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COMMUNICATION, MAIL AND VISITING

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San Diego County Sheriff's Department Detention Services Bureau – Manual of Policies and Procedures

DATE:	AUGUST 29, 2012
NUMBER:	P.1
SUBJECT:	CUSTODY INFORMATION OFFICE
RELATED SECTIONS:	ENTIRE "P" SECTION
IN COMPLIANCE WITH:	

PURPOSE

Establish guidelines for the operation of the Custody Information Office.

POLICY

The detention facility Custody Information Office shall screen inmate inquiries, clear jail visitors, sort incoming mail, and process incoming and outgoing inmate property, and other duties as assigned.

PROCEDURE

- I. All inquiries regarding inmates shall be screened by the Detention Information Assistant who will:
 - A. Attempt to furnish information that may be legally disseminated without transferring the telephone call.
 - B. Release information regarding out of custody inmates in accordance with Government Code Section 6254(f) and Sheriff's Department Policy and Procedure Sections 7.3.
 - C. Release only the following information regarding Federal inmates in county facilities:
 1. Custody status.
 2. Pending charge(s).
 3. Visiting hours.
 - D. All requests for medical information shall be forwarded to the Medical Records Unit of the facility for the appropriate release of information.
- II. Clear official and professional visitors prior to admittance to the facility by verification of proper credentials and authority to visit.
- III. PROCESS INCOMING MAIL ACCORDING TO HOUSING AREA
 - A. The mail shall be picked up by designated shift deputies for prompt distribution.
 - B. Federal inmates may be restricted to corresponding only with those people approved by the U.S. Marshal.
 - C. Over the counter correspondence will not be accepted. All incoming mail should be delivered through the U.S. Postal Service.

IV. PROCESS INCOMING AND OUTGOING INMATE PROPERTY

- A. Unacceptable mail received will be processed in accordance to Detentions Policy P.3.
- B. Privately provided medications are generally not administered. Medications will be provided through the jail pharmacy. Should a member of the public wish to leave medications, the charge nurse will be notified. The charge nurse or designee will come to the Custody Information Office and obtain the necessary information.
- C. All detention facilities have an approved list of items acceptable through the Custody Information Office. All exceptions shall be approved by the Watch Commander prior to acceptance.

V. PROCESS NEGOTIABLE PAPER FOR BAIL

- A. Cash Bail
 - 1. Ascertain the correct amount of money necessary for bail and accept it.
 - 2. Complete necessary JIMS entries and print out a Cash Bail receipt for distribution to ensure accountability.
- B. Bail Bonds
 - 1. Accept bonds from authorized agencies only.
 - 2. Verify bonds for accuracy prior to acceptance.
 - 3. Complete necessary JIMS entries and print out a Bail Bond receipt for distribution to ensure accountability.
- C. Detention Information Assistants shall perform their duties efficiently and all inquiries shall be responded to in a courteous and timely manner.

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DATE:	JANUARY 4, 2010
NUMBER:	P.2
SUBJECT:	TELEPHONE ACCESS
RELATED SECTIONS:	N.5

PURPOSE

To establish guidelines that will permit inmates to use telephones during normal operating procedures.

POLICY

All inmates will be provided reasonable access to a telephone beyond those telephone calls required by section 851.5 PC. Telephones shall not be turned off by any deputy as a punitive measure when inmates delay their response to programs, services, medication distribution, etc.

Nothing in this section is intended to limit the authority of the Facility Commander to revoke an inmate's telephone access as necessary to preserve institutional safety and security, or prevent criminal activity. When such action is taken, the Facility Commander shall implement a plan that allows an inmate to contact by telephone his/her attorney and the courts.

PROCEDURE

Collect calls and debit systems will be available for use on telephones. Debit time will be purchased by the inmates through the Sheriff's Commissary. Telephones will be located in areas accessible to inmates during dayroom or recreation time when they are allowed outside of their cells or dorm living units.

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DATE:	AUGUST 29, 2017
NUMBER:	P.3
SUBJECT:	INMATE MAIL
RELATED SECTIONS:	B.5 , P.1 , P.17

PURPOSE

To establish guidelines for the uniform handling, screening and prompt routing/delivery of U.S. mail, incoming letters, new soft bound books, magazine/periodical subscriptions, confidential/legal mail, and electronic email messages.

POLICY

Inmates shall be allowed to receive and possess U.S. mail, incoming letters, confidential/legal mail and mail from official government agencies (as defined below). Inmates may also receive electronic email messages, periodicals, magazines, and new books.

There shall be no limit on the amount of mail an inmate may send, and no limit on the amount of mail that an inmate may receive, except to the extent that possession of such materials may constitute a fire hazard, or pose an unacceptable security risk by providing the means to hide contraband.

Detention facilities shall provide for the reasonably prompt delivery of incoming materials and outgoing correspondence. All staff shall work for the reasonably prompt and correct delivery of all inmate mail.

PROCEDURES

I. AUTHORIZED CORRESPONDENCE

There is no limitation placed on the volume of mail an inmate may send or receive. All non-confidential/legal mail is subject to being scanned and copied and may be read where there is a valid security concern and the facility commander approves.

A. Confidential/Legal Mail

1. Inmates may correspond confidentially with the State and Federal courts, any member of the State Bar or holder of public office, Citizens Law Enforcement Review Board (CLERB), Internal Affairs, Office of the Sheriff, the Board of State and Community Corrections (BSCC), and PREA Auditor. Inmates may also correspond confidentially with the facility commander or the assistant facility commander. It shall be the sender's responsibility to clearly identify confidential/legal mail on the front of the envelope with the words "legal mail," "confidential mail," or similar descriptor.
2. All incoming U.S. mail that comes within the purview of confidential/legal mail, including correspondence from Internal Affairs and the Office of the Sheriff,

shall be opened and inspected for contraband in the presence of the inmate. The mail shall then be given directly to the inmate.

