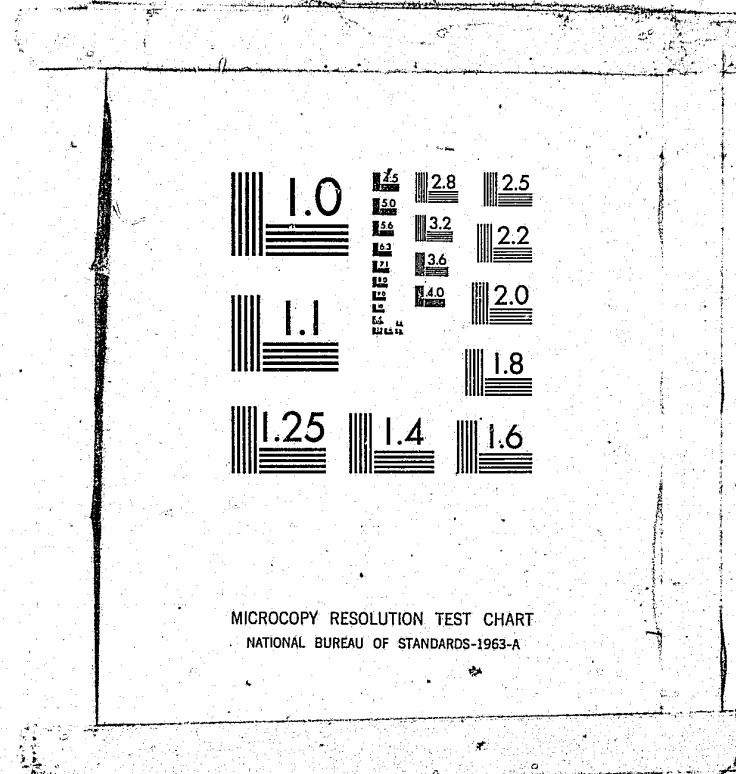


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National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

DATE FILMED  
12/28/81

*Handwritten signature*

# Policy and Procedure Development: A Worksheet Approach

September 1980

- 0-4 hour jails
- 4-72 hour jails
- 72+ hour jails

77273

of Ohio Department of Rehabilitation and Correction  
Bureau of Adult Detention Facilities and Services

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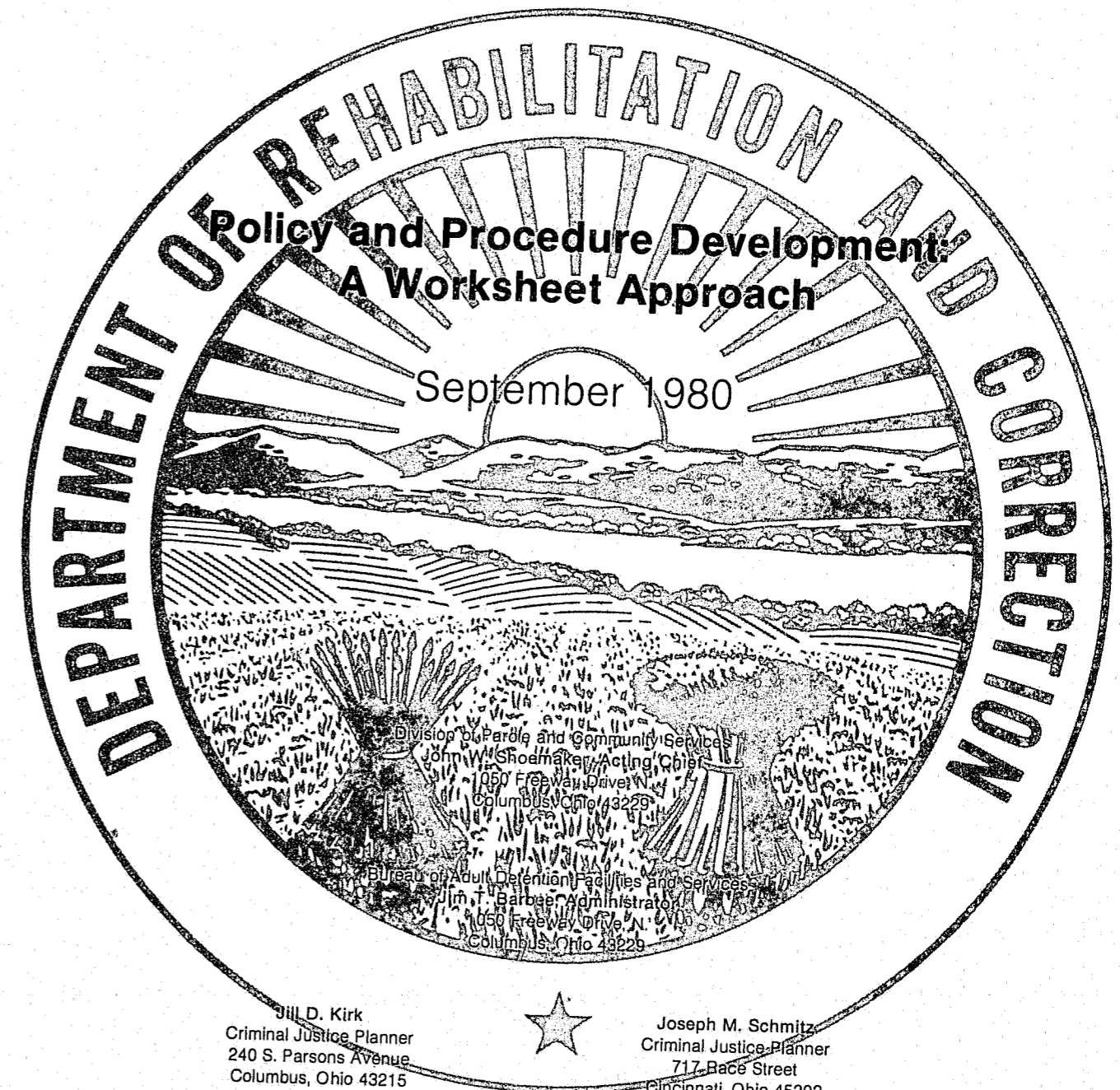
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STATE OF OHIO



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INTRODUCTION

The following materials have been designed to assist Jail Administrators in their efforts to develop standard operation manuals. These sample policies and procedures merely provide an example of one of several ways a Jail Administrator may write policies and procedures which will comply with the Minimum Standards for Jails in Ohio. The samples may be completely rewritten, modified, or where applicable, adopted verbatim to meet the facility's needs.

The Bureau of Adult Detention has identified the absence of written policies and procedures as one of the most common deficiencies in most jail operations, yet one of the least expensive to rectify. Establishing set practices for jail personnel is important for several reasons.

1. Providing a basis for training new staff;
2. Providing direction and guidance for existing staff;
3. Promoting consistency and professionalism among staff;
4. Complying with the state standards which require policies and procedures (approximately 22 percent);
5. Providing documentation of the organization's philosophy, goals, and practices; and,
6. Serving as a defense against personal liability in court actions.

Jail Administrators are encouraged to use this document as a guide to begin the step-by-step process of developing their own written policies and procedures.

Sincerely,

*George F. Denton*  
George F. Denton  
Director

OUTLINE - FULL SERVICE JAIL

- I. Administration
  - A. Goals and Objectives
  - B. Personnel
  - C. Communication and Coordination
  - D. Staff Training
- II. Admissions
  - A. Admission Criteria
    1. Identity of Escorting Officer
    2. Legality of Commitment Documents
    3. Condition of Prisoner
    4. Juvenile Prisoners
    5. Subsequent Identification of Juveniles
  - B. Frisk Search
  - C. Notification of Incarceration by Prisoner
  - D. Records and Reports
  - E. Confiscation of Personal Property
  - F. Issuance of Prisoner Handbook
  - G. Female Prisoners
  - H. Surveillance of Holding Cells
  - I. Identification of Prisoner
  - J. Interview by Pre-Trial Release Agency
  - K. Determination of Length of Stay
  - L. Confiscation of Prisoner Clothing
  - M. Shower and Delouse
  - N. Strip Search
  - O. Issuance of Jail Uniform, Linens and Hygiene Items
  - P. Preliminary Health Screening
- III. Classification
  - A. Classification of Prisoners
  - B. Housing Assignment
  - C. Administrative Segregation
- IV. Security
  - A. Weapons
  - B. Contraband
  - C. Security Inspections
  - D. Surveillance of Prisoners
  - E. Prisoner Counts
  - F. Key Control
  - G. Control of Tools and Hazardous Materials
  - H. Use of Force
  - I. Use of Physical Restraining Devices

V. Prisoner Communications

- A. Mail
- B. Use of Telephone While in Custody
- C. Visitation
- D. Emergency Messages to Prisoners

VI. Prisoner Services

A. Medical Services

- 1. Staff and Training
- 2. Health Appraisal
- 3. Emergency Medical Care
- 4. Non-Emergency Medical Care-Daily Medical Complaints
- 5. Non-Emergency Transportation
- 6. Medications/Pharmaceuticals
- 7. Dental
- 8. Psychological/Psychiatric
- 9. Miscellaneous Services-Personal Physician, Prosthetic Devices, Body Cavity Searches, and Detoxification

- B. Food Service
- C. Prisoner Hygiene

VII. Prisoner Programs

- A. Work Assignments
- B. Recreation and Leisure Activities
- C. Reading Materials
- D. Legal References
- E. Religious Services
- F. Other Services
- G. Commissary

VIII. Other Routine Procedures

- A. Control of Prisoner Funds
- B. Release of Prisoner Property to Third Parties
- C. Preparing Prisoners for Court

IX. Grievances and Discipline

- A. Prisoner Grievances
- B. Discipline - Definitions and Offenses
- C. Due Process

