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DATE:	SEPTEMBER 14, 2018
NUMBER:	R.1
SUBJECT:	INMATE CLASSIFICATION
RELATED SECTIONS:	R.3 , R.11 , I.47 and J.3

PURPOSE

The purpose of the Inmate Classification System is to screen, assess and house inmates in a manner that will protect the safety of the community, staff and other inmates. It also assists detention managers and staff in making sound decisions regarding inmate population management. Proper inmate classification promotes impartial and consistent classification evaluations, and helps provide legal protection to staff by establishing reasonable, objective and defensible safety practices.

POLICY

An inmate's initial classification is determined by their original booking charges, criminal history information, medical and psychiatric issues or additional special conditions, and information obtained from the inmate interview. The inmate will be assigned to the most appropriate housing location based on their classification designation.

PROCEDURE

I. CLASSIFICATION EVALUATION

Any person booked into a detention facility shall undergo a classification evaluation to determine an appropriate housing assignment. Exceptions:

- A. Inmates being processed through the "Book and Release," or similar programs.
- B. Inmates being processed for release per 853.6 P.C.
- C. Any inmate not formally booked (e.g., hospital inmates booked in absentia or juveniles tried as adults).

II. JAIL POPULATION MANAGEMENT UNIT (JPMU) DEPUTY RESPONSIBILITIES

- A. Inmates should be classified as soon after booking as possible, but in any event, prior to being assigned to a housing area.
- B. In preparation for the classification interview, care must be taken to obtain the most complete history on the inmate as possible. A follow-up with various agencies may be necessary to verify information. This criminal history will often be of greater importance in determining the inmate's security level than the interview.
- C. In cases where the JPMU deputy feels that the objective custody level, as determined by the use of the "decision tree," does not truly reflect the custody risk of the inmate, the

deputy may override the code (either higher or lower) to more accurately assess the inmate.

If the override results in a change in the inmate's custody level, the JPMU deputy will make an entry in the inmate's "Chronological Notes" articulating the rationale behind their decision. A JPMU sergeant is responsible for reviewing the overrides for concurrence and approval.

- D. All inmates are screened to assess their risk of being sexually abused by other inmates or being sexually abusive toward other inmates. Depending on the risk factors, and with serious consideration of the inmate's own perception of vulnerability, one or more of the following can be considered: special housing, transfer restrictions, and/or an override of the inmate's custody level. The screening for risk of victimization or abusiveness will be on a case by case basis, tailored for that individual inmate. The inmate's participation in the screening is considered optional and in the event of a refusal to answer questions, the static known risk factors will be considered.

Lesbian, gay, bisexual, transgender, or intersex inmates will not be placed in dedicated housing units solely on the basis of such identification. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

- E. Determination of the inmate's classification code will be entered into the Jail Information Management System (JIMS) using the Evaluation Update Screen. Appropriate housing assignment based on the inmate's custody level, and Hazards & Instructions will be made using the movement list on the JIMS Classification Navigator screen.

III. HOUSING ASSIGNMENTS

- A. Inmates with custody levels 1-3 can be housed together. Levels 4 and 5 can be housed together. Level 6 inmates will be housed in Administrative Segregation.
- B. Exceptions to aforementioned housing assignments will be inmates housed in Administrative Segregation, Protective Custody, Psychiatric Stabilization Unit (PSU), and designated medical or psychiatric housing.

IV. RECLASSIFICATION

Any employee who receives information that could change an inmate's classification code and/or housing assignment has the responsibility of advising a JPMU deputy. The JPMU deputy will evaluate the information to determine whether it requires the inmate to be reclassified. If it does, the reporting deputy may be asked to complete an Inmate Status Report detailing the relevant information. The following are examples of events that may require reclassification:

- A. Information indicating the inmate is a potential escape risk, is assaultive or has threatened to assault staff.
- B. Sentenced to any number of years to life in prison (with or without the possibility of Parole), or death.
- C. Medical or psychiatric treatment (medical and psychiatric staff to notify JPMU).

D. Automatic JIMS notifications:

1. The addition of new charges, dropping of charges, or the modification of current charges.
2. Sentencing to local time.
3. Prison commitments.

