early release
- i. *McGruder v Phelps*, 5th Cir. Ct.
 - i. An inmate does not have a constitutional right to any particular classification

Miller v. McBride, 259 F. Supp. 2d 738

 - ii. A prisoner sued corrections officials, challenging his transfer from protective custody following an altercation with a fellow inmate. The court granted judgment in favor of the officials, finding the prisoner had no constitutional right to a hearing on his transfer from protective custody.
- j. *Labatad v. Corrections Corporation of America*, 9th Cir. Ct
 - i. In May of 2013, the court upheld the 7th circuit decision and ruled that even housing rival gang members together was insufficient under the circumstances to find that defendants were deliberately indifferent.
 - ii. Due to the number of gang members in prison, and high representation of certain gangs, the court noted it would place an unmanageable burden on prison administrators if they were required to separate inmates by gangs.
- k. Classification Plan
 - i. Title 15 requires the written classification process is based on objective criteria
 - ii. What is Objective

1. Expressing or dealing with facts or conditions as perceived without distortion by personal feelings
- I. Inmate Classification Procedures
 - i. The instrument consists of two devices used to determine an inmates housing location. The first is the Initial Classification Assessment and the second is the Housing Matrix which applies the factors related to the inmate.
 - ii. ADA
 - iii. Previous state, county and/or federal commitments
 - iv. Institutional behavior
 - v. Escape history
 - vi. Safety concerns
 - vii. PREA victimization and abusiveness screening
 - viii. Gang association or involvement
 - ix. Staff shall file such forms in the inmate's booking jacket
- m. Classifications
 - i. GP 7 & GP 6 – PREA
No Politicking/No Gangsters
 - ii. GP 5 – Gang Membership/Association
 - iii. GP 4 – Prison priors/Institutional behavior
 - iv. GP 3 – Violence Factor (2 convictions)
 - v. GP 2 – Violence Factor (3 convictions)
 - vi. GP 1 – High Institutional Behavior/Escape Risk Multiple combination of factors
AH Classification – 1, 2, 3, PC Classification – 1, 2, 3. PCAH

III. SERIES III

A. Procedures for Policy Issues

- a. Overview
 - i. The Detention and Corrections Bureau Policy Manual follows the same numerical system as the department manual. The organization consists of a main numerical section (1), a sub-numerical section (.200) and a secondary sub-numerical section (.05).
 - ii. "Add" shall indicate an addition; "Rev" shall indicate a revision; and either of these terms shall be followed by the date (month and year) the addition or revision was placed into the manual. This date shall be printed at the bottom left side at the end of the section and shall be the date the change became effective.
 - iii. "Reviewed" shall indicate the policy was reviewed to ensure the information is current and accurate. Reviewed sections may not require revisions. Reviewed shall be located in the footer of the page followed by the date (month and year).
 - iv. Public Information Plan and Title 15, Inmate Use: All inmates are entitled to read the Board of State and Community Corrections minimum standards for local detention facilities. They may read it in a common area and shall not be allowed to take it into their cell or dorm.

As with any legal guideline, or department or bureau policy, the content within Title 15 or the Public Information Plan shall not be interpreted for inmates.

- v. Public Information Plan: Review by the Public: Facility Commanders/designees shall establish written policies and procedures for the dissemination of information to the public, to other government agencies, and to the new media. Facilities shall maintain a copy of the Public Information Plan available for the public and inmates to review.
- b. Policy Review
 - i. Staff may submit a Bureau Request for Policy Review form to the Administrative Support Unit with suggestions or recommendations.
- c. Procedure for Policy Revisions
 - i. ASU shall write a draft of the proposed revision for the Detention and Corrections Bureau
 - ii. Once the ASU Commander has approved the revision, it shall be uploaded onto the ASU share-point on Starlink and then reviewed by the Policy Committee (generally the Facility Commander/designee)
 - iii. The policy committee shall be comprised of at least one representative from each Type II detention facilities and member of ASU
 - iv. Once approved by the Policy Committee, the revised policy shall be submitted to the Detention and Corrections Bureau Deputy Chief for review and approval
 - v. Policy becomes effective only after receiving approval from the Deputy Chief and the ASU Commander
 - vi. The revision is then placed onto Starlink
 - vii. Bureau policy revisions shall be distributed through ASU
 - viii. ASU shall maintain records of policy revisions for tracking purposes (refer to Title 15 Section 1029)
- d. Facility Specific Policy
 - i. The Facility Commander/designee shall develop, maintain and revise all facility specific policy and post orders as necessary. They shall ensure the facility specific policy and post orders do not conflict with the Detention and Corrections Policy Manual
 - ii. Facility Specific Manuals, Post Order and specialty manuals (Food Services, Health Services, Emergency Procedures and Transportation) shall be reviewed annually. The Facility Commander/designee shall determine how this annual review shall be accomplished and documented. Facilities shall annually provide ASU with a copy of their facility specific policy. (refer to Title 15, Section 1029)
- e. Public Records & Policy SB 978
 - i. This bill, commencing January 1, 2020, requires the Commission on Peace Officer Standards and Training and each local law enforcement agency to conspicuously post on their Internet Websites all current standards, policies, practices, operating procedures and education and

training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act.