3. Electronic email messages received via the inmate email system are not considered confidential/legal mail.
4. Outgoing mail that comes within the purview of confidential/legal mail may be sealed by the inmate in the presence of a deputy after the deputy has inspected the envelope to ensure there is no contraband in it. Under no circumstances will a deputy accept a piece of sealed confidential/legal mail from an inmate. If there is reasonable suspicion in the mind of the deputy as to the confidentiality of the sealed outgoing mail, the deputy should contact the watch commander for a determination.

All Western Union and U.S. Postal employees making deliveries or pickups are to transact their business at the Custody Information Office. They are not permitted to enter any detention facility.

B. Incoming U.S. Mail

1. Any of the following will cause incoming U.S. mail to be rejected:
 - a. U.S. mail marked with paint, crayon, glitter, labels, cloth, string, watermarks, stains, lipstick, cosmetics, perfume, or stickers (excluding US postage stamps).
 - b. U.S. mail depicting nudity, obscenities, suggestive images, or other offensive materials.
 - c. U.S. mail depicting weapons, gang references, criminal activity, codes, or markings.
 - d. U.S. mail depicting or containing writings, images or references that may incite violence, riot, racism, or threaten the security of any San Diego County detention facility.

C. Certified and Registered Mail

1. All certified and registered mail shall be accepted at the custody information office, if the person is in custody at that facility and the item qualifies as confidential/legal mail. Questions regarding the nature of the certified/registered mail should be addressed to the watch commander. Mail known to contain materials considered to be contraband will be refused.
2. The Detentions Information Assistant (DIA) shall:
 - a. Sign receipt for the registered/certified mail.
 - b. Complete an Incoming Property Receipt (J-53 form) and attach it to the mail.

- c. Forward the J-53 form with attached mail immediately to the inmate's housing module to obtain inmate signature.
 3. Upon receipt of the J-53 form and registered/certified mail, the housing deputy shall:
 - a. Open and inspect the mail immediately.
 - b. Ensure the inmate signs the J-53 form in the REC'D section.
 - c. Sign his/her name and ARJIS in the witness section
 - d. Give the inmate his/her mail.
 - e. Provide inmate with pink copy of signed J-53 form.
 - f. Forward the white and canary copies of the J-53 form to the Inmate Processing Division (IPD).
 - g. The Detention Processing Technician will file all copies into the inmate's custody record.
- D. Mail sent directly from federal, state or local government offices will also be accepted (e.g., Social Security, Veteran's Affairs, Child Support Services, Unemployment, Welfare, Health and Human Services, Office of the Patient Advocate, Probation, Registrar of Voters, etc.). The letters will be inspected for authenticity prior to delivery to inmates.

Any personal documents requiring inmate signature produced at the facility, where the inmate is housed, will be provided to the inmate for signature and promptly returned to the person delivering the document.

E. Procedures for Handling Returned Mail Sent by In Custody Inmates

In the event a letter is "return to sender", and the letter was sent by an in-custody inmate, the letter will be rejected, in order to prevent manipulation of the mail services or enable contraband to enter the facility. (Follow procedures as listed in sections I.G and III.A & III.B).

F. Housing Unit Deputies

1. Housing unit deputies shall inspect all U.S. and electronic mail and material for contraband, criminal conspiracies, and information regarding facility security. Questionable mail shall be immediately taken to the watch commander.
2. The watch commander may have the material copied and sent to an appropriate authority for investigation or follow-up.
3. Unless the inmate is absent from the floor, the housing unit deputy shall see that all mail is delivered to the inmate prior to the end of his/her shift.

4. All acceptable incoming and outgoing mail and packages shall be sent or delivered as soon as possible and shall not be held more than 24 hours, excluding weekends and holidays.
- G. The facility shall not forward any inmate mail or magazines outside of the Sheriff's detention system.
1. The inmate is responsible, upon or prior to release or transfer, to notify the senders of change of address.
 2. Upon receipt of incoming U.S. mail, the DIA will verify if the inmate is in custody by utilizing the master card or booking summary screens. The inmate's name, booking number, and housing unit must be clearly noted on all articles.
 3. All U.S. mail and subscription magazines for an inmate no longer in custody shall be marked "return to sender" and will be returned to the U.S. Postal System via the Custody Information Office.
 4. Electronic email messages received for inmates out of custody shall be deleted from the message queue.
- H. Inmates without funds are permitted at least two postage paid envelopes each week to communicate with family and friends, and unlimited postage paid correspondence with his/her attorney and the courts. Inmates without funds that are housed and have not received envelopes due to the store delivery date may request through the counseling office for their letter to be mailed.

II. MAGAZINES, PERIODICALS, AND BOOKS

Magazines, periodicals, and new soft covered books delivered to the facility by publishers or bookstores via the U.S. Postal Service may be accepted. All parcels containing new books will be forwarded to the watch commander or designee for inspection and approval. The subject matter of some magazines, periodicals and new soft covered books shall establish whether or not they are allowed in the detention facility housing units.

- A. The following items are not usually allowed inside the facility due to their construction or subject matter.
1. Softcover books with wire and/or spiral binding; or CD-ROM's, DVD's or any other new media items.
 2. Hardbound books of any nature.
 3. Any material advocating the use of violence.
 4. Any material advocating criminal activity, violation of any criminal law, or violation of facility rules and regulations.
 5. Inmates are prohibited from possessing or receiving materials that show nudity of either gender or portray sexual activity as described herein. Prohibited materials include personal photographs, drawings, magazines and/or pictorials.