V. PROGRAM PARTICIPATION EVALUATION

Penal Code 4114 requires all inmates sentenced to over 30 days be classified for custody and treatment purposes. Correctional counselors will meet with those sentenced inmates to determine what programs the inmate is eligible for based on the inmate's classification, interview, and institutional behavior. Each inmate serving a jail sentence of over 30 days shall be interviewed during the first third of his/her sentence. The program evaluation will take into consideration all programs within our detention system as well as community-based resources such as Electronic Surveillance Program (ESP), County Parole, Home Detention, Work Furlough, etc.

DATE:	FEBRUARY 1, 2019
NUMBER:	R.3
SUBJECT:	INMATE CLASSIFICATION CODE – DESCRIPTOR DEFINITIONS
RELATED SECTIONS:	R.1 , R.13

PURPOSE

To define the evaluation process and descriptors used for determining an inmate’s housing and custody level.

POLICY

The classification evaluation conducted on each inmate shall serve as a summary of the inmate’s housing potential and characteristic overview. Jail Population Management Unit (JPMU) staff are the only personnel authorized to enter or modify an inmate’s classification designation within the Jail Information Management System (JIMS) Classification Navigator. Due to the volume of workers and new inmate worker hires, facility inmate worker deputies (IWD) have the ability to add and delete inmate worker status. IWD do not have authorization to make any other changes.

PROCEDURE

The classification designation is determined by the parameters of the classification navigator within the JIMS.

- I. An inmate’s classification designation defines their recommended custody level.
 - A. 6 – HIGH MAXIMUM. The inmate must have a combination of current assaultive charges, a prior assaultive history, or be an institutional behavior problem. In addition, they may have a high profile case or extreme act of violence which jeopardizes public safety or provides the inmate with status that would allow them to have power or authority over other inmates. Level 6 inmates will be housed individually; any exception must be approved by JPMU command.
 - B. 5 – MAXIMUM. This inmate must have a combination of two of the following: current assaultive charges, prior assaultive history, are deemed an institutional behavior problem or an escape risk. Inmates classified as assaultive or escape risks (Greenbander) will be classified as a minimum level 5.
 - C. 4 – HIGH. This inmate must have one of the following: current assaultive charges, a prior assaultive history, or are deemed an institutional behavior problem.
 - D. 3 – MEDIUM. This inmate has no current or significant prior assaultive history. This inmate also has no escape history or known disciplinary problems, but is somewhat more criminally sophisticated than a Level 2 inmate. This inmate can be on active parole, active Post Release Community Supervision, sentenced to local prison (1170(h) PC), or out to court for further proceedings from federal or state prison.

- E. 2 – LOW. This inmate has no current or significant prior assaultive history. This inmate also has no escape history or known disciplinary problems. Inmates sentenced to local prison time "ICJ or "ICS" will be classified a minimum of a level 2.
- F. 1 – MINIMUM. An inmate classified at this level poses the lowest risk to staff and other inmates. This inmate is non-assaultive with no known disciplinary problems, lacks criminal sophistication and is sentenced.

II. The “Strike Indicator” is used for tracking inmates that qualify for special prosecution considerations under Penal Code Sections 667, 1170.12 and 1192.7 (c). It is listed under the “Hazards & Instructions” section in the inmate’s JIMS record.

- 0ST - The inmate has no documented strike count
- 1ST- The inmate is subject to “one strike” under “three strikes”
- 2ST- The inmate is being prosecuted for their second strike under “three strikes”
- 3ST- The inmate is being prosecuted for their third strike under “three strikes”

Strike indicators are determined by the District Attorney’s Office, and entered by JPMU staff.

III. Facility assignment restrictions may prohibit the transfer of an inmate to a specific facility. These are listed in the “Hazards & Instructions” section of the inmate’s JIMS record.

