

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 13.15	PAGES: 1 of 2
	RELATED ORDERS: ACA 4-ALDF-2A-34, 4C-35 P.C. 2656 P&P 13.04 ; Inmate R&R 227	
	ISSUED DATE: July 1, 1989	
	REVIEW DATE: December 11, 2015	
	REVISION DATE: September 22, 2012	
CHAPTER: Medical and Health Care Services	SUBJECT: Orthopedic or Prosthetic Devices and Other Medically Approved Items	

- I. **PURPOSE:** To establish policy regarding devices medically indicated or prescribed devices to be used by inmates and other items medically approved such as, deck shoes, extra blankets, special clothing, etc.

- II. **POLICY:** The Sheriff's Office recognizes the need for medical devices; however, it also recognizes that medical devices in a jail setting can present a physical threat as such devices have been fashioned into weapons and used to commit assaults that have resulted in serious physical injuries to the inmates and staff. Inmates shall not be deprived, without specific facts to support such action, of possession or use of any medically approved device which has been prescribed or recommended and fitted by a physician. Any inmate having a prosthesis containing metal shall not be housed at the Glenn E. Dyer Detention Facility. Such inmates will be housed at the Santa Rita Jail.

- III. **PROCEDURE:**
 - A. Inmates shall be properly diagnosed by a state licensed clinician as having a medical need for any medical device he or she is allowed to possess. An inmate may have their medical device reissued to them upon obtaining a court order or a state licensed medical diagnosis indicating its necessity. An alternative device which will accommodate the inmate's medical needs while in custody, may be substituted when appropriate and approved by the attending physician

 - B. If the facility Commanding Officer or his/her designee has probable cause to believe possession of the device by an inmate constitutes an immediate security risk, the device may be removed and re-evaluated for alternatives by the attending physician.

 - C. If the device is removed, the inmate will be deprived of the device only while the facts, which constituted the probable cause for removal exist. If the facts cease to exist, the device or item will be returned to the inmate. Any removal of a medical device from an inmate shall require a memorandum detailing the circumstances for the removal. The

memorandum will be forwarded to the Classification Unit for placement in the inmates custody file.

- D. If the device is removed, the inmate must be examined by a physician within 24-hours.
- E. If the physician determines removal is, or will be, detrimental to the health or safety of the inmate, and no suitable alternative appliance is available; he or she shall inform the facility Commanding Officer or his/her designee.
- F. The facility Commanding Officer, upon receipt of the physician's opinion, shall either return the device to the inmate or refuse to return the device. Both the physician and inmate shall be informed of the reasons for refusal.
- G. The facility Commanding Officer or his/her designee will promptly provide the inmate with a form as specified in 2656 (c) PC so the inmate may petition the Superior Court for return of the device. The court, upon receipt of the petition, will either order the device returned or within two (2) judicial days after the petition is filed, receive evidence relevant to granting or denying the petition. The court's decision will be based upon evidence received from the interested parties as explained in 2656 (b) PC.
- H. When an inmate is allowed to possess a medical device, the inmate will be issued a Medical Detail Slip by the appropriate medical staff member.
- I. The inmate in possession of medically approved items will be required to have the medical detail slip on his/her person at all times outside of his cell and shall produce it to any staff member upon request. Examples of medically approved items include shoes, shoe inserts, crutches, canes, wheelchairs, leg braces, or any other medically approved device authorized by the medical staff.
- J. If a staff member needs to verify the validity of any Medical Detail Slip, the contracted medical provider should be contacted. The contracted medical staff is solely responsible for verifying the medical need for any medical device and for verifying a Medical Detail Slip from the inmate's medical file.