6. Any personal photographs, drawings, magazines and/or pictorials displaying nudity as described that are delivered to any detention facility or jail, in the possession of an inmate or found during routine cell searches, will be treated as contraband. Contraband will be handled by either disposing of the item or mailing at the expense of the inmate.
- B. Processing acceptable books, magazines and parcels
1. Acceptable items will be forwarded to the Custody Information Office.
 2. The DIA shall complete a J-53 form listing the titles of all accepted books, magazines and parcels and attach it to the items, bundling them if necessary.
 3. The item(s) will be forwarded to the inmate's housing module for delivery and to obtain the inmate's signature.
 4. Upon receipt of the J-53 form and attached books, magazines and parcel, the housing deputy shall:
 - a. Ensure the inmate signs the J-53 form in the REC'D section.
 - b. Sign his/her name and ARJIS in the witness section.
 - c. Give the inmate his/her books, magazines and parcel and the pink copy of the J-53 form.
 - d. Forward the white and canary copies of the J-53 form to inmate processing for filing in the inmate's custody record.
- C. Each inmate shall be allowed to possess up to a combination of six (6) magazines and/or new soft cover books.
1. The inmate shall choose to have all excess periodicals and/or books be donated to the jail library, thrown away, or mailed out of the facility at the inmate's expense. Inmates shall not be allowed to release reading material to outside parties or to have the items placed in their property prior to release.
 2. This total does not include any authorized religious or legal material.
- D. Periodic inspections of reading materials shall be made at the time of book exchange/or during routine module inspections.

III. REJECTION/APPEAL PROCESS

- A. If an item of mail contains drugs/narcotics, a crime report will be written in NetRMS. The items of mail will be identified as evidence and processed accordingly. All mail rejection will be logged as "MREJ" in the Jail Information Management System (JIMS) and appeal process procedures will be completed by the Detention Investigation Unit (DIU) upon the conclusion of the investigation.

- B. All items deemed to contain contraband or determined to be unacceptable (other than drugs/narcotics items), will not be delivered to the inmate but will be retained pending conclusion of the internal appeal process. Certain items will be destroyed if the item cannot be placed in the inmate's property (e.g. liquids, etc.).
- C. In cases in which incoming mail is withheld (other than drugs/narcotics items), the housing deputy is to enter a mail rejected "MREJ" event type into the receiving inmate's JIMS history. The entry will include the name and address of origin and the specific reason the article was not deliverable.
- D. In cases in which incoming mail is withheld (other than drug/narcotics items), both the inmate and sender will receive a copy of a Contents Unacceptable Notice (J-320 form), generated by the housing unit deputy identifying the article, sender, and disposition. The sender will receive a "Notice of Appeal" which will explain the appeal process to the sender. In cases where inmate mail is not deliverable and placed into the inmate's property, the inmate will receive a copy of the J-320 form. The notice of appeal rights shall include sufficient information identifying the non-delivered item/mail and the reason(s) why the item(s) pose a threat to detention facility safety and security.
- E. Unacceptable books will be handled in the same manner as outlined above. When a book is rejected, housing deputies will make an entry in JIMS inmate history using the drop down "MREJ." The following areas will be addressed in the comments section of the inmate history log entry:

1. The title of the rejected items.
2. The sender's name and address.
3. Tracking/parcel number(s).
4. Why the item was rejected.
5. Name of the watch commander/designee that approved the rejection.

Each facility will develop a green sheet identifying the process to follow when storing, handling, tracking and forwarding documentation to the sender and inmate for all unacceptable mail, books, magazines and parcels returned.

- F. When an item is rejected both the sender and inmate will receive notification of the opportunity to appeal. The notification will be given in the form of a copy of the completed J-320 form, within five (5) business days.
- G. Notice to the inmate will contain the name and address of the sender, the name of the publication or item, description of the item, the inmate's name, the date that the publication was received, the reason for the rejection, a reference to the objectionable portion of the mail, and the name of the person authorizing the withholding. It will also include instructions on how the inmate may appeal the return by following the facility grievance procedures.

- H. The inmate may appeal the return decision within ten (10) business days of the receipt of the notice using an Inmate Grievance (J-22 form). The appeal must include the inmate's name, date, the name of the publication or item in question, and all the reasons the inmate disagrees with the decision. Any reason not included in the written appeal will not be considered. Further appeals will comply with the facility grievance procedures.
- I. Notice to the sender will contain the same information provided to the inmate, listed in subsection III.G above.
- J. The sender may appeal within ten (10) business days after receipt of the notice. The sender must send the appeal by U.S. mail, addressed to the facility commander of the facility that is identified at the top of the J-320 form. If the sender chooses not to use certified mail, the burden to demonstrate timely mail deposit is upon the sender. Likewise, if the Sheriff's Office chooses not to send the notice of withholding via certified mail, the burden to demonstrate timely receipt of the notice is upon the Sheriff's Office.
 - 1. The appeal must include the inmate's name, a contact person's name and address at the company or sender's location, the date, and the name of the publication or item, and all reasons that the sender disagrees with the return decision.
 - 2. Senders will be notified of the appeal decision within ten (10) business days of the receipt of the appeal. The written appeal decision by the facility commander or designee will contain a written explanation, detailing the reasons for the rejection.
- K. All appeals will be handled by the facility commander or designee of the facility that rejected the mail. The person involved with the decision to withhold the item shall not be assigned the appeal. The decisions of the facility commander or designee will be the final finding on the matter and there will be no further appeals available.
- L. If the facility commander or designee answering the appeal, needs longer than ten (10) days due to the length of the publication or the quantity of appeals filed, notice will be provided to the sender that an extension of time is necessary to respond.
- M. If the internal appeal by an inmate or sender overturns the non-delivery decision, the item or items shall be promptly delivered to the inmate, and the sender shall be notified of the decision (if a return address is provided).

IV. U.S. MAIL BETWEEN SAN DIEGO COUNTY SHERIFF'S DETENTION FACILITIES

- A. Inmates incarcerated within the San Diego County Sheriff's detention facilities are prohibited from corresponding with other inmates housed in any San Diego County Sheriff's detention facility.