CODE	EXPLANATION
ANY	The inmate has no restrictions and can be housed at any jail suitable for his/her classification.
CMP	The inmate is not to be transferred to a camp (EMRF)
CRM	The inmate is not to be moved from current cell assignment or transferred without authorization of Command Staff (JPMU Lieutenant or Captain and above)
EMD	The inmate is not to be transferred to EMRF
FC8	The inmate is not to be transferred to Facility Eight
GBD	The inmate is not to be transferred to the George Bailey Detention Facility
LCD	The inmate is not to be transferred to the Las Colinas Detention and Reentry Facility
MED	The inmate is subject to medical transfer restrictions
NON	The inmate is not to be transferred from their current housing facility
SBD	The inmate is not to be transferred to the South Bay Detention Facility
SDC	The inmate is not to be transferred to the San Diego Central Jail
VDF	The inmate is not to be transferred to the Vista Detention Facility

- IV. Housing modifiers denote specific housing requirements and/or special housing considerations. Modifiers describe an inmate's behavior, criminal history, physical characteristics, and/or special precautionary characteristics. The modifiers are added using to the inmate's classification code in the "Hazards & Instructions" section of the Evaluation Update screen.

CODE	IDENTIFIER	EXPLANATION
ADS	Administrative Segregation	Inmate is housed in Administrative Segregation. (Ad.Seg.)
AGE	Youthful or advanced age	Youthful appearance or advanced age characteristics.
ASL	Assaultive to Staff/Inmates	Demonstrated hostile behavior towards inmates or staff.
BT	Bandit Transport	Inmate requires use of the Bandit Device during transportation and court appearances.
CCI	Conditions of Confinement	Inmate has a current Condition of Confinement case in which they are self-represented.
COU	Courtesy hold	Inmate is temporarily housed, while in transit to another destination.
CV	Child victim	Charges include violence or sexual assault. Crime against a minor(s).
DRC	Dayroom chains	Inmate must wear leg & waist chains while in the dayroom
ESC	Escape Risk	Documented escape or attempted escape from a secure facility. Excludes walkaways or failures to return to confinement.
FSS	Female Strip Search	Inmate will be searched by female staff (Strip search/body scanner)
GB	Greenbander	Inmate is classified as assaultive or escape risk.
GAS	Gassing	Inmate has a history of gassing staff or other inmates.
GEN	General Population	Mainline housing.
GNG	Gang affiliation	Documented by the inmate's admission, tattoos or other documentation.
HDP	Home Detention Participant	Inmates who are in CPAC Program.
HRT	High Risk Transport	Special precautions needed during transport.

IBH	Incentive Based Housing	Active Incentive Based Housing participant.
JBC	Jail Based Competency Treatment	Inmate is housed in Jail Based Competency Treatment housing.
MSS	Male Strip Search	Inmate will be searched by male staff (Strip search/body scanner)
PC	Protective Custody	Inmate is housed in protective custody.
PSU	Psychiatric Stabilization Unit	Inmate is housed in the Psychiatric Stabilization Unit. (PSU/WPSU)
QRN	Quarantine	Inmate who requires separation due to infectious control purposes, as determined by medical services Division (MSD).
RZR	Razor restriction	Inmate has razor use restriction.
SVP	Sexually Violent Predator	Inmate is a Civil Commit and may be housed only with other Civil Commits.
TGM	Transgender/Intersex Male	Inmate's gender identity and/or physical characteristics do not fit the typical definition of their birth gender. The inmate identifies as a Male.
TGF	Transgender/Intersex Female	Inmate's gender identity and/or physical characteristics do not fit the typical definition of their birth gender. The inmate identifies as a Female.
TGX	Transgender/Intersex Other	Inmate's gender identity and/or physical characteristics do not fit the typical definition of their birth gender. The inmate does not identify as either male or female (e.g. Gender non-binary).
VAV	Veteran Admin. Verified	Inmate verified by the Veterans Administration as being a military veteran and is eligible for consideration for the Veterans Moving Forward Program.
VMF	Veterans Moving Forward	Inmate assigned to Veterans Module and active participant in the Veterans Moving Forward Program.

V. The sentence code describes the inmate's sentence status. This code is important as a change can result in an inmate's classification code/security level being modified. An inmate could be reclassified to a lower level, thereby allowing them to be transferred to a different facility and/or be eligible for programming. The modifiers are added using to the inmate's classification code in the "Hazards & Instructions" section of the Evaluation Update screen.

CODE	EXPLANATION
UNS	Inmate is pending court proceedings on all pending bookings/arrests.
SEN	Inmate is sentenced to custody on one or more bookings/arrests.

