

KERN COUNTY SHERIFF'S DEPARTMENT
Central Receiving Facility
Policies and Procedures Manual

TITLE: LOSS OF PRIVILEGES

M-100

EFFECTIVE DATE: 10-3-98

REVISED: 9-26-03

APPROVED BY: C.R.F. Division Manager

REVIEWED: 9-26-03

REFERENCE: Title 15, Article 7, Section 1081(b)

POLICY

In controlling inmate behavior, occasionally the action taken does not warrant a formal disciplinary process. For minor incidents, privileges may be suspended for short periods of time and inmate laborer status may be revoked.

PROCEDURE A: LOSS OF TELEVISION OR TELEPHONE PRIVILEGES

When groups of inmates are involved in activity which might threaten facility security, safety of staff, safety of other inmates, or the smooth operation of the Facility, television and telephone privileges may be suspended.

The Deck Officer will:

- Turn off the television or telephones.
- Notify the Shift Supervisor.
- Investigate the incident.
- If the television or telephones will be off longer than two (2) hours:
 - Obtain approval from the Shift Supervisor.
 - Complete a "Loss of Privilege Form ([CRFPPM M100a](#))".
 - Have Shift Supervisor approve and sign "Loss of Privilege Form".
 - Notify the inmates involved of the loss and length of time.
 - POST copy of the signed "Loss of Privilege Form" at the Deck's Duty Officer Station.

The Shift Supervisor will:

- Review the “Loss of Privilege Form”. Approve or deny the loss of privileges. Sign the form if approved.
- Keep original copy of the “Loss of Privilege Form” for the Shift Supervisor’s board.

**KERN COUNTY SHERIFF'S DEPARTMENT
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TITLE: DISCIPLINARY HEARINGS

M-200

EFFECTIVE DATE: 10-3-98

REVISED:

APPROVED BY: C.R.F. Division Manager

REVIEWED: 1-15-03

REFERENCE: Title 15, Article 7

POLICY

Inmate disciplinary hearings will be conducted in accordance with guidelines established by California Code of Regulations, Title 15; Detentions Bureau Policies and Procedures and Central Receiving Facility Policies and Procedures. Due to state mandated reporting requirements, a Crime and Incident (C&I) report must accompany Form #2012b on any incident involving, but not limited to the following:

- Inmate battery.
- Staff battery.
- Sexual assault.
- Attempted suicide/self-destructive behavior.
- Threatened violence toward staff or inmate.
- Agitating inmates.
- Escape, or any attempt.
- Death.

Incidents not requiring a C&I may be documented using the narrative section of Form #2012b.

PROCEDURE A. DOCUMENTATION OF RULE VIOLATION

The Initiating Officer will:

- Document the incident as soon as practical after the occurrence.
- Inform the inmate of the intent to initiate disciplinary proceedings by completing the front side of Form #2012b and having the inmate review and sign.

- Forward the completed Form #2012b and C&I report, if required, to the Shift Supervisor as soon as practical for approval.
- Oral warnings will be noted on the back of the station cards.

PROCEDURE B. INITIATION OF DISCIPLINARY PROCESS**The Shift Supervisor will:**

- Review and approve the report.
- Make a copy of the C&I, if a C&I was included.
- Route the original C&I to the Jail Office.
- Attach copy of the C&I to the Form #2012b.
- No copies of the Form #2012b need be made until the conclusion of the process.
- Assign an uninvolved Hearing Officer, note notification on the form and place in the Hearing Officer's mail box or give to the Hearing Officer.

PROCEDURE C. DUTIES OF HEARING OFFICER**The Hearing Officer will conduct a complete investigation by:**

- Reviewing documentation thoroughly.
- Interviewing all witnesses deemed necessary.
- Interviewing the suspect.
- Advising the suspect that you find them guilty or not guilty.
- Advising the suspect that they will be notified of the results, which may include disciplinary action, after the report is reviewed by the Sanction Officer.
- Documenting the details of the investigation on Form #2012b.
- List any prior violations.

- When a delay in the 72 hours occurs, include the justification in the findings.
 - The time limit must be waived in writing by the inmate or just cause must exist for any time extension. Examples of “just cause” could include temporarily unavailable witnesses or the subject inmate. Either might be temporarily out of the Facility when the time expires.
- Deliver the complete packet to the Shift Supervisor.

