

**PROPOSED REVISED POLICY**

<b>ALAMEDA COUNTY SHERIFF'S OFFICE</b>  <b>DETENTION AND CORRECTIONS</b>  <b>POLICY AND PROCEDURE</b>	<b>NUMBER:</b> 8.12	<b>PAGES:</b> 1 of 8
	<b>RELATED ORDERS:</b> ACA 4-ALDF-4-2A-52 MJS 1213 P&P 13.06 P&Ps 8.13, 8.26, 17.02 <i><b>PREA 115.15</b></i>	
	<b>ISSUED DATE:</b> July 1, 1989	
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<b>REVISION DATE:</b> March 18, 2013		
<b>CHAPTER:</b> Security and Control	<b>SUBJECT:</b> Inmate Observation and Direct Visual Supervision	

I. **PURPOSE:** To establish policy for observation and direct visual supervision of inmates including, procedures for initiating, terminating and controlling observation logs.

II. **POLICY:** *The Alameda County Sheriff's Office has zero tolerance for sexual abuse and harassment of inmates. As such,* Inmates are subject to observation and direct visual supervision by sworn custody staff.

III. **DEFINITIONS:**

A. **DEFINITION OF TERMS:**

1. **DIRECT VISUAL OBSERVATION:** The act of sworn staff personally observing an inmate or group of inmates. Viewing the inmate via camera or through information from another staff member is not a Direct Visual Observation.
2. **CONTINUOUS DIRECT OBSERVATION:** The act of sworn staff personally and continuously observing an inmate. Viewing the inmate via camera or through information from another staff member is not a Continuous Direct Observation.

B. **LOG TYPES:**

1. **INMATE OBSERVATION LOG (IOL):** The form utilized to document either the INTENSIVE or CLOSE observation of an individual inmate.
  - a. **INTENSIVE OBSERVATION:** The observation type utilized to document direct visual observations of an inmate no less than twice every thirty (30) minutes.
  - b. **CLOSE OBSERVATION:** The observation type utilized to document thirty -minute observations of Class I Special Management Inmates when she or he leaves the housing unit or is placed in an Isolation Cell.
2. **GENERAL OBSERVATION LOG (GOL):** The form utilized to document direct visual observations of all inmates in a housing unit as controlled by the classification of the

housing unit.

- a. Hourly General Observation Log: Documents direct visual observation of general population inmates.
  - b. Thirty-minute General Observation Log: Documents direct visual observation of Special Management inmates in Behavioral Health Units/Pods, Administrative Segregation Units/Pods, or Protective Custody Units/Pods.
3. SOBERING CELL OBSERVATION LOG (SCOL): The form utilized to document thirty-minute direct visual observations of inmates in a sobering cell.
  4. RESTRAINT OBSERVATION LOG (ROL): The form utilized to document the application of restraints. Restraints are used only to prevent self-injury, injury to others, property damage, or other occasions as may be approved by the medical/mental health staff, the facility Commanding Officer or his/her designee.
  5. ITR INMATES: When it becomes necessary to separate an inmate from general ITR population, due to behavior which prevents or delays the orderly and safe booking process, the responsible deputy shall institute an IOL and notify the ITR Supervisor of the inmate's placement. The inmate shall be subject to "Intensive Observation," as defined in Section III(D)(3) above.

C. ADMINISTRATIVE SEGREGATION AND SPECIAL MANAGEMENT INMATE CLASSIFICATIONS:

1. CLASS I SPECIAL MANAGEMENT INMATE: An inmate who presents a serious threat to the safety and security of the facility, staff and/or any other inmate. This includes inmates in Administrative Isolation (A/I), Disciplinary Isolation (DI), Temporary Isolation (TI), Protective Custody (PC), inmates assigned to the Behavioral Health Unit and inmates in Isolation Cells. Observations shall be documented on a thirty-minute Staff Observation Log. This does not include general population inmates temporarily living in isolation cells. General population inmates temporarily living in isolation cells shall be personally observed by sworn staff at least once every hour on an irregular schedule (P&P 8.13, "Use of Special Cells, Multi-Use Rooms and Modesty Garments).
2. CLASS II SPECIAL MANAGEMENT INMATE: Inmates who demonstrate unusual or bizarre behavior, are under evaluation by medical or mental health clinicians to determine their potential for self-harm, inmates who have a history of persistent "acting-out" in an institutional setting, and inmates who have a documented history of self-inflicted injuries. This category includes inmates diagnosed by competent medical or mental health clinicians as suicidal, and who are at imminent risk to commit or attempt to commit suicide. These inmates shall be personally observed by sworn staff at least twice every thirty minutes and within fifteen minutes of the last observation on an irregular basis. Observations shall be documented on an Inmate Observation Log under "Intensive" Observation.