X. Transfer and Release

- A. General Procedures
- B. Authority to Transfer or Release

XI. Emergency Procedures

- A. Riot or Disorder
- B. Fire
- C. Escape
- D. Attempted Suicide, Suicide, or Death of a Prisoner  
in Confinement
- E. Hostage-Taking

APPENDICES

- A. Frisk Search Procedure
- B. Strip Search Procedure
- C. Cell Search Procedure
- D. Prisoner Services Sources
- E. Commissary Items/Prices
- F. Permitted Items
- G. Medical Emergency Health Care Plan
- H. Symptoms of Mental Illness or Anxiety
- I. First Aid Equipment
- J. Censorship Guidelines
- K. Prisoner Rights
- L. Master Schedule
- M. Floor Plans
  - 1. Housing Unit - numbers and uses
  - 2. Security Posts
  - 3. Fire Evacuation Routes, Extinguishers and Hose(s)  
Locations
- N. Forms
  - 1. Admissions/Release
    - a. booking card
    - b. preliminary health evaluation
    - c. property envelope
    - d. money envelope
    - e. property tag
    - f. examples of custody/commitment documents
    - g. receipt of handbook form
    - h. cell assignment card
    - i. custody accepted
  - 2. Medical Forms
    - a. medical complaint--request slip
    - b. Doctor's orders to jailer
    - c. medication log
    - d. health history
    - e. physical examination form
  - 3. Disciplinary Forms
    - a. rule violation report
    - b. notification of charges
    - c. notification of denial of hearing
    - d. waiver of hearing
    - e. notification of disciplinary hearing and charges
    - f. notification of disciplinary hearing findings

WORKSHEET

4. Other Forms

- a. daily log
- b. telephone log
- c. incident report
- d. prisoner count
- e. deposit receipt

A. OPERATIONAL AREA

Administration - Goals and Objectives

B. STATE STANDARDS

None directly applicable.

C. CASE LAW

None directly applicable

D. SUGGESTED GUIDELINES

5001 There is a statute authorizing the establishment of the local detention facility or its parent agency.

5002 There is a written statement that describes the philosophy, goals or purposes of the facility, which is updated as necessary.

E. MODEL POLICY AND PROCEDURE (OUTLINE ONLY)

I.A. Policy:

The Sheriff, Common Pleas Court Judge, and the Jail Administrator shall review applicable case law annually to establish the legal basis for operating the jail. A planning committee shall be established to monitor and make recommendations regarding the jail programming, alternative community programming, and the condition of the physical plant.

Procedure:

1. Authorizing or relevant statutory law.
2. Goals and Objectives:
  - a. as related to the total criminal justice system;
  - b. the jail as a separate entity.

3. Facility's History.

WORKSHEET

A. OPERATIONAL AREA

Admissions - Frisk Search

B. STATE STANDARDS

5120:1-8-17

- (A) Each jail shall develop written policies and procedures governing jail personnel requirements.
- (B) The official charged with responsibility for operating a jail shall function as the jail manager or, if not qualified to do so shall designate a jail manager who is qualified by training and/or experience to supervise and control prisoners.
- (C) Jails shall have personnel assigned to jail duty as full-time employees.
  - (1) Jail personnel duties shall be limited to the operation and/or management of the confinement facility.
- (D) Prior to employment, all employees of a confinement facility shall be subject to a thorough background investigation such as criminal, medical, and psychiatric history.
- (E) A written standardized individual performance evaluation shall be conducted at least annually.
- (F) Jail personnel shall receive salaries equal to other employees with comparable qualifications and seniority within the agency.
- (G) All jails shall have staff available to fulfill the responsibilities included in but not limited to those founded in rules 5120:1-8-03(B), (C), (E), (L), (V) (1), 5120:1-8-07(D), 5120:1-8-09(G), 5120:1-8-10(A) (1), 5120:1-8-11(A), 5120:1-8-14(A), 5120:1-8-17(I), and 5120:1-8-18(E), of the administration code.
  - (1) Jails housing prisoners in excess of 72 hours or whose average daily population is 10 or more shall have a staff person assigned to each security post or station.

I.B. (cont'd.)

- (2) A second staff person shall provide back-up when multiple occupancy cells or dorms are entered by staff.
- (3) When applicable, the jail shall provide sufficient staff to conduct prisoner transportation and court escort without disrupting routine jail operations.
- (H) Each jail shall establish a sufficient number of security posts based on prisoner security classifications, facility design, and prisoner services (e.g., visitation, programming).
- (I) Each jail shall employ a sufficient number of female jail staff to be available to perform all sensitive reception and release procedures for female prisoners (e.g., searches, showers, and clothes exchange).
- (1) Female staff shall be on duty for the duration of a female prisoner's confinement.

C. CASE LAW

Battle v. Anderson, 457 F. Supp. 719 (E.D. OK 1978)

Court Orders rotation of assignments of prison staff.

Berks County Prison v. Human Relations Commission, 387 A.2d. 1030 (Commonwealth of Pennsylvania 1978)

A guard who had, prior to being dismissed, filed a discrimination complaint, was ordered reinstated with back pay.

Brown v. Benton, 452 F. Supp. 28 (W.D. OK 1978)

Termination of guard based solely on results of background check was reasonable.

Finney v. Mabry, 458 F. Supp. 720 (E.D. AR 1978)

Court orders affirmative action program of recruitment. Also orders the rotation of officers assigned to administrative segregation unit.

State Dept. of Human Resources v. Dept. of Correctional Services, 401 NYS 2d. 619 (App. Div. 1978)

Sex is not a bona fide occupational qualification for an institutional cook.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5039 Written personnel policy and procedure require the selection, retention and promotion of all personnel on the basis of merit, specified qualifications and competitive examinations.

5040 The administrator reviews the facility's personnel policy annually and submits recommended changes to the parent governmental agency.

Also see Commission Standards 5041 through 5068.

E. MODEL POLICY AND PROCEDURE (OUTLINE ONLY)

I.B. Policy:

The Sheriff, Jail Administrator and County Commissioners shall review personnel policies on an annual basis. Jail personnel shall be compensated at the same rate as road patrol. It is the desire of this department to hire the most qualified applicants. It is the county's policy not to discriminate against anyone.

Procedure:

1. Employment Criteria

- a. age
- b. education
- c. other

2. Recruitment Methods

- a. minority recruitment
- b. civil service list
- c. Ohio Bureau of Employment Services
- d. colleges and technical schools

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3. Employment Setting
  - a. testing
  - b. background investigation
  - c. interview
4. Hiring
  - a. appropriate approval
  - b. payroll procedures
5. Terms and Conditions of Employment
  - a. salary
  - b. fringe benefits
  - c. vacation leave
  - d. sick leave
  - e. retirement
  - f. probationary period
  - g. promotional opportunities
  - h. resignations
6. Compensatory Time
7. Overtime
8. Scheduling and Posting of Duty Assignments
  - a. administrative responsibility
  - b. handling of requests and preferences
  - c. procedures for exchanging duty assignments
9. Job Descriptions - Jail Personnel
  - a. Sheriff: jail related duties
  - b. Jail Administrator
  - c. Ranking Jailer on Duty
  - d. Admitting Jailer

- e. Housing Jailer
- f. Program Jailer
- g. Matron
- h. Central Control Officer
- i. Organizational Chart
10. Code of Ethics
11. Dress Code
12. Personnel Infractions
  - a. minor infractions (tardiness, dress code violations, etc.)
  - b. major infractions (absence from duty, failure to follow orders, etc.)
  - c. supervisor's responsibilities
  - d. employee's responsibilities and rights
  - e. hearing and appeal procedures
13. Employee Performance Reviews
  - a. supervisor's responsibility
  - b. employee's role
  - c. appeal of unfavorable reviews
14. Employee Grievances
15. Staffing Levels
  - a. security
  - b. services
  - c. programming

WORKSHEETA. OPERATIONAL AREA

Administration - Communication and Coordination

B. STATE STANDARDS

None directly applicable.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5003 Written policy and procedure provide for the participation of other community agencies in policy development, coordinated planning and interagency consultation.

5016 Written policy and procedure require that the sentencing courts are advised, at least annually, through written reports, of the extent and availability of services and programs to prisoners.

5017 Parent agency policy and procedure provide a mechanism for communication with executives, legislative and judicial bodies at all governmental levels.

5019 Written policy and procedure provide for a public information program that is reviewed at least annually and updated as needed.

5020 The parent agency initiates and maintains contact with representatives of the media.

E. MODEL POLICY AND PROCEDURE (OUTLINE ONLY)I.C. Policy:

Since the jail serves a public function, it is imperative that the administration and employees maintain open lines of communication with the county residents and news agencies. It is the desire of this administration

to encourage public interest in the jail. The Jail Administrator shall be responsible for initiating and maintaining coordination with other jails, law enforcement and criminal justice agencies. The Sheriff and the county prosecutor shall evaluate all written contracts with such agencies.

Procedure:

1. Communication with News Agencies
  - a. newspapers
  - b. radio and television
  - c. other
2. Communication with General Public
3. Communication and Coordination with Other Jails
4. Communication and Coordination with Other Law Enforcement Agencies
5. Communication and Coordination with Other Criminal Justice Agencies

## WORKSHEET

A. OPERATIONAL AREA

Administration - Staff Training

B. STATE STANDARDS

5120:1-8-18

- (A) Each jail shall develop written policies and procedures for the training of jail personnel.
- (B) All jail staff shall receive training in jail/correction work which shall be completed within the prescribed time period commencing with date of employment, including:
- (1) Reading and understanding all rules, regulations, policies, and procedures governing the operation of the facility (one week).
  - (2) Familiarization with the minimum standards for jails as established by the Bureau of Adult Detention Facilities and Services and the rules, regulations, and other directives of the governing authority (one month).
  - (3) Legal aspects of corrections (one month).
  - (4) A comprehensive overview of jail/corrections work and practices (three months).
  - (5) Appropriate training in self-defense and restraining techniques (three months).
  - (6) American Red Cross or equivalent training in emergency first-aid and life-saving techniques (six months).
  - (7) An introduction to basic behavior principles and techniques for establishing effective interpersonal relationships (one year).
- (C) Staff assigned to jail duties on a part-time basis shall receive training as outlined in 5120:1-8-18 (B) (1), (2), and (3) of the administrative code.
- (D) A minimum of 80 hours advanced training in jail management, operations, and corrections shall be provided all jail staff within two years from the date of employment.
- (E) There shall be a designated training officer for all jails employing ten (10) or more jail personnel

C. CASE LAWJones v. Wittenberg, 440 F. Supp. 60 (N.D. OH 1977)

Staff training ordered and psychological screening of staff ordered.