- f. Request for Forms Review
 - i. Staff may submit a Bureau Request for a review of forms or add a new form using form ASU #170701 to ASU with suggestions or recommendations for forms review
 - ii. Staff shall not alter any ASU form located in the Corrections Templates

B. Inmate Programming

- a. Title 15 Section 1070
 - i. Individual, group and/or family counseling
 - ii. Drug and alcohol abuse counseling
 - iii. Community volunteers
 - iv. Vocational Testing and counseling
 - v. Employment counseling
 - vi. Referral to community resources & programs
- b. What's in It for Us?
 - i. Financial Cost
 - ii. Keeps inmates occupied in a positive way
 - iii. Reduced
 - 1. Incidents in the housing units
 - 2. Grievances
 - 3. Lawsuits
- c. Who Benefits?
 - i. Staff
 - ii. Children and other family members
 - iii. Neighbors
 - iv. Community
- d. Evidence-Based Practice (EBP)
 - i. Places an emphasis on achieving measurable outcomes and making sure that the services provided, and the resources used are effective
 - ii. Using research-based and scientific studies to identify interventions that reliably produce significant reductions in recidivism.
 - iii. Risk – Focuses on who is being served and targets higher risk offenders
 - iv. Need – Addresses criminogenic risk/need factors with clear focus on what programs are delivered
 - v. Treatment – Uses behavioral treatment approaches to achieve the best possible outcome; how programs are delivered.
 - vi. Fidelity – How well programs are delivered; necessary that programs be implemented
- e. EBP – Assessment Tools
 - i. Validated screening and assessment tools to determine offender risks and needs.
 - ii. Assist in matching offenders to an intervention of appropriate type and intensity

- iii. Validated and focused on factors that research has demonstrated to be statistically correlated with recidivism
- f. Data – Driven Decision Making (DDDM)
 - i. Making decisions that are backed up by hard data instead of relying on intuition or observation alone.
- g. EBP – Group Activity
 - i. Why is it important to ensure evidence-based practices and program fidelity?
 - ii. Identify the importance of accurate data collection for evidence-based practices, performance measures, program evaluation and offender outcomes.
- h. Inmate Services
 - i. Phones = \$
 - ii. Commissary = \$
 - iii. Visiting
 - iv. Educational Classes
 - v. Cognitive Classes
 - vi. Vocational Classes
 - vii. Religious Observances
- i. Budgeted Sheriff's Staff
 - i. Lieutenant (Commander)
 - ii. Inmate Services Manager
 - iii. 2 ROP Deputies
 - iv. 1 Secretary
 - v. 2 Facility Coordinators
 - 1. Inmate phones, kiosks, tech
 - 2. Equipment, maintenance, classrooms, supplies
 - vi. 7 Sheriff's Custody Specialist
 - vii. 1 Staff Analyst II
 - viii. 3 Food Service Occupational Instructors
 - ix. 1 Supervising Accountant
 - x. 1 Fiscal Assistant
- j. Program Staff
 - i. 6 Alcohol & Drug Counselors
 - ii. 6 Social Workers
 - iii. 4 Chaplains
 - iv. 2 Workforce Development Specialists
 - v. Cal State San Bernardino Parental Intervention Project & Cal Baptist University
 - 1. 1 Parental Intervention Project (PIP) Director
 - 2. 1 Director of Intern Operations
 - 3. 1 Clinical Supervisor
 - 4. 1 Teaching & Loving Kids (TALK) Lead Associate
 - 5. 12 Clinical Interns