D. OBSERVATION LOG TYPES:

1. GENERAL OBSERVATION: The level of inmate supervision which requires direct, visual

observations by a deputy at random intervals every successive hour that inmates remain in custody; with no more than sixty (60) minutes passing between observations. The housing unit location must be indicated on the log. These observations will be documented on a GOL.

2. THIRTY-MINUTE GENERAL OBSERVATION LOG: The level of Class I special management inmate supervision which requires direct, visual observations by a deputy at random intervals every successive thirty (30) minutes that the inmate remains in custody; with no more than thirty minutes passing between observations.
3. INTENSIVE OBSERVATION: The level of inmate supervision which requires logging, direct visual observations of an inmate with not more than fifteen (15) minutes passing between observations. These observations will be documented on an IOL or a ROL.
4. CLOSE OBSERVATION: The level of inmate supervision that requires direct, visual observations of each inmate at least once every thirty (30) minutes. These observations will be documented on an IOL or a SCOL.
5. ATTORNEY OBSERVATION: The level of inmate supervision that requires logging direct, visual observations of an inmate and his/her attorney during a contact visit. These observations will be conducted no less than once every thirty (30) minutes; with no more than thirty (30) minutes between checks until the interview is completed ( P&P 17.02 "Interviews").

#### IV. PROCEDURES:

##### A. OBSERVATION OF INMATES:

1. All inmates shall be monitored and supervised by sworn staff on a regular basis. Minimally, this supervision shall include direct visual observation of each inmate by a deputy. ***These observations shall occur at random times each hour.***
  - a. ***Staff of the opposite sex shall announce their presence on the floor of the housing unit/pod prior to conducting visual cell checks. This will give appropriate warning to inmates who may be changing clothing or using the toilet.***
  - b. ***All staff will allow inmates who are showering, a reasonable amount of privacy, unless circumstances dictate otherwise.***
  - c. Observations of this type will be documented on a General Observation Log (GOL). No individual logging of these inmates is required. This category includes general population inmates temporarily living in isolation cells.
2. SOBERING CELL PLACEMENT: Inmates placed in a sobering cell will be monitored at least once every thirty (30) minutes. Observations will be documented on a Sobering Cell Observation Log (SCOL). ***A supervisor shall be notified immediately upon placement.*** No inmate shall remain in a sobering cell longer than six hours without an evaluation by medical staff to determine whether the prisoner has an urgent medical problem.

3. RESTRAINTS: Once restraints have been applied, staff will initiate intensive observations with not more than fifteen (15) minutes passing between observations and with a Watch Commander's approval, every two hours while they remain in restraints. Observations will be documented on a ROL labeled "Restraints." (P&P 8.26, "Use of Restraints to Prevent Self-Injury, Injuries to Other, Property Damage, etc."). Deputies will complete page #2 of the ROL by providing a complete narrative describing the circumstances that necessitated the use of restraints. If a report number was generated as a result of the incident, the report number shall be listed on page #2 of the ROL.
4. SPECIAL MANAGEMENT INMATES:
  - a. Special management housing units require direct, visual observation by a deputy at random intervals every successive thirty (30) minutes. Observations are documented on a Thirty-Minute Staff Observation Log.
  - b. Special management inmates in a Class I status will be placed in a Close Observation status when they leave the housing unit for court or other appointments or placed in an Isolation Cell. These inmates shall be personally observed by sworn staff at random intervals at least once every thirty (30) minutes. No more than thirty (30) minutes shall pass between checks. Observations shall be documented on an IOL under "Close" observation."
  - c. Close Observation (CO) and Intensive Observation (IO) inmates must be kept separate from all other classifications. Pods and other areas where other non-IOL inmates have been; must be inspected and cleared before IOL inmates are allowed to enter.
  - d. Intensive Observation inmates shall only be provided one safety blanket and one mattress. All other bedding shall be removed.
  - e. Intensive Observation inmates shall only receive their jail issued outer garments. Undergarments, socks and all other personal items shall be removed.
  - f. One safety blanket and a modesty garment will be issued to Intensive Observation inmates in a safety cell.
  - g. Intensive Observation inmates will be given a "maintenance bag" only (no razors) in lieu of commissary. No canteen or commissary purchases may be made.
  - h. Staff must provide continuous direct observation for razor use by an Intensive Observation inmate.
  - i. Inmates must always be searched when returning to the unit from court appointments, other external appointments, all internal appointments, and any other time they have left the pod without constant direct supervision.
  - j. Inmates who display behavior which results in possible harm to staff and/or destruction of jail property may be placed in the Safety Cell (P&P 8.13 "Use of Special Cells, Multi-Use Rooms and Modesty Garments"). An Intensive Observation Log will be used to document observations of these inmates once every fifteen (15) minutes with no more