Ahrens v. Thomas, 434 F. Supp. 873 (W.D. MO 1977)

Court orders jail staff training program and the hiring of staff on merit.

Goldsby v. Carnes, 429 F. Supp. 370 (W.D. MO 1977)

All jail staff ordered to undergo 40 hours annual in-service training.

Alberti v. Sheriff of Harris County, 406 F. Supp. 649 (S.D. TX 1975)

Court orders additional training for jail staff, orders County to budget for training and orders that jail staff receive parity with enforcement deputies in pay and hours.

See also Owens v. Haas, described on Worksheet IV.H. (Use of Force).D. SUGGESTED GUIDELINESCommission on Accreditation

5069 Written policy and procedure provide that the facility's training programs for all employees are coordinated and supervised by a qualified training officer, at a supervisory level; in a facility of over 100 employees, this person is employed full-time for this purpose. (Detention--Essential, Holding --Desirable)

5070 There is a written training and staff development plan for all facility employees. (Detention--Essential, Holding, Essential)

5071 Written policy and procedure provide that all new employees receive 40 hours of orientation to the detention facility prior to job assignment and an additional 40 hours of training during their first year of employment. (Detention--Essential, Holding--Important)

5072 Written policy and procedure provide that all employees receive a minimum of 40 hours of training each year after the first year of employment. (Detention--Essential, Holding--Important)

5073 Written policy and procedure provide that all employees who work in direct and continuing contact with prisoners receive training that covers, at a minimum:

- Security procedures;
- Supervision of prisoners;
- Report writing;
- Significant legal issues;
- Prisoner rules and regulations;
- Grievance and disciplinary procedures;
- Rights and responsibilities of prisoners;
- Fire emergency procedures;
- First Aid;
- Communications skills;
- Crisis intervention;
- Special needs of minorities, women and ex-offenders; and
- Problem-solving and guidance.

(Detention--Essential, Holding--Important)

5073 Written policy and procedure provide that the facility's administrative and managerial staff receives at least 40 hours of additional training in management skills each year.

5075 Library and reference services are available to complement the training and staff development program. (Detention--Essential, Holding--Important)

5076 For facilities with over 100 employees, there is an advisory training committee composed of the facility training officer and a representative from each department. (Detention--Important, Holding--Important)

5077 All personnel authorized to use firearms are trained in weaponry on a continuing, inservice basis and are required to qualify annually. (Detention--Essential, Holding--Essential)

5078 All authorized personnel are thoroughly trained in the use of chemical agents. (Detention--Essential, Holding--Essential)

5079 All security personnel are trained in approved methods of applying physical force to control prisoners, where necessary. (Detention--Essential, Holding--Essential)

5080 The facility provides official administrative leave and reimbursement for employees attending selected professional meetings, seminars and similar work-related activities. (Detention, Important, Holding--Important)

5081 The budget includes funds for compensating staff for additional time spent in training, or for replacement personnel when training occurs on the job. (Detention--Important, Holding--Important)

#### E. MODEL POLICY AND PROCEDURE (OUTLINE ONLY)

##### I.D. Policy:

Training of jail personnel shall be an ongoing process. Detailed training objectives will be established based upon specific job tasks and applicable jail standards. Performance standards will be established to measure the effectiveness of training and to indicate areas where further training is needed. Outside agencies will be utilized to supplement inhouse resources. All jailers will be required to complete 40 hours of pre-service training since it is unlikely they are qualified to perform their assignment duties effectively upon employment. Thereafter jailers will receive 40 hours training annually to maintain and improve skills.

##### Procedure:

1. First Day Orientation for New Jailers
  - a. processing required agency personnel forms
  - b. introduction of staff
  - c. jail uniform issue
  - d. physical exam

2. Pre-Service Training/One Week

- a. physical plant
- b. policies and procedures manual
- c. Minimum Standards for Jails in Ohio

3. On-the-Job Training

- a. responsibility of supervisor
- b. responsibility of training officer
- c. implementation of policies and procedures
- d. report writing

4. In-Service Training

a. mandatory

- (1) self defense and restraining techniques
- (2) basic Red Cross training
- (3) legal aspects of corrections
- (4) comprehensive overview of corrections
- (5) interpersonal communication techniques

NOTE: The National Sheriff's Association's Training Manual will be used for (3) - (5)

b. Suggested

- (1) Ohio Peace Officer's Training Academy courses
- (2) college and technical school courses
- (3) Advanced Red Cross

5. Probationary Period Examination

6. Pre-promotion Training and Examination

7. Supervisor Annual In-Service Training

8. Attendance at Seminars, Workshops, and Conferences

- a. in state
- b. out of state

9. Memberships in Professional Organizations

10. Exceptions or Waivers from Mandatory Training

WORKSHEETA. OPERATIONAL AREA

Admission of Prisoners - Identity of Escorting Officer

B. STATE STANDARDS

5120:1-8-01

- (A) Each jail shall develop policies and procedures governing the reception, orientation, and release of new admissions.
- (C) The arresting or committing officer shall be positively identified and duly authorized to make the commitment.

C. CASE LAW

None specifically related.

D. SUGGESTED GUIDELINESCommission on Accreditation

5323 Positive identification is made of the arresting or committing officer, including verification of the officer's authority to make the commitment. (Detention--Essential, Holding--Essential)

E. MODEL POLICY AND PROCEDUREII.A.1 Policy:

No person will be admitted into the custody of the Ohio County Jail unless the officer escorting the person is positively identified.

Procedure:

1. Request: The admitting jailer will request to see documentary identification of the escorting officer. Such identification shall include:

- a. A badge and photo I.D. for law enforcement officers, showing unit number and signature of agency head;
- b. An official photo I.D. for officers of the Ohio Department of Rehabilitation and Corrections and for county and municipal probation officers.
- c. Such other identification as the admitting jailer deems necessary to establish positive identification.
2. Refusal: If the escorting officer cannot or will not produce proper identification, or if the identification produced does not conform to the officer's person, the admitting jailer will refuse to accept custody.
3. Reporting: If custody is refused, the facts and circumstances surrounding the refusal will be noted by the admitting jailer in the Daily Log.

WORKSHEETA. OPERATIONAL AREA

Admissions - Legality of Commitment Documents

B. STATE STANDARDS

5120:1-8-01

- (B) Reception of all commitments by proper authority requires documentation as prescribed by law.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5321 Written procedures for admitting new inmates include verification of commitment papers.

National Sheriffs' Association

- 3a. Steps should be taken to assure that commitments are legally proper.

E. MODEL POLICY AND PROCEDUREII.A.2 Policy:

No person shall be accepted into the custody of the Ohio County Jail without clear and documentary legal authority.

Procedure:

1. Request: Immediately following the review of the escorting officer's identification, the admitting jailer will obtain from the escorting officer the legal documents authorizing custody.
2. Review: The admitting jailer will review the documents for proper execution. Such documents would include:

- a. Mittimus issued by the court for execution of sentence;
  - b. Court orders or orders from the Attorney General of Ohio specifying the detention of State witnesses;
  - c. Arrest warrants from Ohio County Common Pleas or Municipal Courts;
  - d. Transfer papers or hold orders from the Federal Bureau of Prisons or the Ohio Department of Rehabilitation and Corrections (including Probation and Parole);
  - e. Bond forfeiture papers approved by the Clerk of Courts;
  - f. Warrants signed by the arresting officer.
3. Refusal: If the escorting officer is unable to produce valid commitment documents, the admitting jailer will refuse to accept custody of the prisoner.
  4. Recording: If the admission of a prisoner is refused due to lack of proper documentation, the facts and circumstances of the refusal will be noted in the Daily Log.

WORKSHEETA. OPERATIONAL AREA

Admission of Prisoners - Condition of Prisoner Being Admitted

B. STATE STANDARDS

5120:1-8-01

(G) No prisoner shall be admitted in a state of unconsciousness without documented approval from a licensed physician.

(D) (16) Booking records shall include apparent mental and physical condition.

C. CASE LAW

Jones v. Wittenberg, 330 F. Supp. 707 (N.D., OH 1971)

Jail required to "have physician on call and to examine "entering prisoners."

D. SUGGESTED GUIDELINES

Commission on Accreditation

5324 Written policy and procedure require that all newly admitted inmates are thoroughly searched (including inspection for cuts, bruises, needle scars and other injuries).

E. MODEL POLICY AND PROCEDURE

II.A.3 Policy:

It is the policy of the Ohio County Jail that no person will be admitted to the jail in an unconscious state and that any evidence of illness or injury will be given prompt attention by medical personnel prior to the acceptance of custody.