- vi. Five Keys Charter School
 - 1. 1 Principal
 - 2. 21 Teachers and Subs
- vii. San Bernardino County Schools
 - 1. 1 Administrator
 - 2. 3 Instructors
- k. Over 200 Volunteers
 - i. Religious Volunteers
 - 1. Bible Study
 - 2. Religious Services
 - 3. Spiritual Counseling
 - ii. Alcoholics Anonymous/Narcotics Anonymous
 - 1. Conduct AA/NA meetings
 - iii. Veterans Affairs
 - iv. Resource Providers
- l. Volunteers
 - i. A thorough background is conducted on all volunteers
 - ii. Receive 8-hour Introduction to Corrections class
 - iii. PREA training is completed, reviewed and updated
 - iv. Volunteers are instructed to follow deputy instructions and address immediate concerns with the Watch Commander
 - v. ISU coordinates dates, times and locations with team leaders
 - vi. Chaplain coordinates specifics with facilities
- m. Participating in Programs
 - i. Both sentenced and pre-trial inmates may participate
 - 1. Court-ordered INROADS
 - 2. Volunteer via Automated Request Slip
 - 3. Classes or one-on-one independent study (journaling)
 - 4. Support Services reviews requests and maintains waitlists
 - 5. Inmates of different classification ratings may participate with approval from CCU
- n. Education Programs
 - i. High School Diploma (HSD)
 - ii. Adult Basic Education (ABE)
 - iii. English as a Second Language (ESL)
- o. Vocational Programs
 - i. Bakery & Pastry Arts (GHRC)
 - ii. Basic Construction (HDDC)
 - iii. Custodial Occupations (WVDC)
 - iv. Food Service & Culinary Arts (GHRC & WVDC)
 - v. Microsoft Office Specialist Certification (GHRC)
- p. Parental Intervention Project
 - i. Collaboration with Cal State San Bernardino & Cal Baptist University
 - 1. Components

- a. Trauma Recovery & Family Relations Classes
 - i. 48-hour, attachment-based psychotherapeutic education
 - ii. Provide trauma-informed treatment
 - iii. Enhance the quality of parent/child attachments
 - iv. Provide positive child guidance strategies
 - v. Work toward family reunification
 - vi. Strengthen overall family/social relationships
 - vii. Reduce delinquency and future incarceration
- b. Cognitive Skills/Anger Management
 - i. Inmates learn new and healthy frameworks from which to view themselves, others and the world in order to gain control over their own thoughts, feelings and actions
 - ii. Improve inmates' ability to produce appropriate emotional responses to any given situation
 - iii. Practical tools to mitigate cycles of rage
- c. Transitional Care Plans
 - i. Interns meet with each inmate in TR & FR class
 - ii. When applicable, interns will reach out to resource providers to facilitate a "soft handoff"
- d. Counseling
 - i. One-on-one counseling services to promote therapy & other service upon release
- e. TALK (Teaching and Loving Kids)
 - i. GHRC, WVDC and HDDC
 - ii. 1 ½ hour contact visit with child/children
 - iii. Must complete 24-hours of TR & FR class
 - iv. Facilitated by the TALK Lead Associate and interns trained in developmentally appropriate practices and positive child guidance
 - v. Child-friendly, daycare-inspired location with books, games, crafts and other items to encourage parent/child bonding
 - vi. Parents are debriefed after the visit
- f. PACC (Parent and Child Connection)
 - i. Reading-based program reinforces the parent/child bond
 - ii. Studies show that children who maintain contact with their incarcerated parent show greater affect regulation, improved academic performance, reduced risk-taking and less delinquent behavior

- iii. Consistent parent/child contact during incarceration assists with family reunification upon release

- q. Additional Programs
 - i. Job Readiness
 - ii. Living Skills
 - iii. Substance Abuse
 - iv. Job Fairs
 - v. Resource Fairs
 - vi. START (Sheriff's Transitional Assistance Reentry Team)
- r. Is it necessary
 - i. Deny phone calls
 - ii. Prevent inmate from going to class
 - iii. Turn away counselors or volunteers
- s. Benefits of Programming
 - i. Group Activity
 - 1. Why does the Sheriff's Department provide inmate programming?
 - 2. What are the benefits
- t. Reality
 - i. Nothing works every time or on every offender
 - ii. National Institute of Corrections – what's effective
 - 1. Collaboration among criminal justice partners
 - 2. Appropriate intervention (40-70% of their time for 3-9 months)
 - 3. Rewire the brain with repetitive pro-social behaviors
 - 4. Increased positive reinforcement
 - 5. Ongoing community support

C. AJA CJM

- a. What is AJA Certification
 - i. Certification is a part of credentialing that focuses specifically on the individual and is an indication of current competency in a specialized field
 - ii. Jail officers, trainers and managers who become certified are recognized as individuals who have reached one of the highest levels of achievement in their fields
 - iii. The AJA certifications are valid for four years
 - iv. AJA Certifications currently offered
 - 1. CJO (Certified Jail Officer)
 - 2. CJM (Certified Jail Manager)
 - 3. CCT (Certified Correctional Trainer)

