

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 13.24	PAGES: 1 of 3
	RELATED ORDERS: PREA 115.81, 115.82, 115.83 D&C P&P 11.40, 13.07 CJMH P&P B-21d Medical P&P J-B-04.00, J-B-05.00	
	ISSUED DATE: September 4, 2015	
	REVIEW DATE: September 7, 2016	
	REVISION DATE: September 7, 2016	
CHAPTER: Medical and Health Care Services	SUBJECT: PREA Mandated Medical and Mental Health Services	

- I. **PURPOSE:** To facilitate effective communication and create a unified mission between the Sheriff's Office, *medical staff* and Criminal Justice Mental Health Services. Furthermore, to ensure inmates receive prompt medical and mental health post trauma treatment and maintaining compliance with the mandated requirements of the Prison Rape Elimination Act.

- II. **POLICY:** It is the policy of the Sheriff's Office, *medical staff* and Criminal Justice Mental Health Services to provide prompt, effective, quality care to those in custody at all Sheriff's Office facilities.

- III. **DEFINITIONS:**
 - A. **PRISON RAPE ELIMINATION ACT:** The Prison Rape Elimination Act of 2003 was signed into law by President George W. Bush. The purpose of this law is to protect inmates at all levels from sexual assault from other inmates and facility staff. These standards became effective August 20, 2012 and all agencies must be in compliance by August 20, 2013.

 - B. **SEXUAL ABUSE:** Sexual abuse can be committed by inmates, detainees, staff, contractors, and volunteers. It includes, but is not limited to contact of the genitals or other parts of the suspects body with the genitals, anus, mouth or other body parts of the victim without consent or under coercion, by overt or implied threats of violence, or if the victim is unable to consent, as defined by the California Penal Code. This is to include any incidents of penetration using foreign objects, however slight. Other acts of abuse include acts of voyeurism, exposure or any other touching without consent.

IV. PROCEDURE:

- A. All newly booked inmates shall be seen by the ITR Nurse. During this time, the inmate will be asked about their medical and mental health history as well as any current needs.
1. During this screening process, all inmates will be asked specifically if they have ever:
 - a. Perpetrated any type of sexual abuse or;
 - b. Suffered from sexual victimization, in or out of custody.
 2. Inmates who provide an affirmative response to either question shall be offered an evaluation with a medical and/or mental health practitioner with 14 days, at no cost to the inmate and shall be consistent with the level of care provided in the community.
 3. For those who request mental health assistance, the intake nurse shall be responsible for completing a Mental Health Referral Form and forwarded to Criminal Justice Mental Health (CJMH).
 - a. CJMH shall note the name, PFN and date the referral was made.
 - b. The inmate shall be scheduled to be seen within 14 days of the date of referral.
 - c. CJMH and *medical staff* shall maintain records of all referrals written and received. These records shall be cross-referenced every two weeks to ensure accuracy.
 4. Inmates who disclose recent victimization shall immediately receive all necessary emergency medical and mental health care as determined by the respective providers.
- B. Reporting:
1. Any information related to sexual victimization or abusiveness that occurred in any correctional facility shall be limited to medical, mental health practitioners, and classification staff.
 - a. This information shall only be used for medical and mental health treatment plans, or
 - b. All security and management decisions, including:
 - 1) Housing/bed assignments
 - 2) Work assignments

- 3) Program and education assignments
 2. Medical and mental health staff shall obtain informed consent from inmates before reporting information about prior sexual victimization in the community.
 3. Inmates who are sexually abused while in Sheriff's Office custody shall be provided timely information about and access to, emergency contraception, pregnancy tests, and sexually transmitted infections prevention and testing, as appropriate.
 4. If a female inmate becomes pregnant as a result of an abusive act in custody, she shall receive timely and comprehensive information about access to all lawful pregnancy related medical services.
 5. Upon the inmate's return to the facility from any emergency medical treatment and/or sexual assault examination, **medical staff** shall make arrangements for follow-up care. CJMH shall schedule the inmate for an initial follow up consultation and evaluation to determine if further mental health treatment is requested or necessary.
 6. All treatment for inmates who have been abused in custody shall be at no cost to the inmate, regardless of their level of cooperation in the investigation.
- C. Release from custody: Inmates who have been sexually abused in any confinement setting, who have been identified, evaluated and treated, shall also receive, as appropriate, follow up services, treatment plans and, when necessary, referrals for continued care following their transfer or placement in other facilities or their release from custody.