PROCEDURE E. DUTIES OF THE ADMINISTRATIVE SERGEANT**The Administrative Sergeant or the designated Sanction Officer will:**

- Review the completed packet.
- Recommend appropriate sanctions.
- Deliver the packet to the Facility Manager, or designee, for approval.
- Make three copies of the Form #2012b.
- Stamp “Inmate Copy” on one copy of the Form #2012b and attach it to the corresponding copy of the C&I (if a C&I was completed) and cause the copies to be delivered to the appropriate deck.
- Stamp “Deck Copy” on one copy of the Form #2012b and attach it to the corresponding copy of the C&I (if a C&I was completed) and cause the copies to be delivered to the appropriate deck.
- Stamp “File Copy” on one copy of the Form #2012b and attach it to a copy of the C&I and cause those copies to be delivered to the Jail Office clerical staff.
- Documenting the details of the investigation on Form #2012b.
- List any prior violations.
- When a delay in the 72 hours occurs, include the justification in the findings.

- The time limit must be waived in writing by the inmate or just cause must exist for any time extension. Examples of “just cause” could include temporarily unavailable witnesses or the subject inmate. Either might be temporarily out of the Facility when the time expires.
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- Stamp “Deck Copy” on one copy of the Form #2012b and attach it to the corresponding copy of the C&I (if a C&I was completed) and cause the copies to be delivered to the appropriate deck.
- Stamp “File Copy” on one copy of the Form #2012b and attach it to a copy of the C&I and cause those copies to be delivered to the Jail Office clerical staff.
- If an inmate is sanctioned to Disciplinary Isolation, the Sanction Officer will place the sanction information in the Inmate Management System DLIST (Disciplinary Isolation waiting list) which alerts the Classification Officer of a pending disciplinary isolation.
- If an inmate is sanctioned to loss of good and/or work time, cause a copy of the Form #2012b to be forwarded to the Classification Officer for the outdate change.

- If an inmate is sanctioned to loss of visits notify Jail Clerical Staff of the number of visits the inmate has lost.
- File the original Form #2012b and Notice of Hearing.

PROCEDURE F. DUTIES OF THE JAIL CLERICAL STAFF**Jail Clerical Staff will:**

- File all copies of Form #2012b and Crime and Incident Reports in the Inmate File.
- Maintain a list of all inmates with current restrictions on visiting and not allow inmates to visit until completion of the sanctioned loss of visit time.

PROCEDURE G. DUTIES OF THE CLASSIFICATION OFFICER**The Classification Officer will:**

- Cause the outdate of a sanctioned inmate to be changed upon receipt of a Form #2012b from the Sanction officer which calls for the loss of good and/or work time.
- Periodically review the DLIST and reclassify sanctioned inmates to disciplinary isolation as needed.
- Movements to disciplinary isolation cells should occur between 0000 hours and 0300 hours. The end date on any disciplinary isolation will be considered completed at 2400 hours on that day.
- Notify the appropriate Deck Officer(s) of the pending disciplinary isolation.

KERN COUNTY SHERIFF'S DEPARTMENT
Central Receiving Facility
Policies and Procedures Manual

TITLE: INMATE DISCIPLINARY ACTION

M-300

EFFECTIVE DATE: 10-3-98

REVISED:

APPROVED BY: C.R.F. Division Manager

REVIEWED: 1-15-03

REFERENCE: Title 15, Article 7, Detentions Bureau Manual I-100

POLICY

To administer inmate discipline in accordance with Title 15. Punishing inmates found guilty of misconduct is a reasonable method of encouraging acceptable inmate behavior consistent with ensuring the safety, security and proper order of the Facility. The resulting punishment will be consistent with the severity of the violation and will further the goals of the Facility. Any sanctions violating the inmate's civil rights are prohibited.

Such sanctions may include, but not limited to a verbal warning, loss of good or work time, loss of visits, disciplinary isolation, disciplinary diet and restitution.

A Form #2012b will be completed any time a formal inmate disciplinary process is started. A Crime or Incident Report may also be required.

Inmates may not be punished in any way without documentation and review. All punishment will be in compliance with Title 15, the Detention Bureau Policies and Procedures Manual, Section I-100 and this manual.

Inmates shall not be subjected to a disciplinary isolation diet without the written approval of the Facility Manager and the authorization of the responsible physician.