We are only concentrating on CJM for this training

- b. How Does It Benefit Me?
 - i. CJM Certification

1. Candidates receive national recognition for their proficiency and achievement as a skilled jail manager which in turn raises the industry standards for effective jail management and operations
- c. More Perks
 - i. AJA certification designations last for a period of four years
 - ii. Names of all person certified are included in the Professional Listing under each certification on the AJA website
 - iii. In addition, names of all newly certified persons are listed in upcoming issues of American Jails Magazine.
 - d. Eligibility
 - i. CJM: Eligible candidates must be employed full-time for a minimum of one year as a paid jail officer or jail manager as defined in the handbook
- D. STC Mandates
- a. STC Program
 - i. STC training is a voluntary participation program governed by the Board of Sate and Community Corrections (BSCC)
 - ii. Because we participate and receive funds, we are obligated to meet their minimum training requirements
 - iii. Training Records are audited every year for compliance
 - iv. Core Training vs. Annual Training
 1. Core Training
 - a. Core training is a course required by STC to be taken at certain ranks (Jail Ops, POST Police Supervision, POST Management)
 - b. Core Training requirements must be completed within one year of assignment or promotion
 2. Annual Training
 - a. Annual Training requirement is 24 hours for all corrections positions (Deputy – Assistant Sheriff)
 - b. Training is completed anytime during the STC year – July 1 – June 30
 - c. Lieutenant, Captain Executive Staff – Use of Force training does not count toward 24 hours of STC annual training
 - b. STC Program Funds
 - i. Receive between \$300, 000 and \$500, 000 each year (depends on staffing levels)
 - ii. Funds are used for staff replacement costs, tuition and travel/per diem (according to county policy)
 - iii. Does not include registration fees
 - c. STC Program Compliance
 - i. Training records are audited each year
 - ii. If we are found in compliance – all is good

- iii. If we are found out of compliance – we can be sanctioned financially by STC
 - iv. We have never been found out of compliance since the program’s inception in 1982
 - d. How do I find training?
 - i. AJA/NIC
 - ii. Advanced Officer Training Calendar
 - iii. Training Announcements
 - iv. Professional Associations
 - e. STC Training
 - i. If it is corrections focused, it can be certified
 - ii. For certification – Course flyer and completion certificate
 - iii. Once certified, I will send you an STC roster/evaluation to complete, sign and return
 - f. Training Records
 - i. Keep copies for your own records
 - ii. Transcript is updated in LMS
 - iii. Copies that you send are kept digitally
 - iv. ASU has most copies of STC training records (rosters, certificates, etc.)
 - v. Review your LMS transcripts
 - vi. Let me know if your records need updating
- E. Clothing/Ordering and Issuing
 - a. Clothing and Bedding Exchange / Destruction Video
- F. DRO Process
 - a. Early Release Detail
 - i. The Detention Review Unit is Assigned under the Centralized Classification
 - ii. Originally under the Probation Department, moved over to the Sheriff’s department in April 2004
 - iii. We currently have one supervisor (DRO II) and five Detention Review Officers (DRO I)
 - b. Haas vs. San Bernardino County
 - i. Jail Overcrowding
 - ii. Agreement between department and attorneys
 - iii. Population Cap
 - c. Screening for Release
 - i. Our authority comes from Penal Code Sections 1318 and 1319, which lists responsibility for own recognizance investigations and conditions of own recognizance releases
 - d. Release Authority
 - i. The unit has been granted Release Authority by the courts
 - ii. Only felony arrests are reviewed
 - iii. Crimes listed in Penal Code 667.5 which is the list of violent crimes are excluded from release

- e. Screenings
 - i. Every inmate arrested is eventually screened. Daily screenings are done at WVDC, CDC and HDDC
 - ii. Inmates are screened through JIMSNET, Odyssey, CII and FBI records
 - f. What we look for
 - i. Photo match
 - ii. Charges
 - iii. Bail amount
 - iv. Prior bookings
 - g. OR Release Agreement
 - i. If an inmate fits the criteria, they are given an own recognizance release with terms and conditions
 - ii. They must sign the OR Release Agreement to be valid
 - h. Information for the Patrol Officer
 - i. Conditions of Own Recognizance Release
 - ii. Probable Cause Declarations
 - iii. PC 12022.1, increases bail to \$100,000 if arrested while out on bail or O.R. and rearrested
- G. Terrorism Liaison Officer (TLO)
- a. What is the Mission of a TLO
 - i. To serve as a conduit of information between members of the public safety community, public/private sector, citizenry and the US Government, in the fight against terrorism and/or for threat related information.
 - ii. A TLO is any peace officer, firefighter, state investigator, federal agent, military investigative or security services or anyone working closely with the public safety, Health and Public Healthcare/homeland security community
 - b. What is Extremism
 - i. Encouraging, condoning, justifying, or supporting the commission of a violent act to achieve political, ideological, religious, social, or economic goals. - FBI
 - ii. Characterized by intolerance toward opposing interests and divergent opinions
 - iii. Primary catalyst and motivation for terrorist behaviors
 - iv. Extremist who cross the line to become terrorists always develop noble arguments to rationalize and justify their acts of violence toward nations, people, religions, or other interests
 - c. American Extremist Groups
 - i. Antifa
 - ii. Earth Liberation Front (ELF)
 - iii. Black Bloc
 - iv. Black Live Matter
 - v. Animal Liberation Front (ALF)