Procedure:

1. Observation: The admitting jailer will carefully observe the physical condition and behavior of the prisoner being admitted.
2. Serious Injury: If the injury, illness, or emotional state of the prisoner appears serious, the admitting jailer will:
  - a. Refuse acceptance of custody and direct the arresting officer to seek medical attention for the prisoner;
  - b. Not accept custody until the arresting officer provides documentation of prisoner's medical treatment.
3. Intoxicated: If the prisoner's behavior appears to be affected by the use of drugs or alcohol, the admitting jailer shall follow the steps in Procedure VI. A.9,#4.
4. Minor Injury: If the prisoner's injury appears minor in nature:
  - a. The admitting jailer will notify the ranking jailer prior to accepting the prisoner.
  - b. The ranking jailer will carefully observe the prisoner's injury(s) and determine the need to call the jail physician or the local EMT squad (see Procedure VI.A.3).
5. Approval: Until the jail physician examines the prisoner for acceptance, the admitting jailer will not accept custody of the prisoner and will direct the escorting officer to remain with the prisoner in the booking area.



6. Refusal: If after examination the jail physician determines that the prisoner should not be admitted into custody, the admitting jailer will refuse acceptance and return the commitment document(s) to the escorting officer.
7. Recording: Any incident which results in the refusal of admission or the transfer of custody will be noted by the admitting jailer in the Daily Log.
8. Medical Records: Any medical records received by the admitting jailer will be placed in the prisoner's medical file (see Procedure II.P., #5).

WORKSHEETA. OPERATIONAL AREA

Admissions - Juvenile Offenders

B. STATE STANDARDS

5120:1-8-04

- (A) Adult female, juvenile female, adult male, and juvenile male prisoners shall be housed completely separate by sight, sound, and touch at all times unless otherwise specified by court order.

5120:1-8-01

- (D) (5) Date of birth to be determined on admission.

- (Q) During admission, no juvenile shall be placed or allowed to remain in the same cell or room with adult prisoners.

C. CASE LAWIn re Tsesmilles, 24 Ohio Appeals Court, 2d 153 (1970)

Court ordered separation of adults and juveniles in confinement.

D. SUGGESTED GUIDELINESNational Coalition on Jail Reform

Minor children should not be incarcerated in adult detention facilities.

Juvenile Justice and Delinquency Prevention Act, 1974

Every state receiving federal delinquency prevention funds will develop a plan to discontinue the housing of juveniles in adult facilities.

National Sheriff's Association

If juveniles are held in adult facilities, they must be separated by sight and sound from adult inmates.

## E. MODEL POLICY AND PROCEDURE

II.A.4 Policy:

Juveniles will be held in the Ohio County Jail only under court order during hours when no alternative is available. Every effort will be made to ensure that juveniles are kept separate from adult prisoners and that juveniles are held for the minimum amount of time necessary.

Procedure:

1. Determination of Age: The admitting jailer will exercise every available means to determine the age of prisoners who may be juveniles before accepting such prisoners into custody. Such means shall include but not be limited to:
  - a. Inspection of prisoner's personal identification;
  - b. Questioning of prisoner and escorting officer;
  - c. Telephone calls to relatives named by the prisoner.
2. Transfer to Juvenile Detention Center: If the prisoner is found to be a juvenile and if the commitment documents do not specify that the prisoner is a juvenile to be handled as an adult, the admitting jailer will instruct the escorting officer to transport the prisoner to the Ohio County Juvenile Detention Center, 979 East Market Street, Buckeye, Ohio.

3. Temporary Jail Detention: If the juvenile prisoner is brought to the jail after 6:00 p.m. and the commitment documents are otherwise in order, the admitting jailer will accept custody and the juvenile will be housed until 8:00 a.m. the following morning, at which time the juvenile will be transferred to the Juvenile Detention Center.
4. Recording: The admission of a juvenile for temporary detention awaiting transportation will be noted in the Daily Log.
5. Housing: Juveniles held temporarily will be housed in Units G, H, or holding cell A2, whichever is available.
6. Subsequent Identification: When a prisoner already admitted into custody is subsequently identified as a possible juvenile, procedures set forth in II.A.5 will be observed.

WORKSHEETA. OPERATIONAL AREA

Admissions - Subsequent Identification of a Prisoner as a Juvenile

B. STATE STANDARDS

Same as for II.A.4.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

Same as for II.A.4

E. MODEL POLICY AND PROCEDUREII.A.5 Policy:

Every effort will be made by the staff of the Ohio County Jail to avoid the inadvertent or mistaken detention of juveniles.

Procedure:

When a prisoner professes to be a juvenile and is not being held by court order to stand trial as an adult, or when a prisoner may be identified as a juvenile by any credible source, the jailer who first hears or receives such a report will observe the following steps:

1. Separation: Segregate the prisoner from the adult prisoners.

2. Notification: Notify the Jail Administrator or, in the Administrator's absence, the ranking jailer on duty.
3. Investigation: The Administrator or the ranking jailer will attempt to determine the true age of the prisoner by:
  - a. Questioning the prisoner;
  - b. Obtaining from the prisoner the names, addresses, and telephone numbers of parents, guardians or relatives who may confirm the prisoner's age;
  - c. Telephoning the person(s) named by the prisoner, advise them that the prisoner is in custody, and ask them to verify the prisoner's age.
4. Non-Confirmation: If the prisoner is not declared to be under eighteen (18) years old by the person(s) contacted, prepare a written record of the conversation on an incident report form stating the name and relationship of the person contacted, the date of the prisoner's birth as stated by them and other pertinent aspects of the conversation; attach the record of the conversation to the prisoner's jail file, and direct that the prisoner be returned to an appropriate housing location according to appropriate classification within the jail (it will no longer be necessary to segregate the prisoner).
5. Confirmation: If the person(s) contacted confirm that the prisoner is under eighteen (18) years old, request that they bring proof of the prisoner's age to the jail as soon as possible. (Proof of age should be verified by a Birth Certificate; however, if a Birth

Certificate does not exist, school records or other official documents reflecting date of birth may be substituted). When talking with the person(s) named by the prisoner to contact, they should also be questioned as to whether or not the prisoner has a juvenile record. If affirmed, the jailer in charge will contact the County Juvenile Probation Department directly for confirmation of age and advise that the prisoner is in custody of the County Sheriff's Department and that the Sheriff's Department will transport the prisoner to the Juvenile Detention Center immediately (between 6:00 p.m. and 8:00 a.m.-- transport next day).

6. **Separation:** The juvenile prisoner shall be segregated from all other prisoners pending release from or transfer of custody (see Procedure II.A.4, #5).
7. **Documentation and Notification:** Upon receipt of proof of age (or confirmation by the County Juvenile Probation Department), the jailer in charge shall make two (2) duplicate copies of the document used to confirm age of subject or prepare a written report (incident report form) in duplicate of the conversation with the representative of the County Juvenile Probation Department contacted and promptly:
  - a. Notify the arresting agency (shown as "Arrest. Off." on the prisoner's booking card) that the prisoner placed by them in confinement at the County Jail facility is a juvenile, and that the prisoner will be delivered to the Juvenile Detention Center.

(NOTE: Determination of whether or not the juvenile subject may be released to the custody of parent(s) or legal guardian(s) will be made by the arresting agency or the court.)

- b. Instruct the arresting agency to contact and advise the appropriate court in which charges are pending of the fact the defendant is a juvenile.
  - c. Request the arresting agency to obtain and furnish disposition of the case(s) to the jail, i.e., dismissal, transfer, etc. so the jail may clear its records and method of release. A written record of such conversation shall be made on an incident report form and placed in the prisoner's jail file.
8. **Book-Out:** The jailer in charge shall follow established book-out procedures with these additional actions:
    - a. Revised records shall be completed for the juvenile and attached to the original records (booking card and I.D. envelopes) completed when the prisoner was booked as an adult.
    - b. Both sets of records (booking cards and I.D. envelopes) shall be placed in the file after book-out procedures have been completed.

WORKSHEETA. OPERATIONAL AREA

Admissions - Frisk Search

B. STATE STANDARDS

5120:1-8-01

During admission, every prisoner shall be properly frisk searched, and all unauthorized items will be properly confiscated, recorded and secured.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESNational Sheriffs' Association

A-1 Upon admission every prisoner and his clothing should be searched for contraband.

Commission on Accreditation

5324 Written policy and procedure require that all newly admitted inmates are thoroughly searched.

E. MODEL POLICY AND PROCEDUREII.B. Policy:

Staff members of the Ohio County Jail will make every reasonable effort to prevent the introduction of contraband into the jail while respecting the persons and property of persons being admitted.

Procedure:

1. Frisk Search: While a prisoner has been accepted into custody, the admitting jailer shall immediately conduct a frisk search of the prisoner in the entryway before placing him in a holding cell to determine if any contraband article is concealed on the prisoner.
2. Conduct: The frisk search shall be performed in accordance with established procedures (see Appendix A, "Frisk Search"), and with the greatest degree of dignity possible for the prisoner. Under no circumstances shall a jailer direct any personal remark to a prisoner being frisk searched concerning his person, attire, or physical attributes.
3. Contraband: In the event contraband may be found on a prisoner, the admitting jailer shall immediately conduct a strip search (see Procedure II.N.) and then, initiate the procedures set forth in IV.B.

WORKSHEETA. OPERATIONAL AREA

Admissions - Notice of Incarceration by Prisoners (Telephone Calls)

B. STATE STANDARDS

5120:1-8-01

(E) Upon their reception and request, all persons to be confined in a local jail shall be permitted to complete telephone calls to:

- (1) Retain an attorney.
- (2) Contact a person of their choice.

C. CASE LAW

Parker v. Gladwell, No. C-74-391 (N.D. OH 1976).

Each inmate to be allowed at least one telephone call upon entry into the jail.

O'Bryan v. Saginaw, 446 F. Supp. 436 (N.D. MI 1978)

Newly admitted inmates to be given opportunity to contact attorney, family, bondsmen and others on and after admission.

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Inmates to be allowed at least two telephone calls during admission process.