DIRECTIVE 1: DETERMINATION OF DISCIPLINE

Any security staff may initiate discipline procedure against any inmate for violation(s) of facility rules. The methods of discipline may consist of:

- Oral reprimand
- Loss of privileges
- Placement in disciplinary isolation
- Loss of “good time or work time” credit.
- Disciplinary isolation diet.

PROCEDURE A. INITIATION AND DOCUMENTATION OF INMATE VIOLATION

Any disciplinary action initiated by an officer must be documented and reviewed by a supervisor for approval.

DIRECTIVE 2:**The Initiating Officer will:**

- Determine the seriousness of the violation(s) and the corrective action needed.
- Document the incident as soon as practical after the occurrence and notifying the inmate of the intent to initiate disciplinary proceeding by completing a 2012b Form and have the inmate review it and sign his name.
- Forward the completed 2012b Form and a copy of the approved C&I report, if required, to the Shift Supervisor for review and approval.

The Shift Supervisor will:

- Review, sign and approve the 2012b Form or return the form and any copies of C&I report(s) for further investigation.
- Assign a Hearing Officer(s), not involved in the incident, and route the 2012b Form and any copies of C&I report(s), if one was written, to the Hearing Officer to conduct the hearing.
- The supervisor or designee will sign the 2012b Form and place the date and time they gave the form to the Hearing Officer.

The Hearing Officer will:

- Review the 2012b Form thoroughly.
- Review inmate’s file folder for any prior violations.

- Interview the suspect.
- Interview all reasonably available witnesses deemed necessary.
- Advise the suspect of your findings of “guilty” or “not guilty” and inform them they will be notified of the results after the Disciplinary Officer has reviewed the 2012b Form and determined what action will be taken.
- Include justification whenever a delay in excess of 72 hours occurs.
- Document details on how you came to the findings. “By report” is insufficient evidence for any findings.
- Sign their name and place the date and time of the hearing on the 2012b Form.
- Have the inmate sign the 2012b form. If the inmate refuses to sign the form, write refused while the inmate’s signature goes.
- Deliver the completed form to the Shift Supervisor.

The Shift Supervisor will:

- Approve the 2012b Form finding or return the form to the Hearing Officer for further investigation.
- Forward the approved 2012b Form to the Administrative Sergeant.

The Administrative Sergeant or their Designee will:

- Review the completed 2012b Form and recommend appropriate action.
- Deliver the 2012b Form and all necessary reports to the Facility Manager or his designee for review and approval.
- After the Facility Manager or his designee returns the 2012b Form, route it to the Jail Clerical Office by placing it in tray marked “D.I. Reports”, located in the Administration Clerical Office.
- Enter the disciplinary action into the computer by the inmate booking number, name and location.

- File the original 2012b Form in the D.I. File located in the Administrative Sergeant's Office.
- Ensure the Jail Clerical staff have a list of inmates that have lost their visiting privileges.

The Jail Office or their designee will:

- Take the original completed 2012b Form from the tray marked "D.I. File."
- Make two (2) copies of the 2012b Form. Place one in the inmate's file and stamp one "Inmate's Copy" and place it in the Shift Supervisor's box to be routed to the inmate. Do not make a copy of the C&I report for the inmate.
- Date and time stamp the original 2012b Form and place it in the Administrative Sergeant's box.

PROCEDURE B. DISCIPLINARY ISOLATION (D.I.)

Major violations or repetitive minor violation of facility rules may include, but not be limited to, placement in disciplinary isolation.

The Shift Supervisor or designee will:

- Review the completed 2012b Form and if appropriate recommend disciplinary isolation.
- Route the 2012b Form as previously stated in Procedure A.
- Enter the disciplinary isolation time in the computer by:
 - Entering C.J.I.S.
 - Typing in INMNTAPT and press ENTER
 - Typing in inmate's booking number and press ENTER
 - Typing in 12-25-99 0800 Dlist and under comments put the date and the number of days D.I. the inmate was given and pressing ENTER.
- Notify the Facility Manager to review an inmate that has been in D.I. for thirty (30) consecutive days and get written approval before continuing the D.I. time.
- Take the written approval from the Facility Manager to continue D.I. time and

place it in the file with the inmate's 2012b Form.

- Notify the Facility Manager every ten (10) days, after the 30 consecutive day approval, for review until D.I. time has ended.

