

<b>ESCONDIDO POLICE DEPARTMENT INSTRUCTION</b>		<b>DATE:</b> 10-14-24	<b>NO:</b> 4.6 PATROL/TRAFFIC
<b>TO:</b> ALL PERSONNEL	<b>SUBJECT:</b> JAIL DUTIES AND RESPONSIBILITIES		
<b>ORIGIN:</b> CHIEF OF POLICE	<b>RETAIN:</b> UNTIL FURTHER NOTICE		

This Instruction supersedes Department Instruction 4.6 Patrol/Traffic, dated August 8, 2024.

I. PURPOSE

The purpose of this Instruction is to establish procedures for the operation of the holding facility at the Escondido Police Department.

II. POLICY

- A. At the beginning and the conclusion of each shift, the Watch Commander shall inspect the holding facility, noting that the prisoners are secured and are safe for confinement. He/she will also note the physical condition of the area.
- B. The Watch Commander, or their designee, will make, or cause to be made, hourly inspections of all prisoners confined in the holding facility. A log of such inspections and the time they were conducted will be maintained in a log book provided in the holding facility area. The Watch Commander will advise the relieving supervisor or Watch Commander of the condition of all prisoners.

III. JAIL DUTIES/RESPONSIBILITIES

- A. Transporting officers entering the Escondido Police Department Detention facility with a prisoner must ask the following medical screening questions. Affirmative answers shall be documented on the prisoner log, the injured prisoner book, and the arrest report. The arrest report should detail what issues were discovered and what actions were taken.
  - 1. Do you have any medical needs or developmental disabilities?
  - 2. Do you have any mental health needs?
  - 3. Are you suicidal?
  - 4. Do you have any communicable diseases?
- B. Prisoners in need of immediate medical attention shall be kept under constant observation and evaluated by paramedics. In situations where the prisoner is not in need of immediate medical attention but in need of a medical evaluation, the prisoner shall be transported to an appropriate medical facility by an officer or custody transport officer. In all cases, a supervisor shall be notified of prisoners with medical or mental health issues.

The following are examples of symptoms requiring immediate medical attention:

1. Difficulty breathing
  2. Chest pain
  3. Seizures
  4. Head injuries
  5. Loss of consciousness
  6. Broken bones
  7. Signs and symptoms of a medical emergency related to mental health of drug induced issues
  8. Excessive bleeding
  9. Any situation where the officer believes the prisoner is in need of immediate medical attention
- C. Do not leave a prisoner unattended within the jail in restraints for a period of 15 minutes or longer, and a restrained prisoner must be housed alone. Officers maintaining prisoners in restraints while held within jail cells must document such occurrence in the arrest or officer's report [Title 15, Section 1058 of the California Code of Regulations (CCR)]. RE: Department 1.13, Handcuffing and Searching Prisoners.
1. The sobering cell shall only be used for the holding of prisoners who are a threat to their own safety or the safety of others due to their state of intoxication (alcohol and drug).

In no case shall a prisoner held in the sobering cell for intoxication remain in the cell over six hours without being transported to a medical facility for medical clearance. Detoxification services are not provided in this facility.

All persons placed in the sobering cell will have his/her information recorded on the sobering cell log as well as on the main jail log. Intermittent direct visual observation of persons held in the sobering cell shall be conducted no less than every half hour. The time of the check and the initials of the officer conducting the check will be noted on the log.

- D. A prisoner suspected of being a suicide risk will not be left unattended. Suicide and mental health issues shall be documented on the prisoner log, the injured prisoner

book, and the arrest report. When prisoners are transported to county jail, the jail staff shall be notified of any mental health issues.

- E. All property (including shoes and jewelry, if possible) shall be removed from the prisoner prior to taking the handcuffs off.
- F. Prisoners with prescribed orthopedic or prosthetic appliances shall be allowed to keep such appliances. However, if the person in charge determines there is an immediate risk of bodily harm to any person in the facility or there is a threat to the security of the facility, such appliance may be removed.
- G. The transporting officer is responsible for immediately completing the applicable sections of the Jail/Arrest Log and the Property Inventory form. Prisoner property should then be secured in one of the available property bins and identified with the prisoner's name. **NO ITEMS SHOULD BE LEFT ON COUNTERTOPS OR ON THE FLOOR.**
- H. The arresting officer is responsible for ensuring that any additional necessary logs or forms are completed, such as the Juvenile Record form, Juvenile Confinement Log, Breathalyzer Log, and Booking Slips, as well as packaging the property required for admittance to another facility.
- I. Prisoners should be kept in booking cells only while being processed. ("Processing" is defined as the time needed for filling out forms or interviewing.) Upon completion, the prisoner should be placed in a regular holding cell or in the sobering cell. **COATS, SHOES, BELTS, JEWELRY, OR ANY OTHER ITEMS SHOULD NOT BE LEFT ON THE PRISONER.**
- J. The Watch Commander or field supervisor must be notified when a prisoner is brought to the station. This notification should include the circumstances of the arrest and any other conditions, such as the prisoner's state of intoxication or medical condition, which would possibly require special care or procedures.
- K. The officer who transports prisoners to another facility or releases them from the station is responsible for completing that section of the Jail Log.
- L. The original of the Property/Inventory form should be given to the prisoner and the duplicate copy forwarded to Records with the report.
- M. Once a month, the Watch Commander (or designee) shall initial the "Monthly First-Aid Inventory Log."
- N. The Watch Commander (or designee) shall conduct daily checks of the detention facility for sanitation, safety, and maintenance needs. The detention facility is to be cleaned by janitorial staff Monday through Friday. If there is a need for cleanup outside of the normally scheduled times, custodial staff will be summoned to clean and disinfect the facility. If there are maintenance issues such as broken lighting,

faulty plumbing, etc., these issues are to be reported to building maintenance and fixed as soon as practical.