Attempts by an inmate to furtively send mail to another inmate in San Diego County Sheriff's custody either directly or indirectly is prohibited. Items used to circumvent the

Sheriff's inmate mail policy shall be considered contraband and disposed of accordingly.

- B. Inmates incarcerated within the Sheriff's detention facilities shall be permitted to correspond with inmates at other detention facilities, including but not limited to: Federal, State, and other local detention facilities not under the control of the Sheriff's Department. In most cases, the Warden's prior approval of such facilities shall be given or the letters may be returned.

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DATE:	APRIL 1, 2009
NUMBER:	P.7
SUBJECT:	NEWSPAPER
RELATED SECTIONS:	P.3
IN COMPLIANCE WITH:	CCR TITLE 15, SECTION 1066

PURPOSE

To establish guidelines that will permit inmates to purchase, receive, and read any newspaper accepted for distribution by the United States Post Office.

POLICY

Facilities may purchase newspapers for inmates enjoyment provided the newspapers are in compliance with Section P.3 (II) of this manual.

PROCEDURE

- I. Newspapers purchased by the facilities must be distributed to the inmates in such a way as to provide equal access.
- II. Used newspapers will be removed from the housing units on a timely and routine schedule to maintain health, safety, and fire standards of the facility .
- III. This section shall not restrict individual inmates from purchasing newspapers of their choice, but compliance with Section P.3 (I.D) and P.3 (II) are a necessity .

DATE:	OCTOBER 3, 2014
NUMBER:	P.9
SUBJECT:	SOCIAL VISITING
RELATED SECTIONS:	P.3, Sheriff's Department P&P 7.3

PURPOSE

To establish guidelines for permitting inmate social visits.

POLICY

Inmates shall have access to social visits according to the following procedures.

PROCEDURES

- I. Pursuant to Title 15 section 1062 inmates shall be allowed access to social visitors.
 - A. For the security of the institution and for the protection of the public, only those visitors with the following types of valid photo identification shall be allowed to visit inmates in the custody of the Sheriff:
 - 1. Driver's license
 - 2. Federal, state and local issued government identification card (any state)
 - 3. Military identification
 - 4. Passport
 - 5. U.S. Immigration identification (including visas)
 - 6. Border Crossing card issued by U.S.D.O.J.
 - 7. Current high school identification for children who do not possess a current California driver's license or California I.D. card.
 - 8. Matricula Consular I.D. card issued after 04/22/02 by the Consul General of Mexico
 - B. Visitors under the age of 18 years must be accompanied by a qualified adult who possesses valid photo identification and is cleared for visits. Qualified adult is defined as:
 - 1. A parent
 - 2. A court appointed guardian
 - 3. Other adult having legal custody
 - C. Visitors that have been incarcerated within the past 90 days shall not be permitted to visit without watch commander consent.
 - D. A visit by news media personnel shall be considered a social visit, not a professional visit. If the inmate opts to accept the visit by a media representative, that visit shall be counted as a social visit for that day, just like any other social visit.

- II. All visitors must give required personal information. A maximum of three visitors will be permitted per inmate at each visit unless modified by the watch commander. Detention information assistants will check for valid photo identification and enter all required visitor information into the Jail Information Management System (JIMS).
- III. Security personnel may run the visitor's name through the wants/warrant system. Where the social visit is also a contact visit, authorized staff may perform a criminal history check.
 - A. Every person, who having been previously convicted of a felony and confined in any state prison in this state, must receive consent from the facility commander, their designee or the on-duty watch commander prior to visiting per California Penal Code 4571.
 - B. The watch commander will consider all requests for visits from individuals on probation and parole on a case-by-case basis. If there are articulatable security concerns, the request may be denied.
 - C. Persons with non-bookable misdemeanor warrants will be denied a visit and told to take care of the warrant.
 - D. Persons with felony warrants will be arrested and booked.
- IV. Social visitors participating in contact visits are prohibited from having personal electronic devices in their possession. All devices must be secured prior to their entry into the facility.
- V. BAIL BOND AGENT VISITS
 - A. Bail bond agents will be allowed phone visits in the social visitation areas. It is not required that a visit reservation is made in advance; as long as there are no security issues and a visitation booth is available, the visit request shall be granted. Visit requests made during peak hours such as mealtime, night count or in the event of facility lockdown will not be granted.
 - B. Bail bond agents must have in their possession an identification card confirming his/her status as a licensed bail agent and a valid state driver's license/identification card. This shall be verified at every visit to ensure the validity of the agent's status with the Department of Insurance.
 - C. Bail bond agents are required to complete a Request for Visit/Transacting Bail (form J-46) card prior to each visit. These cards will be maintained for one year.
 - D. Prior to scheduling bail bond agent visits, inmate processing staff will assess the availability of the visit area for the inmate's housing unit. If there is an available booth, the deputies in the inmate's housing unit will be notified of the visit, and provided there are no security issues, the inmate will be escorted to the visiting area/booth.
 - E. Bail bond agent visits will be entered in the Social Visitations navigator in the JIMS. Bail Agent will be selected for the Type/Relation field. If the visit is occurring outside of the social visitation hours for the facility, the Special Visit designator will be selected for the Visitation Room and the visit will be scheduled and arrived for the appropriate time. The printed visit pass will be provided to the bail bond agent.

- F. Inmates shall not be called from housing units during lock down hours, unless the bond is posted first, or unless the bail bond agent ensures the bond will be posted after the interview and the inmate can be released after the interview.
- G. If an employee encounters unsolicited advertisements associated with a bail bond company, the advertisements will be provided to the detention processing supervisor. The supervisor will complete the Bail Bond Solicitation Complaint (form J-109). The J-109 form will be attached with the solicitation materials and all will be forwarded to the Sheriff's Detention Processing Manager.