VI. Sentence modifiers are used to assist processing staff with tracking pending “out of jurisdiction transfers” and holds. The modifiers are added using the inmate’s classification code in the “Hazards & Instructions” section of the Evaluation Update screen.

CFL	County Flash Incarceration PCS inmate (3453(q) PC)
CHR	Chronic
CPA	County Parole
DCT	Drug court (\$55,555)
DJJ	Department of Juvenile Justice (formerly CYA)
DOC	Department of Corrections commit
EST	Eligible for substance abuse treatment
FED	Federal Inmate or hold
FUG	Fugitive booking
HDP	Home Detention Participant
ICE	Immigration hold
ICJ	Imprisoned in County Jail (1170 (h) PC)
ICS	Imprisoned in County Jail - Split Sentence (1170 (h)(5)(B) PC)
INT	Interstate Parole (1111.71 W&I)
O/C	Out of county hold
PAR	Parole hold
PCS	Post Release Community Supervision (3455 PC Only)
PRI	Federal/State Prison commits returned for further proceedings.
SFL	State Flash Incarceration
SHC	State Hospital Commit

SHR State Hospital Return

WKE Weekender

- VII. Miscellaneous modifiers are used to alert staff of legal considerations, or potential enemies in custody, prior to the release or transfer an inmate. The modifiers are added using the inmate's classification code in the "Hazards & Instructions" section of the Evaluation Update screen.

CODE	EXPLANATION
DO	Dress out for court
DNA	DNA Required
DRC	Dayroom Waist and Leg Chains
ELC	El Cajon court case
HRT	High Risk Transport
KS	Keep Separate (Has enemies in JIMS)
KSA	Keep Separate All
MIS	Miscellaneous
NIW	No inmate worker
PRO	Pro-Per Inmate
PWO	Pro-Per without privileges
RCC	Regional Center Client
SAN	San Diego court case
SBC	South Bay court case
SED	SED Transport only
VAV	Veterans Administration Verified
VEX	Vexatious grievance writer
VIS	Vista court case
WCH	Wheelchair
WKR	Inmate Worker

VIII. Special conditions, high risk indicators and administrative alerts are also additional descriptors used in these sections that may not appear elsewhere. These sections (on an inmate's JIMS record) contain some redundant information contained under "Hazards & Instructions," however; it may be reported using different code designations.

Special Conditions

BLN	Blind
DEF	Deaf Inmate
H	Handicap
HAL	Halal Diet
J	Juvenile
KOS	Kosher Diet
PP	Pro Per
PRL	Prosthetic Limb
UP	Universal Precautions
VEG	Vegetarian Diet
WC	Wheelchair

High Risk Indicators

A	Assaultive
ADS	Administrative Segregation
BT	Bandit Transport
CRM	Command Restricted Movement
DRC	Dayroom Chains
E	Escape
GB	Greenbander
KSA	Keep Separate All
P	Protective Custody
RZR	Razor Restriction

SED	SED Transport Only
SVP	Sexual Violent Predators
<u>Administrative Alerts</u>	
001	Escape Risk
002	Assaultive Risk
003	Suicide Risk
004	Bodily Fluid Risk
005	Juvenile
006	High Public Profile
007	Medical
008	Protective Custody
009	Administrative Segregation
ACP	Active County Parole
ADL	ADA Learning Disability
ADM	ADA Mobility Instructions
BT	Bandit Transport
CHS	Cheeking – Hoarding – Selling medications
CRM	Command Restricted Movement
DD	Developmentally Delayed
DRC	Dayroom Waist and Leg chains
GAS	Gassing History
ISA	In-custody Suicide Attempt
MCH	1368-mental Competency Hearing
MID	MIS-ID
MS	Mandatory Supervision

PSA	Previous Suicide Attempt
RCC	Regional Center Client
SED	SED Transport Only
TBF	Tuberculosis Follow-up
UOF	Use of Force
VFA	Verified Food Allergy

DATE:	AUGUST 3, 2011
NUMBER:	R.5
SUBJECT:	HOUSING OF SEXUALLY VIOLENT PREDATORS
RELATED SECTIONS:	Welfare and Institution Code §6600; JONES v. BLANAS, DSB § J.3

PURPOSE

To establish a policy for the proper housing of civil commitments per the Sexually Violent Predators (SVP) Act.

