

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 11.14	PAGES: 1 of 4
	RELATED ORDERS: ACA 4-ALDF-4C-34 P.C. 4011.5, 4011.6 W&I 5150	
	ISSUED DATE: July 1, 1989	
	REVIEW DATE: <i>June 2, 2017</i>	
	REVISION DATE: <i>June 2, 2017</i>	
CHAPTER: Intake, Transfer, Release and Records	SUBJECT: Removal for Medical/Mental Treatment Per P.C. 4011.5 and 4011.6	

I. **PURPOSE:** To establish a process for complying with Sections 4011.5 and 4011.6 of the Penal Code (PC).

II. **POLICY:** All 4011.5 PC and 4011.6 PC orders will be completed as directed by the court.

III. **DEFINITIONS:**

A. PENAL CODE SECTION 4011.5 pertains to removing an inmate from a county or city jail for immediate medical or hospital care.

B. PENAL CODE SECTION 4011.6 pertains to removing a mentally disordered inmate from a county or city jail, for 72-hour treatment and evaluation pursuant to Section 5150 of the Welfare and Institutions Code.

IV. **PROCEDURE:** Whenever a 4011.6 PC order is made, the original paperwork from the court will remain in the custody of the Records' Deputy. The documents to be held in the Records Office during the examination include but are not limited to; hard copy dispositions, consolidated arrest reports, commitments, etc. The Records' Deputy will make a copy of the court disposition or other related document and attach it to the original 4011.6 PC court order for the ***Adult Forensic Behavioral Health (AFBH)*** Unit. The Records' Deputy will also make a copy of the 4011.6 PC order and attach it to the holding authority documents maintained in the Records Office. Under no circumstances are the original court dispositions and other holding authorities to be transported to the Mental Health Unit.

A. The Transportation Unit will handle forthwith 4011.5 PC and 4011.6 PC orders. Court orders issued after the Transportation Unit is no longer staffed will be referred to the Intake, Transfer and Release (ITR) Sergeant who will arrange transportation or secure the court's permission to have the evaluation completed the following day.

- B. Upon receipt of a non-forthwith 4011.5 PC or 4011.6 PC order, ITR staff will:
1. Date and time stamp the order.
 2. Make a copy of the order and place the copy in the custodial file.
 3. Forward the original order to the clinic.
 4. Refer any possible special handling/housing requirements to Classification.
- C. Upon completion of the examination or evaluation, and the inmate's return to the facility, the ITR Deputy at the Glenn E. Dyer Detention Facility (GEDDF), or the Dispo Desk at the Santa Rita (SRJ), will:
1. Accept the inmate back into the facility.
 2. If taken forthwith from court, receive the disposition/custody form:
 - a. Ensure that the Personal File Number (PFN) on the paperwork matches the PFN on the inmate's armband.
 - b. Ensure that the transporting Deputy has signed on the back of the disposition/custody form that the 4011.5 and/or 4011.6 PC has been completed, including the date, time and badge number.
 3. Refer any possible special handling and/or housing requirements to Classification.
- D. If taken from court forthwith, after the 4011.5 PC or 4011.6 PC examination; if the inmate is admitted to a hospital; the paperwork will be returned to the facility. The Records' Deputy will receive the disposition/custody form, and:
1. Ensure the transporting Deputy has signed on the back of the disposition/custody form that the 4011.5/4011.6 PC has been completed, including date, time and badge number, and that the inmate was admitted.
 2. Inform the appropriate housing area of the inmate's admittance and request that the custody card and all cell property be forwarded to Records.
 3. File the custody card in custodial file.
 4. Forward all cell property to the Property Clerk for inventory on an ML-1 and filing in the property storage area.
 5. Update the Advanced Technology Information Management System (ATIMS) housing in the appropriate housed-out location.
 6. If admitted to the Alameda County Medical Center (ACMD) under 4011.5 PC or 4011.6 PC, notify the appropriate Agency personnel of special handling problems.

7. File the custodial file in the hospital suspense file.
8. Track the inmate's custody and make changes as needed.
9. When the inmate is returned to the GEDDF or the SRJ, process in from a "housed-out" status.

E. HEALTH CARE PROVIDER:

1. Court-ordered procedures at the GEDDF:
 - a. Court orders are delivered by deputies to the ITR medical clinic and are brought to the Medical Records Unit by the health care provider's staff.
 - b. All court orders received by Medical Records are entered into the health care provider's "Court Order Log Book" by the clerk receiving the order, including date received, inmate's name, PFN, medical record number, court and docket number, and the issuing judge's name.
2. Court-ordered procedures at the SRJ:
 - a. Court orders are delivered by deputies to the ITR/medical clinic drawer and brought to the Medical Records Unit by the health care provider's staff.
 - b. All court orders received by Medical Records are entered into the health care provider's "Court Order Log Book" by the clerk receiving the order, including date received, inmate's name, PFN, medical record number, court and docket number, and the issuing judge's name.
 - c. The health care provider will provide a copy of the court order to the Medical Liaison Sergeant. The sergeant will log receipt of the order and track the status for compliance.
 - d. The inmate's medical record will be pulled, his or her housing location verified, and his or her name added to the next day clinic list.
 - e. Forthwith court orders are handled in the same manner. Medical staff assigned to the medical clinic at Santa Rita Jail shall be immediately notified when the court order is received.
 - f. A court order that requires a response to the judge will be answered as soon as the inmate is evaluated. Responses will be addressed to the appropriate judge and court, utilizing the health care provider's stationery, and forwarded via U.S. mail.
3. Court-ordered evaluations:

- a. Court ordered evaluations which are not forthwith, will be taken directly to the medical clinic and subsequent evaluation of the patient will be made in an appropriate timeframe.
- b. Upon issuance of a forthwith court ordered medical evaluation, the inmate will be taken to the nearest Alameda County Sheriff's Office detention facility.
- c. Upon arrival at the facility, the medical staff will be immediately notified of a forthwith court ordered medical evaluation and the inmate will be moved to the clinic.
- d. The medical evaluation will be done by a Physician, Physician's Assistant, or Nurse Practitioner.
- e. If a physician is not present on the premises, then following an initial evaluation by a nurse or physician's assistant, the on-call physician will be notified of the initial findings and a treatment plan established.
- f. If the inmate requires transport to an outside medical facility for further evaluation and/or treatment, it will be ordered by medical staff. Further transportation will be handled by jail personnel.
- g. Facility Watch Commanders are reminded that the Transportation Unit is not primarily responsible for handling 4011.5 PC or 4011.6 PC transports from the jail to other facilities. Transportation deputies are to be relieved from exterior appointments as soon as possible.
- h. When the medical provider is unable to comply with the court order, or compliance with the order would circumvent sound medical practices, or when the medical procedure is unnecessary, or the procedure is determined to be inappropriate, the medical provider will:
 1. After an internal review by the medical staff, send a written response to their Utilization Review Committee.
 2. The health care provider's Utilization Review Committee will recommend that they comply or not comply with the order. If the recommendation is to not comply, the Medical Director will discuss the reasons for non-compliance with the facility Commanding Officer.
 3. If the Sheriff's Office administration agrees that compliance is unnecessary, County Counsel may be contacted in an effort to have the court order recalled.