- VI. Once the visitor has checked in for his/her visit, the detention information assistant will input data into the JIMS as "Arrived Visitor" which will automatically send a notification to the module where the inmate is housed so coordination of the inmate's visit can be accomplished.
- VII. The watch commander will resolve questions regarding the eligibility for either inmate or visitor.
- VIII. The visitation schedule for all social visits will be coordinated to accommodate all inmate classifications and at the same time maintain facility security.

IX. VISITATION SUSPENSION

Social visits are a privilege, and as such, may be suspended as part of a disciplinary action.

At the discretion of the watch commander, visitors may have their visit privileges suspended for any violation of the visit rules. Violations may result in an up to 60-day suspension of privileges. All suspensions shall be noted in the JIMS.

Visitation may be temporarily suspended as necessary for the reasonable security of the institution. Unless suspended, all inmates will have the opportunity to receive two, one-half hour visits weekly. Inmate workers will have visits in excess of two, one-half hour visits weekly.

X. SPECIAL VISITS

Special visits are authorized social visits that are outside the established bureau procedures. These visits are rarely allowed, but extenuating circumstances may be considered. Either the inmate or the visitor may initiate a request for a special visit. Special visits are at the discretion of the watch commander or facility commander. Each request for a special visit will be determined on a case-by-case basis.

- A. Inmates can request a special visit by filling out an Inmate Request form stating the reason and submitting it to a correctional counselor. The counselor will check the validity of the request and forward it to the watch commander for consideration. This request form will be returned to the housing deputy with a notation of the decision. The housing deputy will then inform the inmate of the decision.
- B. Detention information assistants will be notified in writing if a special visit is granted. A weekly list will be provided to the Custody Information Office naming the inmates who have approved visits and the days or hours assigned.

XI. VISITS FOR INMATES AT HOSPITALS

- A. Special visits are only allowed for inmates who are considered in grave condition and are under guard at hospitals. These special visits require the approval of the watch commander at the inmate's housing facility and must conform to hospital visiting hours, unless otherwise specified by the watch commander. Special visits for inmates admitted to the TCMCSU must also be approved by the CDCR Security Sergeant due to CDCR having operational control of the TCMCSU.
- B. A person desiring to visit an inmate under hospital guard must make the request at the appropriate detention facility. The detention information assistant shall check the visit restrictions file for any restrictions or limitations on the inmate's visits. If none exist, the detention information assistant will fill out the Hospital Visiting Pass (form J-65), time stamp it on the front, and present it with the visitor's identification to the watch commander for approval. After approval, the hospital pass is given to the visitor(s). All visitors must be specifically listed on the hospital pass. Deputies will not admit visitors to see inmates unless the visitors have in their possession an approved hospital pass and proper identification.
- C. Two visitors may be in the hospital room with the inmate at any one time. More frequent visits, with the exception of attorneys, law enforcement officers and bail bondsmen, require special authorization by the watch commander. Professional visits for inmates admitted to the TCMCSU must also be approved by the CDCR Security Sergeant.
- D. Inmates at hospitals are not allowed to make outgoing calls unless the inmate is considered in grave condition. The watch commander will authorize all outgoing calls. Incoming calls are not allowed. A deputy guarding the inmate will dial the telephone number for the inmate. After dialing the number, the deputy will contact the control deputy at the inmate's housing facility to have the number that was dialed entered in the JIMS in the Inmate History using the "PCAL" (Phone Call) drop down.
- E. Inmates will not receive incoming mail, nor will they send any outgoing mail. Legal documents delivered by an approved professional visitor may be handed to the inmate after inspection for weapons or contraband by the on-duty deputy(s).
- F. Any visitor who creates a disturbance, or presents any security concerns for the deputy(s) or hospital staff, will be immediately reported to the watch commander. Visiting may be restricted as circumstances dictate.
- G. The deputy(s) will destroy the hospital pass when the visit has been completed.

XII. SERVICE ANIMALS

- A. Service animals are defined as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly

related to the person's disability. **Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.**

- B. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- C. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- D. Service animals are allowed to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.
- E. A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it, or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the same opportunity of services without the animal's presence.

DATE: AUGUST 29, 2017
NUMBER: P.11
SUBJECT: HEARING IMPAIRED INMATES
RELATED SECTIONS:
IN COMPLIANCE WITH: AMERICANS WITH DISABILITIES ACT OF 1990

PURPOSE

To provide assistance to inmates who have hearing impairments in accordance with the requirements of the Americans with Disabilities Act.

PROCEDURE

Each detention facility shall have their telephonic communication system equipped to provide access for inmates with varying degrees of hearing impairments. Equipment shall be provided to communicate on the public phone system and also the visiting phone.

I. ASSISTING INMATES WITH COMMUNICATION ON TELEPHONIC COMMUNICATION SYSTEMS

- A. In each facility, a Telecommunications Device for the Deaf (T.D.D.) shall be made available to severely hearing impaired inmates to be utilized while making outside phone calls.
- B. Each facility shall issue a green sheet on the location and procedures for the use of the T.D.D.
- C. Each facility shall be equipped with “Hearing Aid Compatible” phones to allow inmates with personal hearing aids to effectively utilize the phone.
- D. All facilities' inmate phones, including the social visiting phones, shall have the hearing enhancement device feature. These devices shall enhance the ability to hear by the activation of an amplification switch that has three settings: *Normal*, *Loud* and *Louder*. A decal or engraving with the universal symbol for the hearing impaired shall be visible on all inmate phones.

II. IDENTIFICATION OF HEARING IMPAIRED INMATES

The administrative lieutenant and the Supervising Correctional Counselor or designee at each facility shall identify all inmates with serious hearing impairments. This information is available in the Jail Information Management System (JIMS) via the *Inmates with active Medical Instructions: Hearing Deficit/Deaf* JIMS Web Report. These inmates shall be allowed to use the T.D.D.'s. or other communication systems that have hearing amplification devices.