POLICY

Individuals committed to the custody of the Sheriff under this act are civil commitments. Based on a 9th Circuit court case ruling, civil commits cannot be subjected to conditions that “amount to punishment.” They will be confined in our custody in a manner that ensures their presence at trial, maintains jail security, and allows for the effective management of the facility. This section does not apply to inmates who are being held on criminal charges in addition to civil commitment charges. Inmates with both civil commitment charges and pending criminal charges are not considered civil commitment inmates. They are considered criminally committed inmates, and the procedures set forth herein do not apply.

DEFINITION

Sexual Violent Predators (SVP) - Welfare and Institution Code Section WI 6600 through 6609.2.

The above sections refer to a person who has been convicted of a sexually violent offense against two or more victims. The person has a diagnosed mental disorder that makes him/her a danger to the health and safety of others, in that it is likely that he/she will engage in sexually violent criminal behavior again. The aforementioned individuals will be referred to in this policy as “SVP.”

PROCEDURE

SVPs will be housed separately from all other inmates, but they may be housed together with other SVP inmates. They will be afforded full freedom of movement in their housing unit, somewhat more opportunity to utilize the recreation yard, dayroom, telephone, and law library than a mainline inmate.

- I. Housing
 - A. SVPs will be housed in a dorm setting where they have full use of the dayroom during waking hours. Generally, usage will begin at breakfast through “lights out” at night.
 - B. They will be allowed to view the television throughout the day. The television will be turned off when it is clearly becoming a nuisance to the majority of SVPs in the module. When the majority of SVPs are sleeping or have complained to the deputies about the noise, it is appropriate to turn off the television.

- C. When an SVP demonstrates an inability to conform to the rules of the facility or is a danger to staff or inmates, he may be placed into Administrative Segregation. While in this status, the SVP will be subject to the least restrictive rules that apply to them, based on the reason they require segregated housing.
- E. They will be allowed unrestricted use of the day room phone during the time the dayroom is open, unless they are creating a disturbance for other sleeping SVPs or have demonstrably abused the privilege.
- F. Due to facility security concerns, SVPs will be dressed out in jail issue clothing and will wear black color wrist bands for identification. They will be afforded clothing exchange on a schedule as with a mainline inmate.
- G. SVPs who are rebooked on criminal charges will be moved to Administrative Segregation pending a classification review.

II. Recreation and law library use

- A. SVPs will be allowed to utilize the recreation yard on a schedule that allows for more opportunities than that afforded to mainline inmates, while not creating an unworkable burden on the staff. A facility green sheet will be drafted for approval by the Facility Commander that meets this standard.
- B. SVPs will be allowed to utilize the facility law library on a schedule that allows for as much opportunity as is reasonably possible to accommodate. They will not be placed in a lower priority for use than a mainline inmate.

III. Transfers To or From the Facility

A. Transportation

- 1. SVPs should be placed into the segregated cages on the bus, or shall be transferred in a van separated from all other inmates. They should be segregated from others in the least restrictive manner possible depending on the seating arrangements available on the particular bus, while maintaining complete security.
- 2. They will be waist chained but cross chaining should only be done when the SVP has demonstrated that he or she is an escape risk or is possibly assaultive.

IV. IPD Procedures

- A. The arrest type will be "Booked Mental Health." If more than one case number is referenced on the document, an additional arrest will be made for each case. When entering the charges, **the first charge will always be WI 6600, "Sexual Predator."** The case number entered will be the court case number and no bail.

Once an SVP appears in court, on the petition, the jail will receive a court document. The court document will identify the two or more cases and charges that qualify the individual as an SVP. The SVPs custody records will be updated in the maintenance screen to

include the charges listed on the court document. **The charge of WI 6600 will not be removed and will remain as the first charge.**

V. Penal Code Section 2620

No SVP inmate should be booked under 2620 PC. That charge should be used for civil commitments that return to Sheriff's custody for hearings, such as:

PC section 2621- material witnesses.