than fifteen (15) minutes passing between observations.

5. Acute Suicidal Inmate Supervision:

- a. Any inmate determined to be acutely suicidal may be hospitalized at either John George Psychiatric Pavilion (JGPP) or Santa Clara County Department of Corrections (SCCDC). These inmates shall be under the care, treatment, and supervision of mental health clinicians until it is determined by competent medical or mental health authority that they are no longer in need of acute care and may return to the custodial setting.
- b. No Sheriff's Office observation log will be maintained at JGPP or SCCDC as the inmate is under direct mental health observation and control.
- c. Once an inmate is identified as acutely suicidal, he/she shall be placed on an Inmate Observation Log, under "Intensive" observation, until transported to JGPP or SCCDC or removed from the observation by Criminal Justice Mental Health (CJMH). If transportation to JGPP or SCCDC is not immediate, the inmate shall be placed into a Safety Cell. These inmates shall be personally observed on an intensive basis and observations shall be documented on a Safety Cell Log.
- d. Upon return of an inmate from JGPP or SCCDC, an Inmate Observation Log shall be resumed under "Intensive" observation, until the inmate is evaluated by CJMH. During this time, the inmate shall only receive their jail issued outer garments and a safety blanket. All other personal items and clothing such as socks, t-shirts, under garments and all linen will be withheld until the inmate is cleared by CJMH. The IOL will only be discontinued at CJMH's direction.
- e. Inmates on IOL, "Intensive" observation, will be given a "maintenance bag" only, with no razors, in lieu of commissary. No canteen or commissary purchases may be made.

B. OBSERVATION LOG:

1. Initiation

- a. Observation logs may be initiated by sworn staff or medical/mental health clinicians working in Santa Rita (SRJ) or Glenn E. Dyer Detention Facility (GEDDF).
- b. Logs for Close Observations shall be initiated by sworn staff. No medical or mental health assessment is required.
- c. Logs for Intensive Observations shall be established by sworn staff in consultation with medical or mental health clinicians.
- d. Sworn staff initiating Inmate Observation Logs shall complete all required information on the form. This shall include the inmate's name, Personal File Number (PFN), facility and housing location, date and time of initiation, type of log, reason for the log, signature, badge number, and verification of notifications. If the log is for "Intensive" observation, approval of on-duty medical or mental health staff must be noted, by name, on the log.

- e. In all cases, sworn staff implementing the log will notify their immediate supervisor, Classification, housing control, and the housing unit nurse.
  - f. Upon notification, the supervisor shall review the circumstances surrounding initiation of the log, approve initiation, ensure that the log is completed correctly, and notify the Watch Commander of the circumstances.
  - g. Classification shall make the appropriate housing location assignments if a change is necessary, and update the custody files and AJIS records.
  - h. The housing control technician shall make a red-book entry noting initiation of the log. The entry will include the inmate's name and PFN. Housing control technicians shall also maintain a list of all inmates in their unit who are on Inmate Observation Logs. This list shall be in the housing control log book, including the inmate's name, PFN, and cell location.
  - i. The housing unit nurse shall address the inmate's immediate medical needs and consult with medical and/or mental health staff as necessary to ensure that follow-up care and evaluations are scheduled.
  - j. Once established, Inmate Observation Logs shall be maintained until they are discontinued per section IV. B.5 of this order.
2. Completing Observation Logs:
- a. Observation logs shall cover a 24-hour period as indicated on the log.
  - b. Observation logs shall be completed by sworn staff, CJMH personnel, or medical personnel.
  - c. Each staff member making an observation and entry on a log shall legibly print their name, badge number, and write their initials in the appropriate fields on the bottom of the observation form.
  - d. Only direct visual observation of the inmate shall be documented on the log. Staff must be able to verify the condition of the inmate by such observation. Video monitoring shall not be used in place of direct visual observations.
  - e. Observations shall be recorded only as they occur. Staff shall record any observation sequentially. There are to be no blank spaces or gaps left in the log.
  - f. Staff shall record the observation by noting the time, their initials and badge number, and the appropriate remarks code which indicates the observed inmate activity in the appropriate fields on the log.
  - g. Staff shall not make log entries based on other staff members' observations.
  - h. If an incident occurs that requires a memorandum or report, the deputy will write the