D. SUGGESTED GUIDELINESCommission on Accreditation

5282 Written policy and procedure grant all detainees the right to make at least two local or collect long distance telephone calls to family members, friends or attorneys during the admissions process. (Detention--Essential, Holding--Essential)

5326 Written policy and procedures specify that newly admitted inmates are permitted to complete at least two local or collect long distance telephone calls during the admission process. (Detention--Essential, Holding--Essential)

Ohio Common Pleas Court Judges Conference

After being "booked in," each prisoner will be allowed a telephone call and will be allowed to continue to call until contact has been made.

E. MODEL POLICY AND PROCEDUREII.C. Policy:

Staff members of the Ohio County Jail will afford reasonable opportunity for newly admitted prisoners to contact persons to secure release, seek legal counsel, and provide notification of incarceration to family or friends.

Procedures:

1. Access: Following the frisk search and before being placed into the regular jail population, the newly admitted prisoner will be allowed access to the telephone and the directory located in the booking room.
2. Calls: The prisoner will be allowed at least two completed telephone calls.
3. No Contact: If after several attempts, the prisoner fails to reach either of the called parties, the prisoner will be allowed to repeat telephoning periodically during the remainder of the admissions process until the called parties are reached or the admissions process is completed, whichever comes first.

4. Long Distance: The admitting jailer will allow long distance calls by the prisoner but will obtain the name and number of the person to be called and will place a collect call for the prisoner.
5. Subsequent Calls: If after the completion of the admissions process, the prisoner is unable to contact parties via telephone, the prisoner will be allowed to place additional calls as soon as practicable after being placed in a regular cell (see also Procedure V.B.).
6. Recording: The admitting jailer will note in the Daily Log the fact that the prisoner was unable to contact anyone during the admissions process.

WORKSHEETA. OPERATIONAL AREA

Admissions - Records and Reports

B. STATE STANDARDS

5120:1-8-01

- (D) A booking and identification record shall be made of every commitment. Such records/identification shall include the following information:
- (1) Time and date of commitment.
  - (2) Name and alias.
  - (3) Official charge or charges.
  - (4) Authority ordering commitment.
  - (5) Date of birth.
  - (6) Race.
  - (7) Sex.
  - (8) Weight and Height
  - (9) Home address and phone number.
  - (10) Marital status.
  - (11) Spouse/next of kin.
  - (12) The person to notify in case of an emergency.
  - (13) Employer, place of employment and telephone number.
  - (14) Social security number.
  - (15) Personal physician and any special medical needs.
  - (16) Apparent mental and physical condition.
  - (17) Other identifying characteristics (e.g., scars and marks).

II.D. (cont'd.)

- (18) Prisoner identification by photograph and/or I.D. bracelet to be issued during reception.
- (a) Photographs and/or I.D. bracelet are not required for prisoners detained four (4) hours or less.
- (19) Item by item inventory of all personal property with a detailed objective description of each item. Money taken from the prisoner will be counted in his/her presence. The prisoner's signature will be affixed to the completed inventory. All property not returned to the prisoner will be carefully secured.

C. CASE LAW

McCollan v. Tate, 575 F. 2d 509 (5th Cir. 1978) cert. granted subnom. Baker v. McCollan, 995. Ct. 1015 (1974)

Sheriff can be liable for failing to institute procedures that would have identified inmate who was mistakenly imprisoned. Supreme Court to review the decision.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5089 An intake form is completed for every person admitted to the facility and contains at least the following information, unless otherwise prohibited by statute:

Picture;  
Booking number;  
Date and time of intake;  
Name and aliases of person;  
Last known address;  
Date and time of commitment and authority therefor;  
Name, title and signature of delivering officer;  
Specific charge(s);  
Sex;  
Age;  
Date of birth;  
Place of birth;  
Race;  
Occupation;  
Last place of employment;  
Education;  
Religion;

II.D. (cont'd.)

Health status;  
Name and relationship of next of kin;  
Address of next of kin;  
Driver's license and social security number;  
Disposition of vehicle, where applicable;  
Court and sentence (if sentenced prisoner);  
Notation of cash and property; and  
Space for remarks (to include notation of any open wounds or sores requiring treatment, evidence of disease or body vermin, tattoos).  
(Detention--Essential, Holding--Essential)

DISCUSSION: The intake or booking information should provide for a positive identification of the person being admitted. All information should be verified.

E. MODEL POLICY AND PROCEDURE

II.D. Policy:

Accurate and complete records will be maintained for all newly admitted prisoners to verify that all laws, standards and procedures have been followed.

Procedures:

1. Forms and Documents: Before the prisoner is placed from the booking or holding areas into the general jail population, the following records will be completed.
  - a. Receipt of Handbook Form;
  - b. Prisoner Property and Money Envelopes;
  - c. The Booking Journal;
  - d. The Prisoner I.D. Sheet;
  - e. The Cell Assignment Card;
  - f. The Daily Log;
  - g. The Preliminary Health Screening Form;
  - h. The Booking Card;
  - i. The FBI and BCI Fingerprint Report Forms (Felons only).

(see Appendix N for samples of forms.)



2. Questioning: The admitting jailer will restrict questioning to the information necessary to complete the admissions records. Under no circumstances will the admitting jailer question the prisoner about the offense for which the prisoner is being incarcerated.
3. Possession: At no time during the admissions process will the prisoner be allowed to have the booking documents in his possession. Throughout the process, all forms, documents, and other records will be in the sole possession of the admitting jailer.
4. Verification: If the admitting jailer suspects that information given by the prisoner is inaccurate, the jailer will attempt to verify the information by:
- Checking NCIC;
  - Checking existing jail files;
  - Calling other law enforcement agencies;
  - Calling probation or parole agencies;
  - Calling family members named by the prisoner.
5. Storage: At the completion of the admissions process, the records and reports listed in 1. above will be placed in the appropriate storage area or forwarded to the appropriate agency.

WORKSHEETA. OPERATIONAL AREA

Admissions - Confiscation of Prisoner Personal Property

B. STATE STANDARDS

5120:1-8-01

- (H) During admission, every prisoner shall be properly frisk-searched, and all unauthorized items will be properly confiscated, recorded, and secured.
- (R) No prisoner shall be permitted to possess any form of money while in confinement.
- (S) An item-by-item inventory of all personal property with a detailed objective description of each item shall be listed on each property folder.
- (1) Money taken from the prisoner shall be counted in his/her presence.
  - (2) The prisoner's signature shall be affixed to the completed inventory.
  - (3) All property not returned to the prisoner shall be carefully secured.

C. CASE LAWJensen v. Klecker, 599 F. 2d 243 (8th U.S. Circuit, 1979)

Where inmate's property was confiscated and the particular property was not prohibited by rules, property must be returned to inmate on request.

D. SUGGESTED GUIDELINESCommission on Accreditation

5331 Written policy and procedure govern control of inmate personal property. (Detention--Essential, Holding--Essential)

5332 Written Policy and procedure provide for a written, itemized inventory of all personal property of newly admitted inmates and secure storage of inmate property, including money and other valuables; the inmate is given a receipt for all property held until release. (Detention--Essential, Holding--Essential)

## E. MODEL POLICY AND PROCEDURE

## II.E. Policy:

The personal property of prisoners will be respected by jail staff and be handled with care to prevent loss or damage.

Procedures:

1. Confiscation: The admitting jailer will, during the frisk search, confiscate all personal property of the newly admitted prisoners, including;
  - a. Money;
  - b. Belts, ties, hats, jackets, coats, and shoes;
  - c. All contents of prisoner's pockets;
  - d. Other items not part of the prisoner's clothing (e.g., purses, backpacks, key chains, watches, jewelry, checkbooks).
2. Description: On the Prisoner Property Envelope, the admitting jailer will list and describe all items confiscated.
3. Envelope: All items, except money, will be placed in the property envelope. If any item(s) is too large to be placed in the property envelope, it will be listed and described on the envelope and a property tag will be attached to each item. The prisoner's name and date of admission will be noted on the property tag.

4. Money: The admitting jailer will count the prisoner's money in the prisoner's presence and place the money in a separate envelope, noting the amount of money, the prisoner's name and date of admission on the face of the envelope.
5. Seal and Sign: When Steps 3 and 4 have been completed, the admitting jailer will then seal both the property and money envelopes and sign each with his name, unit number, date and time of day.
6. Prisoner's Signature: The admitting jailer will then obtain the prisoner's signature on both envelopes and all property tags. If the prisoner refuses to sign either envelope, the admitting jailer will secure another officer as a witness. The other officer will write his name, unit number, date and time on the envelope(s) and tag(s) with the notation "prisoner refused to sign."
7. Storage: When Steps 5 and 6 have been completed, the admitting jailer will place all envelopes and tagged property in the prisoner's locker in the Property Room.

WORKSHEETA. OPERATIONAL AREA

Admissions - Issuance of Prisoner Handbook

B. STATE STANDARDS

5120:1-8-01

- (O) During admission, every prisoner shall be given a copy of the jail rules and regulations governing prisoner conduct or have the rules explained to him/her by staff.
- (1) The rules and regulations shall be given to or explained to prisoners who are intoxicated when they become reasonably coherent.
- (P) The prisoner shall sign to verify that he/she understands the rules and regulations.

5120:1-8-12

- (B) (2) The rules shall be posted in a conspicuous place within the confinement area if not issued to prisoners in printed form.

C. CASE LAWTaylor v. Perini, 413 F. Supp. 189 (N.D. OH 1976)

Copies of rules and regulations must be distributed and posted.

Smith v. Weyandt, No. C-73-888 (N.D. OH 1976)

Inmates must be given copies of jail rules.

Wolff v. McDonnell, 418 U.S. 539 (U.S. Supreme Court, 1974)

Inmates must be informed of rules or sanctions may not be imposed for their violation.