- vi. Sovereign Citizens
- d. What is Terrorism
 - i. The unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives - FBI
 - 1. **International terrorism:** Perpetrated by individuals and/or groups inspired by or associated with designated foreign terrorist organizations or nations (state-sponsored).
 - 2. **Domestic terrorism:** Perpetrated by individuals and/or groups inspired by or associated with primarily U.S.-based movements that express extremist ideologies of a political, religious, social, racial, or environmental nature.
- e. International Terrorist Groups
 - i. Al Qaeda
 - ii. Hezbollah
 - iii. Hamas
 - iv. Isis
 - v. Boko Haram
 - vi. Caucasus Emirate
- f. Cyber Terrorism
 - i. The use of computer network tools to shut down critical national infrastructures (e.g., energy, transportation, government operations) or to coerce or intimidate a government or civilian population. – Center for Strategic and International Studies (CSIS)
- g. Prison Radicalization
 - i. Department of Justice definition:
 - 1. The process by which prisoners during the course of their incarceration adopt extremist views, especially beliefs that violent measures must be employed to achieve the political components of militantly religious and political objectives
 - ii. Possible reasons prisoners are susceptible to extremism:
 - 1. Strong disaffection with their predicament
 - 2. Possibly violent tendencies to begin with
 - 3. Close proximity to offenders who hold extremist ideologies
 - iii. Conversion to a specific religion or newly established faith IS NOT a sign of radicalization
 - iv. Prisoners/Inmates must not be investigated for their religious beliefs
- h. Types of Prison Radicalization
 - i. White Supremacist Extremist:
 - 1. Estimated 30,000 white supremacist gangs
 - 2. 800,000 members nationwide
 - 3. Over 50,000 members incarcerated
 - ii. Sovereign Citizen Extremist:

1. Common for Sovereign Citizen prisoners to group themselves under the umbrella of religion
2. Sovereign Citizen extremist in prison settings have been known to incite riots and assaults on staff, by encouraging gang members through anti-authority expression
- iii. Islamic Extremist:
 1. 80% of prison population who seek religion turn to Muslim faith
 2. Between 2001-2011, 350,000 American prisoners converted to Islam
 3. Many are Sunni, Shi'a, or Nation of Islam and are not considered at risk for prison radicalization
 4. Small minority considered to be of the Salafist Jihadists
- iv. San Bernardino County Inmate Halal Diet Count:
 1. West Valley Detention Center: 62
 2. Central Detention Center: 43
 3. High Desert Detention Center: 28
 4. Glen Helen Rehabilitation Center: 22
 5. Total: 155

IV. SERIES IV

A. Legal Mandates/PLO/ McKibben

- a. Recent Cases
 - i. Mckibben v McMahan
 1. Filed in 2014; final approval in 2019: American Civil Liberties Union
 - ii. Topete v County of San Bernardino
 1. Filed in 2016; final approval in 2018: Prison Law Office
- b. Mckibben v. McMahan
 - i. Lead plaintiff- Dan McKibben
 1. Spent two months at WVDC in the Alternative Lifestyle Tank in 2014
 2. Requests were denied
 3. Mistreatment of other inmates in the ALT tank
 4. Former deputy sheriff in Indiana
 5. Died in 2016
 6. 15 other plaintiffs
 7. Class includes over 600 people housed in Alt tank from 2012 - 2018
 - ii. Alleged discrimination against GBTI inmates
 1. Not permitted to participate in job training, educational, drug rehab, religious, or community entry programs
 2. Alleged being confined to cell for 23 hours per day
 3. Forced to serve longer sentences
 4. 14th Amendment violations – equal protection to all individuals
 5. Inmates' safety cited for justification
 - iii. Components of Settlement
 1. Updated policies