III. OBTAINING SIGN LANGUAGE INTERPRETING ASSISTANCE

The County of San Diego has a contract for interpreting services in place, for any County-affiliated agency, with Deaf Community Services of San Diego, Inc. For non-emergency interpreting service requests, you must obtain and complete a Service Authorization form from the Deaf Community Services website: <http://www.deafcommunityservices.org>.

For emergency interpreting services (such as an arrest or interview), call (619) 398-2488 and Press "5" to obtain the After Hours Emergency Line.

DATE:	JUNE 27, 2017
NUMBER:	P.15
SUBJECT:	PROFESSIONAL CONTACT VISITS
RELATED SECTIONS:	

PURPOSE

To establish guidelines for the efficient processing of attorney and professional visits for inmates housed at all Sheriff's detention facilities.

POLICY

Professional contact visits with inmates are permitted when such visits are necessary to the administration of justice.

PROCEDURE

- I. Professional contact visits shall take place under the following security guidelines:
 - A. Clearance shall entail checking the reason and authority for entry, and verifying the visitor's identity by photographic identification and a professional identification card.
 - B. Each facility shall maintain a professional visit log. Professional contact visits will be logged on the Visitor Log Sheet (J-4 form). The custody information personnel will enter the necessary information into the Jail Information Management System (JIMS) and assign a personal identification number (PIN).
 - C. The visitor's picture identification will be exchanged for a jail visitor identification card. Sheriff's department employees on official business shall not be required to surrender their department identification in exchange for a visitor identification card. However, the employee will be required to provide their identification for the purpose of recording their visit into the professional visit log. Upon entrance to the facility, their department identification will be visible on their person.

Upon completion of the visit, the visitor shall be logged out and shall exchange his/her jail visitor identification for their picture identification. Positive identification of the visitor will be made by viewing the pictured identification prior to allowing them to leave. (Note: At the conclusion of professional contact visits, the deputy will conduct a search of the inmate and the professional visit area.)

- D. Professional contact visit requests made after hours will not be denied; with the understanding all safety and security criteria outlined in this section are met. In the event a professional contact visit is requested after hours, at a detention facility that does not staff 24 hour detention information assistants (DIA), watch commander approval is required.
- E. The professional contact visit will be limited to a reasonable length of time. The amount of time allotted will be based on facility operations and security needs, and may not be arbitrary or capricious in application. Complexity of case and individual case situations may also be considered.
- F. Any person attempting to visit relatives in custody will not be denied access based solely on their relationship with the person in custody. If there is a question as to whether the visit is social or professional, the watch commander shall make the determination. If the contact visit is not allowed, a social visit may be arranged.
- G. Professional contact visits shall not be permitted when, in the judgment of the facility watch commander, a contact visit would pose an unacceptable security risk. If a contact visit is not permitted, a social visit may be permitted.

The only exception to the above procedures will be for visits with inmates facing the death penalty or, for other reasons, are housed in a high-security cell. Due to much greater security concerns, these inmates must be shackled and deputies are required to remain with them during visits. Due to this additional risk and burden, if a legal assistant from Legal Aid seeks a contact visit with this category inmate, the legal assistant will be advised that this inmate is under strict security confinement. Such a visit will normally be non-contact. If a contact visit is felt necessary, the supervising attorney shall telephone the facility watch commander and request a contact visit by the legal assistant. The watch commander will then arrange the contact visit between the legal assistant and the inmate after approval.

- H. Any incident involving attorneys or professional visitors will be documented and referred to the facility commander for review. Attorneys or professional visitors who violate the law, detention facility rules or disobey staff direction will be denied future professional contact visits.
- II. PROFESSIONAL TELEPHONIC RESERVATION: Each facility may designate specific telephone lines as priority professional lines to “reserve” inmate interviews prior to the professional’s arrival. A timetable shall be established within which the professional must arrive.
- A. Loss of telephone “reservation” privilege.
 - 1. If a professional visitor is excessively or habitually late, the watch commander will be notified. The watch commander will advise the professional that any future unexcused tardiness may result in a revocation of his/her call-in privilege for a 180-day period.

2. Upon a second “unexcused violation,” the watch commander will advise the violator the phone privilege has been revoked for 180 days.
 3. If any visitor has this privilege revoked, his/her name will be placed in the appropriate file.
 4. The day-shift watch commander will periodically purge the file.
- B. Telephonic “reservations” for interviews will be governed by established interview time schedules.
- C. Some facilities have limitations, or a design that would impact the ability to hold inmates pending arrival of professionals. This procedure may be modified to accommodate those restrictions.
- III. **PROPERTY BROUGHT INTO DETENTION FACILITIES:** Any and all briefcases and parcels entering the facilities are subject to search.

Professional visitors requesting to bring mobile electronic devices into a detention facility must sign a Mobile Electronic Device Authorization (J-310 form) annually, prior to entry into the facility. A DIA will archive the J-310 form at the professional visits window for one (1) year and make a JIMS log entry in the Professional Visitations Navigator, under the "address detail" tab ("Notes/expected testimony" section) documenting the form was signed and dated. Usage of such devices will be for necessary and relevant business. Violation of these use restrictions may result in a revocation of the ability to bring mobile electronic devices into any Sheriff's detention facilities. The watch commander will be notified of any violation and review any alleged misuse, to determine whether future authorization will be denied. If the watch commander determines authorization will be denied he/she will ensure a JIMS log entry is made in the Professional Visitations Navigator, under the "address detail" tab ("Notes/expected testimony" section). The log entry will include the watch commander's name, ARJIS, date and a brief reason for denying use of the mobile electronic device.