D. SUGGESTED GUIDELINESCommission on Accreditation

5274 Written rules of inmate conduct specify prohibited behavior and penalties that may be imposed for rule violations; procedures exist for ensuring that all inmates understand these rules. (Detention--Essential, Holding--Essential)

5325 A formal orientation is provided newly admitted inmates in their own language; completion of orientation is documented by the dated signature of the inmate. (Detention--Essential, Holding--Not Applicable)

5385 Written facility rules, listing all chargeable offenses, the range of sanctions and disciplinary procedures to be followed, are posted conspicuously in facility housing areas. Staff members assist illiterate inmates in understanding the rules; the rules are translated into languages spoken by significant numbers of inmates. (Detention--Essential, Holding--Essential)

National Sheriffs' Association

Each inmate should be given a copy of the jail rules and the rules should be explained to inmates unable to read.

Model Rules for Prisoner's Rights - Boston University Law School

A rulebook containing all chargeable offenses and listing the range of punishments for each offense...should be given to each inmate.

National Advisory Commission on Criminal Justice Standards and Goals

All inmates should be informed of limits on their conduct and rules of behavior.

E. MODEL POLICY AND PROCEDUREII.F. Policy:

Prisoners of the Ohio County Jail have the right to be informed in writing of the rules, regulations and disciplinary procedures used in the jail.

Procedure:

1. Handbook: The admitting jailer will give a copy of the Prisoner Handbook to the newly admitted prisoner, pointing out to the prisoner the sections on rules and privileges.

2. Receipt Form: The admitting jailer will obtain the signature of the prisoner on the "Receipt of Handbook" Form, verifying that the prisoner has received the handbook and can understand the rules.
3. Non-Readers: The admitting jailer must determine whether the prisoner is able to read by questioning the prisoner. If the admitting jailer suspects that the prisoner cannot read, the jailer will request the prisoner to read the cover of the Prisoner Handbook. If it is then clear that the prisoner cannot read, the admitting jailer will read aloud the section of the Handbook on rules and penalties to the prisoner. The jailer will note on the "Receipt of Handbook" Form that the reading took place, then obtain the prisoner's signature as specified in Step 2., above.
4. Under the Influence: If a prisoner has been admitted who is temporarily intoxicated or under the influence of alcohol or drugs (see also procedure II.A.3, "Condition of Prisoner Being Admitted"), the admitting jailer will note in the Daily Log, for the attention of the staff on the next shift, that the prisoner's condition prevented the execution of the "Receipt of Handbook" Form. It will then be the responsibility of the jailer(s) on the next shift to seek the proper execution of the Form.

WORKSHEETA. OPERATIONAL AREA

Admission - Female Prisoners

B. STATE STANDARDS

5120:1-8-01

- (Q) During admission...female prisoners shall not be placed or allowed to remain in the same cell or room with male prisoners.

5120:1-8-04

- (A) Adult female, juvenile female, adult male, and juvenile male prisoners shall be housed completely separate by sight, sound, and touch at all times unless otherwise specified by court order.

5120:1-8-17

- (I) Each jail shall employ a sufficient number of female jail staff to be available to perform all sensitive reception and release procedures for female prisoners (e.g., searches, showers, and clothes exchange).

C. CASE LAWForts v. Ward, 471 F. Supp. 1095 (S.D. NY, 1979)

Female inmates have a reasonable expectation of privacy which includes not being viewed when nude by male guards and not being viewed using the toilet by male guards.

Smith v. Weyandt, No. C. 73-888 (N.D. OH, 1976)

Sexes shall be segregated at all times.

D. SUGGESTED GUIDELINESCommission on Accreditation

5247 Written policy and procedure specify procedures for the supervision of female inmates by male staff...; these are in conformance with equal employment opportunity criteria and the privacy needs of inmates.

5339 Female prisoners are provided living quarters separate from male inmates, although these may be in the same structure.

DISCUSSION: Provision should also be made for the separate intake processing of female offenders either through separate intake areas or through scheduling.

E. MODEL POLICY AND PROCEDUREII.G. Policy:

Female prisoners will be separated from male prisoners from the point of entry into the jail until the time of release.

Procedure:

1. Staff: When a female prisoner is brought to the jail for admission, the admitting jailer, will contact a female jailer (Central Control Officer) to conduct the admissions procedures for the female prisoner.
2. Separation: In the event that female and male prisoners are brought to the jail at the same time, the male prisoner will be placed in holding Cell A, while the female prisoner is processed by the female jailer. If a female jailer is not readily available, then the female prisoner will be placed in holding Cell A2 pending the arrival of the female jailer and the male prisoner will be processed first.

WORKSHEETA. OPERATIONAL AREA

Admissions - Surveillance of Holding Cells

B. STATE STANDARDS

5120:1-8-03

- (B) Direct, in-person surveillance of each prisoner shall be conducted on an irregular schedule, no less than every sixty (60) minutes. Hourly checks must be logged.
- (C) Certain classifications and physical arrangements require increased documented surveillance at intervals to include but not be limited to every 15 to 20 minutes. Examples of classifications and physical arrangements requiring increased surveillance are: suicidal, assaultive, escape risk, mentally/emotionally disturbed prisoners, dormitory settings, and bullpen areas.

C. CASE LAW

Clappier v. Flynn, 605 F. 2d 519 (10th Circuit, 1979)

Jail administration and staff held liable for an inmate-on-inmate attack where evidence revealed that living areas were patrolled only once per shift.

Redmond v. Baxley, 475 F. Supp. 1111 (E.D. MI 1979)

Jury awarded \$130,000 to plaintiff for damages sustained in a homosexual rape. Supervision was found to be inadequate.

City of Belen v. Harrell, 26 Crim. L. Rptr. 2200 (Supreme Court of N.M.)

Jail administration is under a duty to use "ordinary care" to protect inmates. There is a special duty towards inmates who are suicidal.

D. SUGGESTED GUIDELINESCommission on Accreditation

5242 Written policies and procedures require that each inmate classified as high or medium security is personally observed by a correctional officer at least every 30 minutes, but on an irregular schedule.

5228 Written plans govern space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the local detention facility.

E. MODEL POLICY AND PROCEDUREII.H. Policy:

Given that newly admitted prisoners are often unknown to the jail staff and are often experiencing increased stress, it is the policy of the Ohio County Jail that, when prisoners are placed in the holding cells during the admissions process, such prisoners will be given more frequent surveillance.

Procedure:

1. Holding for processing: If more than one prisoner is to be processed through admission, the admitting jailer will process only one prisoner at a time, placing the other prisoner(s) in the holding cell adjacent to the Booking Room or on the second floor (but only after each prisoner has been frisk searched).
2. Frequency of surveillance: The admitting jailer will visually observe each holding cell at least once every thirty (30) minutes.
3. Separation and increased frequency: If the admitting jailer suspects that a prisoner may be suicidal or assaultive, the admitting jailer shall:
  - a. process the suicidal prisoner first;
  - b. place the assaultive prisoner in a holding cell separately from others being held; or
  - c. if both holding cells are occupied, observe the holding cells every fifteen (15) minutes.

4. Assistance: If more than four (4) male prisoners or four (4) female prisoners are awaiting processing (two per holding cell), the admitting jailer will:
  - a. request assistance in processing prisoners from the jailer(s) on the housing units; or
  - b. if housing jailer(s) are unable to assist, notify the central control officer, who will request booking assistance from the Patrol Division or from an off-duty jailer.

WORKSHEETA. OPERATIONAL AREA

Admissions - Identification of Prisoner

B. STATE STANDARDS

5120:1-8-01

(D) (17) Booking records shall include "other identifying characteristics (e.g., scars and marks)."

(18) Prisoner identification by photograph and/or I.D. bracelet to be issued during reception.

(a) Photographs and/or I.D. bracelets are not required for prisoners detained four (4) hours or less.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

Same as II.D.

E. MODEL POLICY AND PROCEDUREII.I. Policy:

Every prisoner who is taken into custody, including those with whom admissions personnel are already familiar, will be photographed. All felons will be fingerprinted.

Procedure:

1. Photographs: The admitting jailer will:

a. Instruct the prisoner to take the proper position in front of the height board;

b. Prepare the I.D. Plate with the prisoner's name and the date of admission;

c. Take two (2) full face pictures of the prisoner;

d. Remove the photographs from the camera; and

e. Attach one photograph to the Booking Card and one to the prisoner's Cell Assignment Card.

2. Fingerprints: The admitting jailer will take three complete sets of fingerprints for all felony prisoners.

a. The first set will be attached to the Booking Card and subsequently placed in the prisoner's file.

b. The second set will be on the FBI Uniform Crime Reporting Card and placed in the outgoing mail slot after the admissions process is complete.

c. The third set will be forwarded to the detective section via inter-office mail to be subsequently sent to BCI.

WORKSHEETA. OPERATIONAL AREA

Admissions - Interview by Pre-trial Release Personnel, Bail Bondsman or Attorney

B. STATE STANDARDS

None directly applicable.

C. CASE LAW

United States Constitution, 8th Amendment

"Excessive bail shall not be required..."

Ohio Rules of Criminal Procedure, Rule 46

"All persons are entitled to bail except in capital cases where proof is evident or the presumption great."

D. SUGGESTED GUIDELINES

Commission on Accreditation

5327 Where applicable, newly admitted inmates are provided an opportunity to consult with bail bondsmen as soon as possible after admission.

5328 Where statutes permit, written procedures are developed with the Court and probation department for initial screening and evaluation of individuals for possible release or diversion to intervention programs.

National Advisory Commission on Criminal Justice Standards and Goals

4.6 Adequate investigation of defendant's characteristics and circumstances should be undertaken to identify those defendants who can be released prior to trial solely on his own promise to appear for trial.

E. MODEL POLICY AND PROCEDUREII.J. Policy:

Every prisoner will be given all reasonable opportunities to secure legitimate release, both during and after the admissions process.