- O. Discipline shall not be administered in this facility.

#### IV. SEARCHES OF PRISONERS

- A. There are three types of searches in the Escondido jail. Booking searches for weapons, contraband and evidence, strip searches and body cavity searches. All searches within the Escondido jail are to be carried out by staff of the same sex as the inmate. In the event there are no female staff members available for searches, the inmate shall be transported to the county jail.
- B. Misdemeanor strip searches will only be conducted when there is reasonable suspicion based on specific and articulable facts to believe the prisoner is concealing a weapon or contraband, and the strip search will result in the discovery of the weapon or contraband. Prior written authorization shall be obtained (use Escondido PD form #313).
- C. In the case of a felony arrest involving the possession of narcotics or weapons, the arrestee is subject to a strip search. In the event a strip search of a felony arrestee is to be conducted, the officer conducting the search shall notify a supervisor prior to conducting the search. All strip searches will follow the procedures listed below.
  - 1. Strip searches will not be conducted by officers of the opposite sex.
  - 2. Strip searches shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search.
  - 3. Officers conducting the search shall not touch the breasts, buttocks, or genitalia of the person being searched.
- D. Body cavity searches require a search warrant and must be approved by a Watch Commander.

#### V. DESIGNATION OF CELLS

In general, the male cells are to be used for adult male prisoners. The female cells are to be used for adult female prisoners. The sobering cell is to be used for prisoners who are a threat to their own safety or the safety of others due to the state of their intoxication.

#### VI. SEGREGATION OF PRISONERS

Administrative segregation is a tool by which jail managers can provide separations which provide for the safety of staff and inmates alike.

- A. Juvenile prisoners are not to be confined with adult prisoners. Specific guidelines for juvenile prisoners are found in D.I. 1.35, Confinement of Minors.
- B. Male and female prisoners are to be segregated by sex.
- C. Segregate developmentally disabled prisoners from all other inmates when necessary for the safety of the disabled.
- D. Mentally disordered prisoners will be placed in individual cells, segregated from other prisoners. When necessary, transfers of mentally disordered prisoners to a treatment/evaluation facility as provided in Penal Code Section 4011.6 and/or Welfare and Institutions Code 5150 will be conducted.
- E. Upon identification/detection, prisoners with communicable diseases will be segregated from all others. All personnel must be familiar with the Instructions contained in Department Instruction 3.10, Infectious Disease Control, and take extreme caution when coming into contact with persons having infectious diseases.
- F. Gang members shall not be housed with non-gang members or members of an opposing gang.
- G. Adults with large age differences should not be housed together. Adults with large differences in body size should not be housed together. Prisoners that have more criminal sophistication should not be housed with prisoners that have not served time in state or county jails.
- H. Felony offenders should not be housed with misdemeanants.
- I. No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, officer or others (Cal. Penal Code 6030).
- J. Female prisoners will not be housed in the facility without a female officer on duty. If no appropriate female personnel are on duty, female prisoners will immediately be transported to the county jail for booking and detention (Cal. Penal Code 4021).
- K. Officers will not enter the room or cell occupied by any prisoner of the opposite sex, except in the company of an employee of the same sex as the prisoner (Cal Penal Code 4021).

## VII. PRISONER MEAL POLICY

- A. The Watch Commander (or designee) will evaluate any prisoners held in the building to determine if they should be provided with a meal.
- B. Prisoners kept for extended periods of time, or any prisoner who makes a specific request, will be fed at the discretion of the Watch Commander.

For the purposes of this Instruction, “extended period of time” will mean prisoners kept in excess of four hours.

#### VIII. PRISONER MEAL PROCEDURE

- A. An officer, Patrol Tech, or CTO will pick up the meal and bring it to the Police Department. A receipt should be obtained, marked with his/her initials and ID number, and placed into the “Prisoner Meal Receipts” folder in the Watch Commander’s office.
- B. The officer delivering the meal is responsible for ensuring it is given to the prisoner and should note on the Jail Arrest log in the Comments Section the time the meal was provided.

#### IX. PRISONER FINGERPRINTS

All adults who will be booked into County Jail, and juveniles who will be booked into Juvenile Hall should be fingerprinted using the Livescan system for the purpose of identification through CAL ID/AFIS only. Booking fingerprints will be completed by the receiving facility. Refer to D.I. 4.7 for guidelines for fingerprinting prisoners who are released on a written notice to appear.