- IV. The following persons shall be allowed contact visits with inmates in the course of their professional duties:
- A. **LAW ENFORCEMENT OFFICERS:** Any local, state, or federal law enforcement officer.
 - B. **ATTORNEYS:** Attorneys must present a State Bar Admission card or other verification of attorney status plus a current, valid driver's license or pictured identification card to verify identity. The presumption should be that the attorney is visiting a client for legitimate purposes of representation. This includes any attorney employed with the attorney of record's law firm or office. Prior to scheduling the visit, custody information personnel shall ascertain whether the visit is professional or social and schedule accordingly.
 - C. **INVESTIGATORS EMPLOYED OR RETAINED BY THE ATTORNEY OF RECORD:** Including any licensed private investigator, public defender investigator, or

alternate public defender investigator. The investigator must present proof of their professional affiliation with counsel of record. In the case of public defender investigators and alternate public defender investigators, valid county identification cards will suffice as proof of their professional affiliation. Licensed private investigators with or without a court order shall be subject to a criminal records clearance check prior to gaining entry into a detention facility. The watch commander or designee will conduct a criminal clearance check prior to allowing licensed private investigators a professional visit. If an individual fails the records check he/she will be afforded a professional social visit with the respective inmate. Private investigators in possession of a valid county ID are exempt.

- D. INVESTIGATORS EMPLOYED OR RETAINED BY THE CITIZENS LAW ENFORCEMENT REVIEW BOARD: Shall be allowed to visit inmates if they have valid agency identification.
- E. PROBATION OFFICERS AND PAROLE OFFICERS: Shall be allowed to visit inmates if they have valid agency identification.
- F. BAIL AGENTS: The facility commander will be responsible for establishing a visiting procedure/protocol which best suits the needs of their facility's physical layout and operational hours.

Bail agents must have in their possession an identification card confirming his/her status as a licensed bail agent. This shall be verified at every visit to ensure the validity of the bail bond agent status. Bail agents are also required to complete a Request for Professional Visit (J-46 form) card prior to each contact visit.

- G. GRAND JURY MEMBERS: Current members of the Grand Jury shall have unlimited access to the entire detention facility at anytime. The watch commander or designee shall accompany members at all times during their tour of the detention facility.
- H. MILITARY PERSONNEL: Legal officers, when necessary for signature (not routine counseling).
- I. COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES EMPLOYEES:
 - 1. For the purpose of conducting a court-ordered interview.
 - 2. For the purpose of investigating public health issues.
- J. MEDICAL, PSYCHIATRIC, AND MENTAL HEALTH PERSONNEL:
 - 1. Physicians/psychiatrists shall be allowed contact visits as follows:
 - a. Military physicians approved by the watch commander to give discharge physicals. Such visits should be by appointment.

- b. Private physicians retained by the inmate shall be permitted entry by court order.
 - c. Contract physicians authorized by the medical administrator or designee.
 - 2. Department of Public Health Communicable Disease investigators
 - 3. Private physicians/psychiatrists/psychologists/other mental health professionals retained by the Department of the Public Defender (including Primary, Alternate, and Multiple Conflicts Office) shall be permitted entry with a letter of authorization from the Public Defender's Office.
 - 4. LabCorp nurses, on behalf of the Department of Child Support Services, shall be permitted to take a photo of the incarcerated inmate and obtain a buccal swab sample.
- K. LAB TECHNICIANS: For the purpose of lawfully obtaining a blood or urine sample of the inmate.
- L. INTERPRETERS: All interpreters must be accompanied by an attorney, law enforcement officer, probation officer or other justice or medical personnel. If not accompanied by a law enforcement officer, the interpreter must be a county employee, a licensed court interpreter or designated as an interpreter by court order.
- M. POLYGRAPH OPERATORS: Pursuant to a letter provided by an inmate's defense attorney.
- N. CERTIFIED LAW CLERK: A certified law clerk is a law student authorized by the State Board to perform certain functions, if employed by an attorney. The certified law clerk may enter the detention facility unaccompanied by an attorney if he/she is in possession of a "Letter of Authorization" from the employing attorney. This "letter" shall be placed into the inmate's booking jacket for future reference.
- O. STUDENTS/INTERNS/TRAINEES: Law student interns working for an attorney may enter the detention facility unaccompanied by an attorney if he/she is in possession of, a "Letter of Authorization" from the employing attorney. This "letter" shall be placed into the inmate's booking jacket for future reference (24hr. advance notice will be required in order to complete a security clearance request by the facility).
- Law student interns/volunteers employed by the public defender or the alternate public defender need only show their county identification and a "Letter of Authorization" to be allowed professional contact visits.
- P. LEGAL AID ASSISTANTS: Assistants from the Legal Aid Society of San Diego will be granted professional contact visits for the purpose of providing assistance to in pro per inmates. Assistants shall be designated by an attorney from Legal Aid who will be accountable for the assistant's conduct. Assistants must pass a background security

check in order to be allowed contact visits. Each detention facility shall keep a current list of authorized legal aid assistants.

- Q. **PARALEGALS:** Paralegals are persons with legal business with bona fide clients of attorneys who employ the paralegal. Paralegals shall possess a "Letter of Authorization" from the employing attorney. This "letter" shall be placed into the inmate's booking jacket for future reference.

- R. **DIPLOMATIC AND CONSULAR OFFICIALS:** To comply with the Vienna Convention on Consular Relations – Article 36, when a foreign national is in the custody of the Sheriff, who is represented by a diplomatic or consular official, they shall be entitled to the same professional visit rights as a legal attorney. All reasonable efforts should be made to accommodate these visits. Diplomatic and consular officials are required to present proper identification issued by the Department of the State. If there is any doubt about the authenticity of the identification card, the State Department's Office of Protocol can verify the identity and status of the official. Call (202) 647-1985 (0900 to 1700 PST) or (571) 345-3146 during all other hours. Please contact the Sheriff's Department Consul Corp deputy at (858) 495-5575 or via the Department's corporate directory should any additional questions or issues arise.

- S. **CLERGY:** A pastor, minister, rabbi, military chaplain, or priest associated with a church, mosque, or synagogue in the community, shall be allowed access to facilities in accordance with Section W.3.