2. Attorney fees (\$1.1 million)
3. Class member damages (\$950,000+)
4. SBCSD will show compliance with updated policies, training, committee activities for three years
- iv. PREA-GBTI Committee
 1. Purpose is to discuss housing, programming, educational, and employment options for GBTI inmates (must self-identify or request an interview)
 2. Review classification forms
 3. Review grievances
 4. Make housing decisions for transgender and intersex inmates
 5. Provide housing options to inmates (GP, GBTI, PC if they qualify)
 6. Committee is to meet twice a month
 7. All GBTI inmates booked since previous meeting
 8. All GBTI inmates who have been sentenced since previous meeting
 9. Requests made from inmates who opted to be housed outside the GBTI unit, but would otherwise qualify as eligible
 10. Includes: facility commander/designee, CCU, medical, mental health, ISU, PREA/GBTI compliance manager, and social worker
- v. Policies
 1. Rename the Alternative Lifestyle to GBTI
 2. Have jobs available for inmates in GBTI unit
 3. Tier time- Half tier for GP3-5, full tier GP6-7
- vi. Other Requirements
 1. PREA Pre-Audit completed within six months of final approval
 2. Training for all staff prior to assignment
 3. Refresher training once every two years (PREA Video)
 4. SBCSD will provide training records, housing locations for all GBTI inmates, list of available programs, list of inmates who requested programs, Committee forms, available jobs, inmate workers, average tier time, and PREA info
- c. Topete v. County of San Bernardino
 - i. Actions allege: SBCSD failed to provide adequate medical, dental, and mental health care. Failed to prevent unnecessary and excessive use of force and imposed on inmates the harmful and excessive use of solitary confinement (8th and 14th Amendment violations). Also discriminated against ADA inmates.
 - ii. PLO: Donald Specter, Margot Mendelson, and Sara Norman
 - iii. Experts(Monitors):
 1. Dr. Todd Wilcox (medical)
 2. Dr. Roberta Stellman (mental health)
 3. Jeffrey Schwartz, Ph. D (UOF)
 4. Gary Raney –former Boise County Sheriff (UOF)
 - iv. *Compensation paid by SBCSD

- v. Provide Status report every 120 days detailing our efforts to meet the requirements of the Remedial Plan and whether or not we believe we are in compliance
 - vi. Formal monitoring for 4 years. Provisions for early termination (one year of substantial compliance) and extensions.
 - vii. Substantial compliance in material components can suspend monitoring on that component.
 - viii. Experts advise the court on our compliance
 - ix. We posted notices in all units to reach out to the class members
 - x. Plaintiffs are also granted access to the facilities, certain records, staff and inmates. Monitoring tours.
 - xi. \$350,000 to plaintiffs' counsel - filing from final approval
 - xii. Compensated for time and expenses relating to monitoring \$420/hour attorneys, \$200/hour paralegals. \$150,000 cap per year.
 - xiii. Monitors:
 - 1. Dr. Wilcox- \$3600 per day for onsite monitoring/ \$450 per hour for offsite review; nurse assistant \$2,000 per day for onsite monitoring \$250 per hour for offsite review
 - 2. Dr. Stellman \$425 per hour and \$175 per hour for travel
 - 3. Dr. Schwartz \$225 per hour
 - 4. Gary Raney \$200 per hour
 - 5. Class members \$0
- d. Components
- i. Medical Care
 - 1. Medical records- Electronic Health Records
 - 2. Intake process- RN only screening, Telemedicine/Polycom at Type I Jails
 - 3. Staffing
 - ii. Mental Health
 - 1. Complete menu of mental healthcare programming and services
 - 2. Staffing of licensed mental health professionals
 - 3. Specialized training
 - 4. Staffing analysis
 - 5. Medications
 - 6. Suicide prevention
 - 7. Patient Privacy
 - 8. Specialized housing
 - 9. Disciplinary process
 - 10. Discharge planning
 - iii. Dental
 - 1. Requests for care
 - 2. Preventative care
 - iv. Use of Force
 - 1. 6 hours of training for all deputies on the policy
 - 2. Adequate training for all supervisors
 - 3. De-escalation techniques and "cool off" times emphasized