DIRECTIVE 3:

- A Disciplinary Isolation Diet will not be used without written approval by the Facility Manager.
- Have the inmate checked and approved by a reasonable physician before placing the inmate on a D.I. diet.
- Only place an inmate on a D.I. diet after exhausting all other forms of discipline that the Facility uses and there is a finding on a new charge.

The Classification Sergeant or their Designee will:

- Pull the Disciplinary Isolation List from the computer DLIST.
- Calculate the disciplinary isolation time.
- Inmates will start and complete their D.I. time between 1900 hours and 2300 hours.

EXAMPLE:

- An inmate is moved into the D.I. cell on 12-6 between 1900 hours and 2300 hours, to do 5 days D.I. The inmate will be removed from the D.I. cell on 12-11 between the hours of 1900 and 2300.
- Contact the deck officers where inmates on the Dlist are located and have them move the inmate(s) on the Dlist to the D.I. cell.

- Contact the deck officer where the D.I. cell is located and have the officer move the inmate(s) that have completed their D.I. time out of the D.I. cell.
- Notify the Shift Supervisor if an inmate has been on D.I. for 30 consecutive days.

The Deck Officer of the D.I. cell will:

- Search the D.I. cell before placing an inmate into it.
- Search the inmate before placing them into a D.I. cell.
- Allow the following items in the D.I. cells:
 - Mattress and bedding.
 - Clothing and other issued item(s).
 - Hygiene items.
 - Religious and legal materials.
 - Correspondence materials (envelopes, writing paper, and pencil(s)).
 - One commissary welfare bag containing personal hygiene and correspondence materials provided at commissary pass.
- At a reasonable hour, offer the inmate a one time 5 minute phone call to family and friends prior to placing them in a D.I. cell.
 - Log in the log book if the phone call was given or refused.
- Seize and inventory all other items on Sheriff's Facility card #580-2320-2010 (Laundry/Property Card).
 - List all items seized.
 - Sign the property card.
 - Have the inmate sign the property card.
 - Route the blue copy of the property card to administration clerical office to be filed in the inmate's file.
 - Give the inmate the yellow copy of the property card.
 - Place all inventoried items in a brown paper bag and attach the property card on the outside of the bag.
 - Place the bag with the attached property card in the Inmate Property Room.
- Remove the inmate from the D.I. cell when notified to do so by the Classification Unit.

- Return the inmate's seized property to the inmate.
 - Have the inmate sign the original Property Card indicating they have received their property.
 - Forward the Property Card to the Jail Clerical Office to be placed in the inmate's file.
- Move the inmate to the new housing location as assigned by the Classification Unit.

PROCEDURE C. DISCIPLINARY ACTIONS OF CLASS MEMBERS

In compliance with Yeager vs. Smith, it would be in the class member's best interest to use disciplinary isolation only as a last resort. This would alleviate several issues relevant to class members such as additional stress, medical issues, daily and weekly exercise, etc.

Other penalties to be considered, but not limited to, are:

- Oral reprimand.
- Loss of privileges.
- Loss of "good time or work time" credit.

When any female inmate is going to be locked down for disciplinary reasons for longer than two hours, immediately notify the medical staff. If the inmate is considered a class member, she will be seen by the medical staff within one hour after being locked down.

PROCEDURE D. LOSS OF GOOD AND WORK TIME (UNSENTENCED INMATE)

When an unsentenced inmate has repeatedly violated facility rules, or an individual violation warrants such action, the Shift Supervisor shall cause a letter to be sent to the sentencing court, requesting the loss of a specific number of good or work time credits. The Board's request for a loss of said credits will not exceed established guidelines.

The Shift Supervisor will:

- Complete a copy of Central Receiving Facility Form #F-180(b).
- Review the recommendation to the sentencing court and make the determination if said action is appropriate.
- Forward the F-180(b) package to the Facility Manager for approval prior to distribution to the involved court.

The Facility Manager or his designee will:

- Review the disciplinary action and recommendations. Approve or disapprove the recommendation to the court.
- If approved, forward a copy of the C&I report, 2012b Form and the original form F-180(b) to the Shift Supervisor and the Administrative Sergeant.
- If not approved, return Form #F-180(b) to the Shift Supervisor with a brief not of explanation for action taken.

The Shift Supervisor will:

- Mail the request and supporting documents to the presiding Judge of the appropriate court.
- Place a copy of the documentation in the inmate's file.