- T. **OTHER AUTHORIZED PROFESSIONALS:** Those whom the facility commander has approved a contact visit for rehabilitative activity or any other purpose.

DATE:	MARCH 4, 2013
NUMBER:	P.17
SUBJECT:	MONITORING TELEPHONE CALLS/VISITS/MAIL
RELATED SECTIONS:	

PURPOSE

To establish guidelines for monitoring inmate telephone calls, social visits and mail in accordance with statute and case law.

POLICY

Mail shall be copied upon written request from a peace officer or deputy district attorney when the correspondence and/or conversation is not privileged (i.e., with the inmate's attorney, doctor, or religious advisor), and pursuant to the following procedure. All inmate telephone calls will be recorded unless the call is made to a number that has been verified by the Detentions Investigations Unit as registered to an attorney, physician or religious advisor; and entered into the "Do Not Record" database of telephone numbers. All social visits, with the exception of contact visits, will be recorded using the inmate telephone system. Inmate telephone calls, social visits, emails and U.S. mail will be provided to law enforcement personnel upon request.

PROCEDURE

- I. An inmate's mail can be copied and their telephone calls or social visits may be recorded for use by law enforcement. Notice must be made to the inmate that his or her social visits and telephone conversations may be recorded. This notice may take the form of an announcement on the telephone before the call is put through to the outside party, or it may be in the form of a warning sign in the area of the phones, social visit area or on the telephone. There is no requirement to notify the inmate that their mail is being copied.
 - A. A sworn staff member of a law enforcement agency must provide a written request to the Detentions Investigations Unit (DIU) before an inmate's recorded telephone calls and social visits will be provided, and before mail can be monitored. Personnel listed in IV.C have access to the phone system and therefore do not need to produce a written request for phone call and/or social visit recordings to be downloaded. The DIU sergeant or DIU detective will review the request to determine if the request can be complied with and if so, will initiate procedures for providing of any subsequent conversations and the copying of any incoming or outgoing mail.
 - B. All the requests for inmate mail to be copied will be made on the Detentions Investigations Unit's Monitoring Request Form and submitted to the DIU. The request form shall include the following criteria in order to determine the necessity and reasonableness of the monitoring:
 1. Requestor information.

- a. Name
 - b. Agency
 - c. Contact information
2. Inmate information
- a. Name
 - b. Booking number
 - c. Investigatory goal – The requestor will provide justification for the request, giving cause that a reasonable and specific investigative goal will be met by the monitoring. No requests will be granted without an investigative goal given (i.e., no “fishing expeditions”).
3. Completed request forms shall include:
- a. Name of the detective who reviewed and/or entered the information into the appropriate Jail Information Management System (JIMS) or other tracking system
 - b. The date entered
 - c. The JIMS entry number
4. Expiration
- a. Normal requests will expire after ninety (90) days
 - b. Special requests can be made for an extension of monitoring and will be determined on a case-by-case basis.

II. Social Visit Recording

All social visits, with the exception of contact visits, are recorded by the inmate telephone system. When the request from an outside agency is made to receive the recording(s) of a social visit, the request must also meet the criteria in I. B. 2c above. If the request is approved, DIU personnel will provide the recordings.

III. Mail Holds

When the request from an outside agency or division of the department is for the purpose of copying an inmate’s incoming and outgoing mail, a request must also meet the criteria in I. B. 2c above. If the request is approved, the DIU investigator will have the mail hold request entered in the Jail Information Management System (JIMS) to alert staff at the facility where the inmate is housed.

- A. Deputies assigned to areas where inmates receive mail will run the Incident Query Report on the JIMS Web each night before passing out mail. This report will provide a list of inmates that have active mail holds.
- B. At the facilities where scanning equipment is available, deputies will scan the mail (including the envelope and contents in its entirety) and forward the scanned copies to the DIU Mailbox by e-mail.

1. When e-mailing the files, the name and booking number of the inmate being monitored will be entered in the "Subject" line of the e-mail.
 2. Each individual piece of correspondence that is scanned will be forwarded as a separate e-mail.
 3. If scanning is not available or is unreadable, the deputy shall photocopy the mail as an alternative to scanning. The deputy shall forward the photocopies to DIU for dissemination.
- C. The deputy will ensure the mail (including the envelope) is copied. Each piece of correspondence that is copied will be marked with the following information:
1. Inmate's name and booking number
 2. Date and time the mail was copied
 3. Name and ARJIS of the deputy who made the copy.
- The copied mail will then be placed in the jail investigator's box for retrieval.
- D. Emails sent to inmates with an active mail hold in JIMS will automatically be delivered to the DIU inbox.

IV. Telephone Recordings

- A. All telephone calls will be automatically recorded unless the call is made to a number that has been verified by the Detentions Investigations Unit as registered to an attorney, physician or religious advisor; and entered into the "Do Not Record" database of telephone numbers. DIU detectives will provide recorded calls as requested when in accordance with section I. B. 2c. above. DIU detectives will be the administrators of the system for the Sheriff's Department.
- B. Other investigators/ authorized personnel
1. Other authorized persons, (see Section IV.C), shall be granted access to the phone system in an on-going manner.
 2. DIU personnel will maintain and issue user access to the system.
 3. DIU will revoke and/or cancel access to the system if misuse or unauthorized access is obtained.
 4. DIU detectives will provide training to authorized persons and act as a point of contact for minimal technical support of the system.
- C. Access to the phone system shall be granted to Sheriff's Department personnel, District Attorney personnel, and other County agencies as directed.

V. Distribution of Mail

- A. DIU personnel will forward the e-mails from the DIU mailbox with scanned documents to the requesting parties by e-mail. They may be printed and forwarded as a photocopy if not able to be forwarded electronically.
- B. Photocopied mail will be picked up from the jails by DIU personnel regularly and distributed to the requestors through an appropriate means (i.e. county mail).