appropriate remark on the log, including "See memo," or "see report #00-00000," as applicable. A copy of the memo or report, if available, will be attached to the log to ensure that staff continuing the log is aware of the incident. This will be in addition to a Redbook entry.

- i. If a deputy leaves a housing unit, and he/she knows that the housing unit will be without a deputy to conduct direct visual observation checks, the deputy shall notify an on-duty supervisor of the situation so a deputy can be assigned to conduct such observations. This notification shall be noted in the housing control red book.
  - j. If a housing unit does not have a deputy, a supervisor will ensure all observations and log entries are completed within the required time parameters.
  - k. At 0001 hours, staff will create a new Restraint Log, or for each Class II inmate, a new Inmate Observation Log. The form heading will contain all information from the original log. The midnight security sergeant will collect the completed logs.
  - l. At 0500 hours staff will create a new 60 minute or 30 minute General Observation Log, or Sobering Cell Log.
3. AT GEDDF, the midnight supervisor will collect all Inmate Observation Logs (IOL) and Restraint Logs concluded at 0001 hours during his/her shift. The day shift supervisor will collect all 60 minute and 30 minute General Observation Logs and Sobering Cell Logs concluded before 0500 hours. The supervisor will review each log for completeness, accuracy, and legibility, then route completed logs to the Watch Commander before the end of their shift. The Watch Commander will forward them to the facility Commanding Officer who will then give them to the Classification Unit for filing.

At SRJ, all Inmate Observation Logs (IOL), Restraint Logs, and Safety Cell Logs will be collected from the Housing Units by the Compliance Sergeant. Following review of these logs by the Compliance Sergeant, they will be forwarded to the Classification Unit for filing. The day shift supervisor will collect all 60 minute and 30 minute General Observation Logs concluded before 0500 hours. The supervisor will review each log for completeness, accuracy, and legibility, then route completed logs to the Watch Commander before the end of their shift. The Watch Commander will forward them to the Compliance Sergeant for filing.

4. Retaining Observation Logs and Related Reports:
- a. Classification will file completed logs in the inmate classification file. The logs will be maintained in this file, along with any incident or disciplinary reports relating to the circumstances surrounding creation of the log.
  - b. Medical reports and/or documentation relating to initiation of an observation log will be maintained in the inmate medical file under the control of the medical care provider.
  - c. Psychiatric reports and/or documentation relating to implementation of an observation log will be maintained in the inmate case files under the control of CJMH.

5. Discontinuing Observation Logs:
  - a. Logs indicating Close Observation that documents disciplinary isolation, temporary confinement in an isolation cell, reclassification from A/S, and/or reclassification from PC status shall be discontinued upon determination by custody and Classification staff. Discontinuation of the log signifies the inmate is no longer in an Administrative Segregation status.
  - b. Logs indicating Intensive Observation shall be discontinued when the medical and/or mental health staff determines that the inmate's condition no longer requires intensive observation. In such cases, Classification shall be contacted. CJMH or medical staff shall legibly print their name on the IOL authorizing cancellation. Additionally, a copy shall be immediately forwarded to Classification so they may review the inmate's status for housing placement.
  - c. The discontinued Inmate Observation Log for either Close or Intensive observation, shall be placed in the inmate's classification file after it is signed by the area sergeant. All other medical/mental health reports and documentation regarding the inmate will remain in the facility contract medical or mental health care provider's files.
  - d. All reports and documentation regarding such reclassifications shall be filed with the observation logs in the inmate's classification file.
  - e. CJMH or medical staff advises that an Intensive Observation is discontinued, a deputy shall notify housing control. The final log entry should note the discontinuance and the name of the medical/mental health staff that who authorized it.
- D. INMATE MOVEMENT: Observation logs must accompany inmates when they are moved to internal or external appointments. Transporting deputies are responsible for log entries during transport. Sworn staff receiving inmates and providing security at the appointment location will continue log entries until the transport back to the housing location.