PC section 2625 - family law hearing

Inmates who are here for civil hearings as material witnesses, for family law hearings, or for further proceedings under 2620 et. sq. will **not** be housed with SVPs, nor will this section apply to them.

DATE:	FEBRUARY 1, 2019
NUMBER:	R.11
SUBJECT:	INMATE FACILITY ASSIGNMENT CRITERIA
RELATED SECTIONS:	R.1 , R.3

PURPOSE

To facilitate the management and distribution of the inmate population among the detention facilities.

POLICY

All new inmates shall be screened for the purpose of assignment to an appropriate detention facility. The inmate population shall also be reviewed periodically, as needed, to identify inmates who have become eligible for transfer due to a legal or medical status change. Such a change may result in the reclassification of an inmate to a more appropriate custody level or housing assignment.

PROCEDURE

- I. The Jail Population Management Unit (JPMU) shall complete the inmate screening. After the inmate has been assessed, and assigned any applicable hazards, the inmate will be assigned to an appropriate housing area.
- II. Under normal circumstances, the Sheriff's Prisoner Transportation Detail (PTD), based on existing transportation schedules, shall facilitate the transfer of inmates. When there are no timely scheduled transportation runs, and the PTD has no one available for a special transportation run, the responsibility shall be handled by the individual facility. The watch commander's decision to transport inmates using facility personnel shall be based on housing availability, the necessity of the transport and the security needs of the facility.
- III. Deviation from the criteria established in Section IV, other than emergency situations, shall require the concurrence of the watch commander of the facility to which the inmates are being transferred. Documentation of such deviation shall be made in the Watch Commander Log. Due to the constant changes in inmate population and the need to maximize available bed space, facility transfer restrictions may be changed with the approval of both JPMU supervisors and Sheriff's command staff.
- IV. The following guidelines are meant to clarify the basic inmate housing criteria each facility can accommodate. Inmates will be assigned to the seven various facilities based on their individual housing criteria as follows:

2. East Mesa Reentry Facility (EMRF) may house un-sentenced post-arraignment inmates if they meet the following requirements:
 - a. No active holds (excluding ICE notifications) without pre-approval by a JPMU sergeant or above.
 - b. No bail over \$150,000 (excluding no bail probation violators, post release community supervision [PRCS] violators, Court Order to Produce [COTP], Parole Hold [PAR]).
 - c. No current open violent or assaultive charges
 - d. No known significant disciplinary problems
 - e. Inmates committed to state or local prison with an ARD of 5 years or less may remain at the facility until their scheduled transfer to prison necessitates their transfer to another facility.
 - f. Inmates with 3rd strike markers shall not be housed at the EMRF. Unsentenced inmates with only two strikes shall not be housed at EMRF.

DATE:	JULY 1, 2014
NUMBER:	R.12
SUBJECT:	INCENTIVE BASED HOUSING
RELATED SECTIONS:	NEW P&P SECTION

PURPOSE

Incentive Based Housing (IBH) is used to promote a living environment of responsibility and accountability. This type of housing is designed to reward positive programming participation and/or inmate behavior through quality of life privileges. The goal of IBH is to instill self-discipline and provide a platform for successful reentry into the community.

POLICY

The Detention Services Bureau will offer Incentive Based Housing at appropriate facilities with the goal of generating positive inmate behavior and/or programming participation. Participating facilities will develop facility specific program guidelines.

PROCEDURE

- I. Facilities participating in IBH may develop a Multi-Disciplinary Team (MDT) or an appointing authority to determine the screening and acceptance for inmates into incentive based housing.
 - A. Inmates approved for IBH shall maintain compliance with the admission criteria and established facility rules. Inmate behavior will be monitored by the MDT or appointing authority. Violations may result in the inmate being removed from IBH and/or a loss of privileges. Denial from IBH can not be grieved.
 - B. Inmates in IBH may be required to attend a variety of programs, groups, classes, or job assignments.

- II. General criteria for housing in IBH.

General criteria will be established for each facility by the Facility Commander and outlined in a green sheet.

- III. Incentives
 - A. The behavior of the inmates participating in IBH will be the determining factor whether incentives are gained or lost.
 - B. IBH provides incentives not normally afforded to mainline inmates. IBH privileges are established by the Facility Commander or designee. Facility green sheets will outline the incentive process.