4. Medical treatment and planned encounters
 5. Three levels of UOF
 6. UOF review process
 7. UOF Review Committee established
 - a. Members: Deputy Chief, two captains, one lieutenant, and County Counsel
 - b. Meet once per quarter
 - c. Review all level three incidents and 10% of level two incidents. (Random sampling from all facilities)
 - v. Restrictive Housing
 1. Restrictive housing was eliminated
 2. All inmates receive 21 hours per week of tier time and three hours of rec time (exceptions for SMIL and disciplined inmates)
 3. Disciplinary Diet study
 4. Provisions for repeat offenders
 - a. Multidisciplinary team of CCU and Mental Health to seek alternatives to normal disciplinary procedures
 - vi. ADA
 1. Expanded policies
 2. ADA Coordinators in charge of employee training and compliance
 3. Employee training (by ADA instructors with subject matter expertise)
 4. Tracking ADA inmates
 5. Identifying ADA needs with wristbands
 6. Effective communication form
- B. Transportation/Fed Flights
- a. Justice Prisoner & Alien Transportation System (JPATS)
 - i. Who are they and what do they do?
 1. Managed by the Marshals Service, JPATS is one of the largest transporters of prisoners in the world
 2. They handle more than 1,000 requests every day to move prisoners between judicial districts, correctional institutions and foreign countries.
 3. On average, JPATS complete over 300,000 prisoner alien movements per year.
 4. The flight schedule is kept secret from the public and is known only to those directly involved in its operation.
 - b. JPATS Aircraft
 - i. JPATS operates a fleet of aircraft which moves prisoners over long distances more economically and with higher security than commercial airlines
 - ii. These planes fly a large series of routes that serve nearly every major U.S. city.
 - c. Federal Inmate Detail
 - i. JPATS schedules usually one airlift a week to the Central California District in Victorville.

- ii. JPATS sends out a manifest to all involved parties for that week's airlift.
- d. JPATS Manifests
 - i. JPATS manifest consist of location of the stop as well as how many to be picked up and how many to be dropped to a certain facility.
 - ii. ** Pickups will have the inmates name, his Federal ID number, the sex, what the inmate is moving on such as a Warrant Removal, or a Judgment Commitment and then who is boarding the inmate and where he is being dropped to.
 - iii. Transportation is set up on a weekly basis by sending a Trans cover sheet to the Transportation Department.
 - iv. Trans Cover Sheets usually cover the following information. Where trans is to pick up from.
 - v. Where trans needs to transport to. On which day the pickup is needed.
 - vi. What type of vehicle is needed such as a bus or van. Any additional comments such as total inmates or who is to be picked up
- e. Other Agencies
 - i. Typically, there are between 6 to 8 other County and Federal Facilities that are involved with the JPATS airlift operations. These agencies include the following.
 1. Victorville B.O.P.
 2. Lompoc B.O.P.
 3. Kern County Sheriff Department
 4. California City
 5. San Luis Detention Center
 6. Taft
 7. San Diego C.C.M.
 8. San Bernardino County Sheriff Department
- f. Ground Ops
 - i. Ground operations take place about 1 hour before the justice plane lands at Victorville airport.
 - ii. Ground operations are the movement of inmates between individual facilities.
- g. Oh, Flight Attendant
 - i. Passengers aboard a JPATS flight are restrained with handcuffs as well as ankle and waist restraints which are double locked.
 - ii. Those who pose additional danger may be given additional restraints, such as reinforced mittens that completely isolate and almost completely immobilize the hands and face masks to prevent biting and spitting.
 - iii. Flight and seating arrangements are made carefully with the intent to separate inmates who may be of conflict to one another. Members of rival prison gangs may be transported on different days to help reduce the risk of an in-flight incident.
 - iv. Unlike the practice in most jails, male and female inmates fly together on the same plane.
 - v. Prisoners are not physically restrained to the seats due to Federal Aviation Administration safety regulations.

- h. Airlift OPS Timeline for a 1400-hour Touchdown
 - i. 0830 hours: CDC outgoing inmates are pulled for release to Airlift/Ground OPS.
 - ii. 1030-1200 hours: Outgoing inmates are searched, placed in waist/leg restraints, and then boarded on the bus.
 - iii. 1300 hours: Ground OPS with other facilities occur.
 - iv. 1400 hours: Head out to tarmac and stage for justice plane. When plane arrives, go onto the plane to ID and take custody of the inmate transfers/holdovers for the CDC/MDC-LA buses.
 - v. 1700 hours: Arrive at CDC, take inmates off the bus, remove waist/leg restraints and place in marshaling holding cells, feed (at chow hall or sack lunch), and stage for medical screening process. Take all paperwork to the Marshal Liaison Office to make copies of medical paperwork and deliver paperwork and any medications to CDC-RN to prepare for medical screening.
- i. Touchdown
 - i. Once the JPATS aircraft has landed and has stopped on the tarmac, buses from all agencies pull up to the aircraft ready to complete plane exchanges.
 - ii. JPATS staff going over paperwork with ground agencies
 - iii. Perimeter Security
 - iv. Inmates ready to board aircraft
 - v. Ready for final boarding