Procedure:

1. Call control: After photographing and felony fingerprinting and before the confiscation of the prisoner's clothing, the admitting jailer will call the central control officer to determine whether representatives from the Ohio County Pre-Trial Release Project are on duty, whether there is a bail bondsman wishing to interview the prisoner or whether bond has been posted for the prisoner.
2. No release: If there is no Pre-Trial Release representative or bondsman to interview the prisoner and bond has not been posted, the admissions process will continue as specified in Procedure II.K.
3. Pre-trial or bond interview: If the admitting jailer determines that there is a representative to interview the prisoner regarding release, the admitting jailer will:
  - a. Notify the central control officer that the prisoner is available for interviewing;



- b. Escort the prisoner to one of the interview rooms (as directed by the central control officer) adjacent to the visiting area; and
  - c. Return to the Booking Room. (The admitting jailer may, during the release interview, begin or continue to process other prisoners.) (The prisoner being interviewed will be supervised by the central control officer.)
4. Release: Once the admitting jailer has been notified by the central control officer that bond has been authorized through other means, the admitting jailer will escort the prisoner from the interview room (if necessary) and
- a. if no other prisoners are in the admissions process, begin the release procedures as set forth in Procedure X; or
  - b. place the prisoner in a holding cell to await release at the earliest possible time.
5. Bond Failure: If after the pre-trial interview the prisoner fails to post bond or be released, the admitting jailer shall continue processing the prisoner as outlined in Procedure II.K.

WORKSHEET

A. OPERATIONAL AREA

Admissions - Determination of Length of Stay

B. STATE STANDARDS

5120:1-8-01

- (I) Prisoners who are to be detained in excess of 72 hours, shall be strip searched prior to being placed in the confinement area. Any prisoner not strip searched shall be housed separate from those who have been.
- (J) Immediately after admission, every prisoner whose stay will exceed seventy-two (72) hours shall be bathed/showered and deloused in a manner approved by the facility physician.
- (K) All prisoners held in confinement over 72 hours shall be provided clean clothing by the jail, preferably uniforms.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

None directly applicable

E. MODEL POLICY AND PROCEDURE

II.K. Policy:

If cell space exists to separate short term prisoners (72 hours or less), those prisoners may retain their own clothing and do not need to be showered or strip searched unless there are specific reasons to do so.

Procedure:

1. Availability: The admitting jailer will review the cell assignment board to determine if space exists to separate short term prisoners (see Cells E1-E6). If space is not available, the admitting jailer will proceed with Procedure II.L.
2. Records: The admitting jailer will review the prisoner's commitment papers to determine length of stay.
  - a. Sentenced prisoners:  
If a prisoner is sentenced for a period of incarceration in excess of 72 hours, the admitting jailer will proceed with Procedure II.L.  
  
If the prisoner is sentenced for a period of incarceration of 72 hours or less, then the admitting jailer must review the Procedures II.L. through O. to determine if there is a reason to implement those procedures. If not, the admitting jailer will begin Procedure II.P., the preliminary health screening.
  - b. Pre-trial and other prisoners: If the prisoner is awaiting trial or being held for other reasons, the admitting jailer will ask the prisoner if he expects to post bond or be released within three (3) days (72 hours). If it appears likely that the prisoner will be released within 72 hours, the admitting jailer will review the Procedures II.L. through O. to determine if there is

a reason to implement those procedures. If not, the admitting jailer will begin Procedure II.P., the preliminary health screening.

If it is unlikely or doubtful that the prisoner will be released within 72 hours, the admitting jailer will proceed with Procedure II.L.

3. Transfer: If a prisoner is placed in the short-term cell-block (Cells E1-J6) and it becomes clear that his length of stay will exceed 72 hours, the admitting jailer will remove the prisoner and begin the Procedures II.L. through O. in the admissions process and reassign the prisoner to an appropriate long term housing area (see Procedure III.A.).

WORKSHEETA. OPERATIONAL AREA

Admissions - Confiscation of Personal Clothing

B. STATE STANDARDS

Same as II.E.

C. CASE LAW

Same as II.E.

D. SUGGESTED GUIDELINESCommission on Accreditation

5152 The facility provides for the cleaning and disinfecting of inmate personal clothing before storage, when necessary, (Detention--Essential, Holding--Not Applicable)

Also same as II.E.

E. MODEL POLICY AND PROCEDURE:II.L. Policy:

For the health, safety, and security of the jail and its prisoners, prisoners will not be allowed to wear personal clothing while confined, except under those conditions outlined in Policy II.K.

Procedure:

1. Removal: The admitting jailer will escort the prisoner to the strip search room adjacent to the shower room and instruct the prisoner to remove all items of personal clothing and place them on the bench.

2. Inspection: The admitting jailer will inspect each separate item of clothing for contraband (if contraband is found, the procedures set forth in IV.B. are to be followed).
3. Tag: All clothing except underwear will be placed in one of the baskets located in the strip search room and the basket will be tagged with a property tag (see Procedure II.E., #3 regarding proper execution of a property tag).
4. Signature: The prisoner will be requested to sign the tag (if the prisoner refuses to sign, see procedures set forth in II.E., #6).
5. Storage: The admitting jailer will subsequently (after the prisoner showers and is issued a jail uniform) place the clothing basket in the prisoner's locker in the Property Room.

WORKSHEETA. OPERATIONAL AREA

Admissions - Shower/Delouse

B. STATE STANDARDS

5120:1-8-01

- (J) Immediately after admission, every prisoner whose stay will exceed seventy-two (72) hours, or who is in need, shall be bathed/showered and deloused in a manner approved by the facility physician.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5149 There are sufficient facilities in the housing areas to permit inmates to bathe upon admission to the facility and at least three times a week thereafter. (Detention--Essential, Holding--Essential)

American Bar Association and United Nations

II.1. Prisoners shall be required to keep their persons clean and shall be provided with water and toilet articles as necessary for health and cleanliness.

E. MODEL POLICY AND PROCEDUREII.M. Policy:

To prevent the introduction of disease and to promote a health environment, prisoners will be required to shower if in need or before being housed with the general population.

Procedure:

1. Shower: The admitting jailer will give the prisoner one bar of soap, shampoo, one towel, and one wash cloth and instruct the prisoner to enter the shower and clean both hair and body thoroughly.
2. Observation: The admitting jailer shall observe the prisoner for any signs of injury (cuts or bruises). If signs of injury are observed, the procedures set forth in Procedure II.P. should be followed.
3. Delousing: After the prisoner has completed showering, the admitting jailer will instruct the prisoner to dry himself or herself and step from the shower. With the prisoner standing just outside the shower entrance in the strip search room, the admitting jailer will:
  - a. obtain a can of the aerosol delousing powder;
  - b. instruct the prisoner to close his or her eyes, raise his or her arms and turn slowly; and
  - c. while the prisoner turns, the admitting jailer will spray the prisoner with the powder.

WORKSHEETA. OPERATIONAL AREA

Admissions - Strip Search

B. STATE STANDARDS

5120:1-8-01

(I) Prisoners whose present or prior behavior indicates that they are likely to be concealing contraband or a weapon, or prisoners who are to be detained in excess of seventy-two (72) hours, shall be strip searched prior to being placed in the confinement area. Any prisoner not strip searched shall be housed in an area separate from those who have been.

- (1) A strip search shall be conducted in a manner that preserves the dignity of the prisoner.
- (2) A strip search shall be conducted by designated personnel of the same sex.
- (3) A strip search shall be conducted in a designated non-public area.
- (4) A detailed record shall be made of all unusual findings, (e.g., cuts, bruises, body vermin, needle scars and other injuries).
- (5) Lower body cavity searches are to be conducted only by medical personnel and when reasonable cause exists to believe that a weapon or contraband is being concealed.

C. CASE LAW

Bell v. Wolfish, U.S.L.W. 4507 (U.S. Supreme Court, 1979)

Body cavity searches conducted after all contact visits and upon entry into the facility are a reasonable security precaution. Such searches invade no privacy right of prisoners unless the searches are "unreasonably" performed.

United States v. York, 578 F 2d 1036 (5th Cir. 1978) (Miami, FL)

For a strip search to be conducted, there must be some suspicion that there is contraband on the individual.

D. SUGGESTED GUIDELINESCommission on Accreditation

5324 Written policy and procedure require that all newly admitted inmates are thoroughly searched.

DISCUSSION: Each newly admitted inmate should be strip searched for weapons and contraband. The search also should include a check for body vermin, cuts, bruises, needle scars, and other injuries. The strip search should be conducted in private and in a manner that preserves the dignity of the inmate. Newly admitted female inmates should be strip searched by female staff members in an area separate from that for male inmates. Such searches should be conducted under sanitary conditions. Body cavity searches should be conducted only where there is probable cause to believe the inmate is carrying contraband there. They should be done by a medically-trained person other than another inmate, and in a private location.

E. MODEL POLICY AND PROCEDUREII.N. Policy:

Strip searches are a necessary procedure for the maintenance of security. The strip search will be done with the greatest degree of dignity possible for the prisoner and by a jailer of the same sex. No personal remarks will ever be made regarding the prisoner's person or physical characteristics.

Procedure:

1. Determination: The admitting jailer will review the prisoner's record to determine if a strip search is warranted.
  - a. All prisoners whose stay will exceed 72 hours, as determined in Procedure II.K., will be strip searched.
  - b. Other prisoners whose present or past charges include drug related or weapons charges or who appear to be under the influence of drugs shall be showered and strip searched.