#### X. PRISONER TENPRINT CAL ID/AFIS VERIFICATION

- A. The purpose of the CAL ID/AFIS (automated fingerprint identification system) check is to determine the true identity of an unknown person where there is no other means available to verify identification.
- B. Prior to a CAL ID/AFIS check being completed, the arresting officer must conduct an ARJIS, DMV, CII, and EPD Mug File check to confirm that the prisoner is not identifiable either under the name given or as a listed AKA.

#### XI. EMERGENCY PROCEDURES

Emergency procedures generally are defined as those which necessitate immediate action to resolve a problem which is outside the scope of the routine of the facility. Emergencies can take the form of a riot, security breaches, fire, hostage incidents, disasters, etc. Any incident that threatens the life or may precipitate injury to any arrested person, staff, or the general public is considered an emergency.

Basic rules concerning emergencies are:

- Sound appropriate alarm (jail alarm, fire alarm, etc.)
- Notify Communications and the Watch Commander
- Evacuate persons in custody to the Sally Port, or other safe and secure location
- Call for medical assistance

- Maintain security of building, if possible
- Take measures to ensure safety of staff and inmates

## XII. VERMIN CONTROL

Officers or CTOs shall report to a supervisor any prisoner who has or is suspected of having vermin (body, head, pubic lice, or scabies). Any prisoner suspected of having vermin shall be kept separate from other prisoners when at the facility or when being transported to a jail facility.

Custodial staff shall arrange for treatment and control of the areas where the prisoner has been. If vermin contamination is heavy, supervision should consider the services of a licensed pest control operator.

## XIII. PRISONER DEATHS

Incident reports shall be filed by the Watch Commander, custodial officer or by any other person having knowledge of circumstances of the detention of the deceased. The appropriate Investigations personnel shall notify the San Diego County Medical Examiner's Office for a medical review to be conducted. The deceased's next of kin shall be contacted and advised by Investigations personnel. The city attorney shall be notified of all in custody deaths.

There shall be a medical and operational review of every in custody death. The operational review team shall include the same members as a shooting review board.

Effective July 1, 2024, Senate Bill 519 established the In-Custody Death Review (ICDR) Division within the Board of State and Community Corrections. To align with the legislative changes that created an ICDR Division within the BSCC, Title 15 Section 1046, in custody deaths, was amended and now requires designated facility administrators to:

1. Submit the in-custody death report required by Government Code section 12525 to the BSCC within 10 days of the death; California Department of Justice Form (BCIA 713) must also be attached at the end of this online form. Use the following link to access the online form to provide the 10-day Notice of Death:  
<https://app.smartsheet.com/b/form/a6fa3a93b94c453fbc9ac44ac5bfcdc0>
2. Conduct an initial review and complete a written report of every in-custody death within 30 days of the death, hereto referred to as the Initial Death Review Report; and
3. Submit a copy of the Initial Death Review Report for every in-custody death to the BSCC within 60 days of the death. The designated facility administrator shall provide a copy of the initial review report complying with the disclosure requirements of section Penal Code 832.10. Use the following link to access the online form to submit the Initial Death Review Report:

<https://app.smartsheet.com/b/form/87d2602f2ff4472ba9f2e5d8269367d8>

4. In any case in which a minor dies while detained in a jail, lockup, or court-holding facility, the BSCC may inspect and evaluate the jail, lockup, or court-holding facility pursuant to the provisions of this subchapter within 30 calendar days of the death. Any inquiry the Board makes shall be limited to the standards and requirements outlined in these regulations. NOTE: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Sections 832.10, 6030, 6034, Penal Code.
5. All documents and links to assist with ICDR data reporting are located on the ICDR Reporting Resources web page found here: <https://www.bscc.ca.gov/in-custody-deathreview-division/>

Direct any questions regarding ICDR data reporting requirements and procedures to [ICDRReporting@bscc.ca.gov](mailto:ICDRReporting@bscc.ca.gov).

#### XIV. SEXUAL ABUSE / HARASSMENT PREVENTION AND REPORTING

- A. Zero tolerance in the prevention of sexual abuse and sexual harassment (1029 (a)(10)):
  1. The Escondido Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.
  2. The Escondido Police Department will take immediate action to protect those in its custody who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029)
- B. Policy and procedure to detect, prevent, and respond to retaliation against any staff or person after reporting any abuse (1029 (a)(11)):
  1. Individuals in custody may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):
    - a. Sexual abuse
    - b. Sexual harassment
    - c. Retaliation by other individuals in custody or staff for reporting sexual abuse or sexual harassment
    - d. Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment
- C. Individuals in custody shall be notified of the Department's zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse

or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward a report of sexual abuse and sexual harassment to agency officials. This allows the individual to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

- D. Release policy, including release planning for incarcerated persons (1029 (a)(12):
1. Individuals in custody may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):
    - a. Sexual abuse
    - b. Sexual harassment
    - c. Retaliation by other individuals in custody or staff for reporting sexual abuse or sexual harassment
    - d. Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment
- E. The Escondido Police Department will ensure that information for uninvolved incarcerated persons, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).