C. ICD Case Studies

- a. Decedent: 34-year-old Betty Lozano
 - i. Prior arrests: HS 11550 x2
- b. First arrest: July 26, 2017
 - i. Two-man unit responds to a domestic disturbance at 0114 hours.
 - ii. Reporting party directs deputies to her roommate's bedroom.
 - iii. WFA is arrested 0150 hours for HS11550.
 - iv. Combative with deputies and placed in sobering cell.
 - v. Removed from sobering cell at 0510 hours and released at 0952 hours.
- c. Second Arrest: July 26, 2017
 - i. A different two-man unit responds to a disturbance at same location at 1556 hours.
 - ii. Reporting party states WFA is under the influence of drugs, was nude, and had been eating raw meat. Left on foot prior to deputy arrival.
 - iii. WFA located in a trailer in a neighboring residence. Found to only be wearing sweatshirt.
 - iv. WFA was unkempt and spoke gibberish.
 - v. Unable to perform FSTs because she was incoherent and acted erratic.
 - vi. Arrested for HS 11550 and booked at 1657 hours.
 - vii. Found unresponsive in sobering cell at 2057 hours.
 - viii. Pronounced at 2311 hours.
 - ix. COD: Acute and chronic methamphetamine use
- d. Newspaper Clip

- i. San Bernardino County settles with Adelanto woman's family for \$1.9 million stemming from her in-custody death
- e. Lawsuit
 - i. Allegations in the media piggy backed off of PLO lawsuit
 - ii. Attorneys Dale Galipo, Jim Terrell, and Sharon Brunner
 - iii. Settlement \$1.9 million
 - iv. Administrative Investigation conducted
- f. Issues/Concerns Identified During 1st Arrest
 - i. Health Screen incomplete
 - ii. Acted erratic in sobering cell: removed clothing, fell onto the ground, banged body into the wall (excited delirium?)
 - iii. Male inmate workers in intake
 - iv. Ultimately sobered up and was able to complete health screening and booking process
- g. Issues/Concerns Identified During 2nd Arrest
 - i. Arrested without pants, underwear, blanket
 - ii. Acted erratic in backseat of unit
 - iii. Did not answer booking questions
 - iv. Brought into facility in wheelchair
 - v. Patrol depts unsure if Lozano faked being incoherent
 - vi. Jail deputy dealt with Lozano during first arrest, believed she was faking
 - vii. Blood draw conducted for HS11550 investigation
 - viii. Jail deputy marked no to all areas on health screen, "refused" at bottom of sheet
 - ix. Lozano slumped over the wheelchair, possibly sleeping
 - x. Remained handcuffed in wheelchair for fear of her becoming combative
 - xi. Lozano lifted out of wheelchair and placed in prone position of Sobering Cell
 - xii. Documented by patrol and jail she was unable to stand by herself
 - xiii. Medical staff unable to conduct thorough evaluation
 - xiv. Medical staff cleared Lozano for placement in Sobering Cell
 - xv. Lozano defecated and vomited in cell
 - xvi. Left in the nude and cell not cleaned
 - xvii. No pre-booking hospital exam
- h. Policies
 - i. Detention and Corrections Section 8.120.04 Intake Procedures: Addresses completing the health screen and referring arrestees to Health Services. (Also, a Title 15 compliance issue)
 - ii. "Conditions that may require a pre-booking hospital exam include but are not limited to: Arrestees under the influence of drugs and/or alcohol or who cannot maintain consciousness and balance and/or understand verbal instructions due to being under the influence."
 - iii. Department Manual 3.426- Pre-Booking Medical Examinations: An officer shall cause an arrestee to be examined at an approved medical facility prior to booking at any Sheriff's facility; when the arrestee suffers from or claims to suffer from any disorder that will require immediate medical attention while in-custody. Examples of medical

conditions that require a pre-booking check include but are not limited to: Any intoxicated person who cannot maintain consciousness, maintain balance, or understand verbal instructions. (Responsibility falls on transporting/arresting agency)

- iv. Department Manual 3.632.10- Excited Delirium: Medical aid shall be requested as soon as practicable and the individual shall receive a hospital check prior to booking.
- v. Detention and Corrections 11.521.08- Intoxication Assessment: Requires further evaluation by Health Services if an arrestee is under the influence.
- vi. Numerous Health Services policy issues for health screening at intake.

D. ARS System

- a. Video

E. START Program

- a. Video

F. Security Review Form

- a. Go over form line by line
- b. When should it be completed