IV. Sanctions

- A. Sanctions are generally the removal or denial of incentives.
- B. Non-compliance with established IBH rules will be evaluated by the MDT or appointing authority for sanctions or continued participation in IBH. Inmates may be removed from IBH for circumstances that create a safety or security risk or for failure to follow established rules as outlined in Detentions Policy and Procedure Section O.3.

DATE:	FEBRUARY 1, 2019
NUMBER:	R.13
SUBJECT:	TRANSGENDER, INTERSEX AND NON-BINARY INMATES
RELATED SECTIONS:	R.1, R.3 , R.11 , I.47 , I.52, L.1, L.11, J.3 , 4030 P.C., PREA

PURPOSE

To ensure decisions regarding the searching, housing, programming, and in-custody services such as clothing, commissary, and toiletries are applied in a manner consistent with an inmate's declared gender identity.

POLICY

It is the policy of the San Diego County Sheriff's Department to receive, evaluate, house, and provide secure, safe and humane custody of all persons, including transgender, intersex, and non-binary which are committed or held for confinement by the Sheriff until their lawful and appropriate release or transfer to another authority. During intake, all inmates who identify as transgender, intersex, or non-binary will be asked about their housing and search preferences. Staff shall record these preferences on a Voluntary Gender Identity Statement of Preference Form (J-350).

PROCEDURE

I. DEFINITIONS

Transgender – A person whose gender identity (internal sense of feeling male or female) differs from their sex at birth.

Intersex – A condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns, and/or an endocrine system that does not fit typical definitions of male or female.

LGBTQ+ – Acronym used to include all those who have diverse sexual orientations and/or gender identities. The acronym includes those who identify as lesbian, gay, bisexual, transgender, queer and or questioning and the "+" includes all others within the spectrum.

Gender identity – Distinct from sexual orientation and refers to a person's internal, deeply felt sense of being male, female, or non-binary.

Non-Binary – Term used by some people who experience their gender identity and or gender expression as falling outside the categories of man and woman. They may self-identify as falling somewhere in between man and woman, or they may define it as wholly different for these terms.

II. IDENTIFICATION OF TRANSGENDER, INTERSEX AND NON-BINARY INMATES

- A. Upon identifying an individual as transgender, intersex, or non-binary, based on the inmate's response to the gender identity intake screening question, medical staff will immediately notify the Jail Population Management Unit (JPMU). JPMU will respond immediately to conduct an individualized housing assessment with the inmate prior to the inmate entering the facility (see section IV for details).
- B. If at any time a staff member suspects an inmate may be transgender or intersex, they will notify JPMU for a resolution.

III. SEARCHES OF TRANSGENDER, INTERSEX, OR NON-BINARY INMATES

- A. Inmates who identify as transgender, intersex, or non-binary shall not be subject to a strip search or body scan, prior to being interviewed by JPMU, unless exigent circumstances exist.
- B. Staff shall not search or physically examine an inmate for the sole purpose of determining genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.
- C. JPMU staff will conduct an interview with the inmate to determine the appropriate gender of the staff to conduct the search. During the interview, JPMU staff will provide the inmate with a J-350 form to document the inmate's gender identity, gender search, and housing preference.
- D. The J-350 Form will be placed in the inmate's custody record and a Jail Information Management System (JIMS) housing modifier will be entered to identify the inmate's strip search preference.
 - 1. If the inmate prefers male deputies to conduct the pat-down or strip search, the code MSS will be utilized.
 - 2. If the inmate prefers female deputies to conduct the pat-down or strip search, the code FSS will be utilized.
 - 3. Transgender, intersex, or non-binary inmates who express no preference on the J-350 form as to whom will conduct searches of their person, will be told by JPMU staff that searches of their person will be conducted by staff that is of the same gender as the inmate's assigned housing status.
- E. All searches of transgender, intersex, or non-binary inmates will be conducted by staff member(s) in accordance with the inmate's documented search preference. All strip and visual body cavity searches shall be conducted in an area of privacy so the search cannot be observed by persons not participating in the search. Persons are considered to be participating in the search if their official duties relative to search procedures require them to be in the area or present at the time the search is conducted. This does not preclude deputies of either gender from assisting each other during violent confrontations or when personal safety of staff is threatened.

- F. During exigent circumstances, if no deputy of the appropriate gender (based on the inmate's stated preference) is reasonably available, a deputy of the opposite gender may conduct a pat-down search. The pat-down search will be documented in the inmate's history utilizing the drop down "PDS-Pat Down Search" in JIMS (refer to DSB P&P I.52 for further details).

IV. HOUSING AND PROGRAMMING ASSIGNMENTS

- A. JPMU staff will be consulted to determine individualized housing assignments for all transgender, intersex, or non-binary inmates in custody. JPMU staff will use the information obtained from the J-350 form, along with other factors to include the inmate's safety, the safety of other inmates, and staff to determine the most suitable housing assignment. An inmate's own views, with respect to his or her own safety, shall be given serious consideration. A hazard and instruction will be added to document the inmates stated gender identity in JIMS (TGF for female, TGM for male and TGX for gender non-binary/other). The hazard informs staff of the inmate's gender identity and which pronouns are preferred by the inmate. The inmate's gender identity may differ from their assigned housing status.
- B. Transgender, intersex, or non-binary inmates that do not specify a housing preference on the J-350 form, will receive housing assignments consistent with their biological sex.
- C. Inmates shall not be denied access to programs or services, that they would otherwise be eligible for, based on their sexual orientation and/or gender identity.
- D. In deciding whether to assign a transgender, intersex, or non-binary inmate to a facility for male or female inmates, and in making other housing and programming assignments, the department shall consider, on a case-by-case basis, whether the placement would ensure the inmate's health and safety, and whether the placement would present a security risk to the inmate.
- E. Transgender, intersex, or non-binary inmates can be housed in dorm style or cell housing. One of the following options will apply when assigning a transgender, intersex, or non-binary inmate to cell housing:
 - 1. Single cell housing, no cellmate.
The JIMS Operation Status Board (Area Status) will be changed to "JPMU-JPMU Override Do Not Change" for additional beds in the cell. This will notify staff of the bed(s) that are out of service and require approval from JPMU.
 - 2. Other transgender, intersex, or non-binary cellmate(s).
 - 3. Non-transgender, intersex, or non-binary cellmate(s) will require approval from JPMU and documented in an Inmate Status Report (ISR).

- F. Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there are no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. JPMU supervisors will be notified and provide direction in determining the most suitable housing option.

JPMU staff will be consulted if an involuntary segregated housing assignment is necessary. The JPMU deputy shall clearly document the basis for the concern for the inmate's safety and the reason why no alternative means of separation can be arranged. All inmates housed in Administrative Segregation will be subject to weekly reviews as described in J.3.

- G. In conjunction with existing parameters, transgender, intersex, and non-binary inmate custody levels shall be reassessed, when necessary, due to a referral, request, an incident of sexual abuse, or receipt of additional information that increases the inmate's risk of sexual victimization or abusiveness. Housing and programming assignments for each transgender, intersex, or non-binary inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

V. DOCUMENTATION

All initial classification housing assignment decisions will be documented in an ISR, regardless of the housing decision (e.g. male or female facility, general population or protective custody). The ISR will detail the inmate's gender identity, gender search preference, housing preference and the inmate's own views with respect to their own safety. The ISR will state the final gender housing assignment as determined by JPMU.

VI. HYGIENE, COMMISSARY, AND INMATE CLOTHING

- A. Transgender, intersex, or non-binary inmates shall be given the opportunity to shower separately from other inmates. This may be accomplished either through physical separation (e.g., separate shower stalls) or by scheduling time (e.g., allowing an inmate to shower before or after others). In any event, facilities should adopt Green Sheet procedures that will afford transgender, intersex or non-binary inmates the opportunity to disrobe, shower and dress apart from other inmates.
- B. Transgender, intersex, or non-binary inmates will be given jail-issued clothing that matches their gender identity (e.g. female undergarments for a transgender female inmate or male undergarments for a transgender male), upon request.
- C. Transgender, intersex and non-binary inmates will be allowed to order available commissary items in accordance with their gender identity.