2. Instruction: When the prisoner has completed showering, the admitting jailer will instruct the prisoner to step into the strip search room.
3. Explanation: The strip search procedure will be explained to the prisoner so that the prisoner is appraised in advance of the necessity for the search and how it will proceed.
4. Conduct: The admitting jailer will conduct the strip search according to the exact procedure as set forth in Appendix B.
5. Refusal: If the prisoner refuses to submit to a strip search, the admitting jailer will attempt to verbally persuade the prisoner and, failing that, the admitting jailer will:
  - a. issue the jail uniform;
  - b. place the prisoner in an isolation cell (G, G2, or H1, H2 for females, B1-B4 for males, G1 or G2 for juvenile females);
  - c. note the incident in the Daily Log;
  - d. notify the central control officer and request that officer to arrange for increased surveillance of the prisoner; and
  - e. prepare an incident report.

(NOTE: The Jail Administrator will review the incident report within 24 hours and determine whether to transfer the prisoner to the hospital for the purpose of a body cavity search in accordance with Procedures VI.A.5 and VI.A.9.

6. Contraband: If during the strip search the admitting jailer discovers contraband on the prisoner's person, the admitting jailer will:
  - a. remove the contraband and place it on the bench in the room;
  - b. issue the jail uniform (see Procedure II.O.);
  - c. call Central Control and request that a housing jailer be summoned;
  - d. direct the housing jailer to escort the prisoner to an isolation cell; and
  - e. process the contraband in the manner prescribed in IV.B.2. (a. through e.).
7. Continuation: If the prisoner consents to the strip search and if no contraband is found, the admitting jailer will continue with the admissions process as outlined in II.O.

WORKSHEETA. OPERATIONAL AREA

Admissions - Issuance of Jail Uniform, Bedding and Hygiene Items

B. STATE STANDARDS

5120:1-8-01

- (K) All prisoners to be held in confinement over seventy-two (72) hours shall be provided clean clothing by the jail, preferably uniforms.
- (L) Each prisoner's clothing needs shall be evaluated at reception and clean clothing provided if necessary (e.g., heavily soiled, vermin infested).
- (L) A bed, mattress, blanket, bed linens, towels, and soap shall be provided to all prisoners.
- (M) Any prisoner not having articles for maintaining personal hygiene (e.g., toothpaste, toothbrush, deodorant, feminine hygiene items) shall have them provided to him/her by the confining authority.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5143 Written policy and procedure provide for the issue of suitable clothing to new inmates. (Detention--Essential, Holding--Not Applicable)

5145 Written policy and procedure provide for the issue of suitable bedding, linen, and towels to new inmates. (Detention--Essential, Holding--Essential)

E. MODEL POLICY AND PROCEDUREII.O. Policy:

To maintain a healthful environment and to protect the personal property of prisoners, all prisoners who are to be housed with the general jail population will be required to wear a uniform issued by the Ohio County Jail.

Procedure:

1. Sequence: After the prisoner showers, the admitting jailer will:
  - a. return the prisoner's personal underwear to him; and
  - b. obtain a clean jail uniform of the appropriate size (S,M,L) from the storage cabinet in the strip search room.
2. Instruction: The jailer will instruct the prisoner to put the uniform on, select a pair of tennis shoes from the cabinet and put those on. (The shoe storage section is marked with man's sizes 7 through 12 and women's sizes 5 through 10. If there are no shoes of the prisoner's size, select the next largest size.)
3. Bedding and Linens: The admitting jailer will obtain and give to the prisoner the following:
  - a. One Sheet
  - b. One Towel
  - c. One Washcloth

- d. One Blanket (during colder months)
- e. One Mattress

(NOTE: The bedding and linens must have been cleaned prior to their reissue.)

- 4. Personal Hygiene Items: The admitting jailer will obtain a personal hygiene kit and be sure it contains the following items before giving it to the prisoner;
  - a. Toothbrush
  - b. Toothpaste
  - c. Soap
  - d. Feminine hygiene items (as appropriate)
  - e. Comb
  - f. Deodorant

WORKSHEET

A. OPERATIONAL AREA

Admissions - Preliminary Health Screening

B. STATE STANDARDS

5120:1-8-01

- (F) A preliminary health evaluation record shall be completed on all prisoners upon admission and prior to being placed in the general population to determine if the prisoner is experiencing any serious physical or mental disorder; and, in the event such a condition appears to exist, appropriate treatment will be provided prior to confinement in accordance with the medical and health care plan. (09(8) and 09(C))

5120:1-8-09

- (C) A medical staff member or the receiving officer shall complete a preliminary health evaluation record for all new admissions including but not limited to:
  - (1) Current illnesses and health problems including those specific to women.
  - (2) Medications taken and special health requirements.
  - (3) Screening of other health problems designated by the responsible physician.
  - (4) Behavioral observation, including state of consciousness and mental status.
  - (5) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice.
  - (6) Condition of skin and body orifices, including rashes and infestations.
  - (7) Disposition, if applicable.
  - (8) Document referral of prisoners to qualified medical personnel for emergency treatment.



C. CASE LAWHolly v. Rapone, 476 F. Supp. 226 (E.D. PA 1979)

Prisoner underwent withdrawal symptoms and received no treatment until twenty-four hours after the onset of symptoms. This was not deliberate indifference to known medical needs because treatment was rendered within the stated time limit according to state law.

Maynard v. Kear, 474 F. Supp. 794 (N.D. OH 1979)

Failure of police to take an inmate suffering from "slight bleeding" to a physician or hospital is not sufficient to claim a violation of the Eighth Amendment where no permanent injury results.

Lutheran Medical Center v. City of Omaha, 281 N.W. 2d, 786 (Sup. Ct. NE 1979)

City has obligation to provide medical care to inmates of local jail. Failure to so provide is deliberate indifference to known medical needs. The Sheriff may procure necessary medical services and the City is liable for the costs, even when a contract for services does not exist.

Norris v. Frame, 585 F. 2d 1183 (3rd Circuit, 1978)

An inmate awaiting trial who is on methadone maintenance has a protected liberty interest in continuation of the methadone program while in jail. Jail officials cannot remove inmate from the program unless they show legitimate security considerations or can show that the administration of the jail would be disrupted by continuation of the methadone program. Without such a showing, removal of inmate from the program is deliberate indifference to known medical needs.

D. SUGGESTED GUIDELINESCommission on Accreditation

5163 Receiving screening is performed on all inmates upon admission to the facility and before their placement in the general population or housing area. The findings are recorded on a printed screening form approved by the responsible physician. The screening includes inquiry into:

Current illnesses and health problems, including those specific to women;

Medications taken and special health requirements;

Screening of other health problems designated by the responsible physician

Behavior observation, including state of consciousness and mental status;

Notation of body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc.

Condition of skin and body orifices, including rashes and infestations; and

Disposition/referral of inmates to qualified medical personnel on an emergency basis. (Detention--Essential, Holding--Essential)

5329 Written policy and procedure require that newly admitted inmates receive medical screening. (Detention--Essential, Holding--Essential)

National Sheriff's Association

Every newly received prisoner should undergo a preliminary physical examination before assignment to a housing area.

E. MODEL POLICY AND PROCEDUREII.P. Policy:

Each newly admitted prisoner will undergo a preliminary health screening by the admitting jailer. Such screening is designed to identify those prisoners whose condition may represent a threat to the health of the jail staff and prisoners or a threat to the health of the new prisoner.

Procedure:

1. Interview: After the prisoner has put on the jail uniform, the admitting jailer will return the prisoner from the strip search room to the booking room. There the admitting jailer will interview the prisoner concerning the prisoner's medical history and current condition.

2. Recording: The prisoner's answers to the questions will be recorded on the Preliminary Health Screening Form (see Appendix N.i.b.).
3. Observation: The admitting jailer will observe the prisoner and answer questions 1-11 on the Preliminary Health Screening Form.
4. Referral: If after the screening there is reason to suspect that the prisoner suffers from any communicable disease or condition which may require further examination, the admitting jailer will:
  - a. place the prisoner in a holding cell (if both holding cells are occupied, a segregation cell will be used); and
  - b. notify the ranking jailer on duty (see Procedure VI.A.4, #3).
5. Records: The Preliminary Health Screening Form will be placed in a separate file to begin a medical record for the prisoner. The new file will be placed in the jail physician's incoming mail basket. All such records will be filed in the cabinet in the medical room daily by the ranking jailer on duty the third shift.

WORKSHEETA. OPERATIONAL AREA

Classification - Classification of Prisoners

B. STATE STANDARDS

5120:1-8-02

- (A) Each jail shall develop an appropriate classification system.
  - (1) The criteria to be used in the classification system shall be assigned priority as follows:
    - (a) Sex.
    - (b) Age.
    - (c) Propensity for violent behavior.
    - (d) Mental/physical handicaps.
    - (e) Sentenced or unsentenced status.
  - (2) The criteria shall be implemented to the maximum extent, consistent with the design and capacity of the jail.
- (C) Prisoners shall not be confined with other prisoners possessing characteristics markedly dissimilar to their own provided that no discrimination exists in housing assignments based on race, color, creed, national origin, or political belief.

C. CASE LAW

Mickens v. Winston, 462 F. Supp. 910 (E.D. VA, 1978)

Racial segregation as a device to relieve tension and prevent incidents among inmates may be permissible as a temporary measure under extreme circumstances; it cannot be justified as a general practice. (Damages of \$250.00 awarded.)

Hluchan v. Fauver, 26 Crim. L. Rptr. 2217 (D.N.J. 1979)

Regulation prohibiting "sex offenders" from attaining minimum security status violates equal protection because definition of "sex offender" is nowhere supplied; thus it is impossible to determine the rational basis for the distinction.

Owen v. Heyne, 473 F. Supp. 345 (N.D. IN 1978)

Administrative segregation of inmates "believed instigating disorder," done in good faith and for investigative purposes, was an emergency action and did not require due process.

Lee v. Washington, 390 U.S. 333 (U.S. Supreme Court, 1968)

Racial segregation is unconstitutional outside the prison walls and is unconstitutional inside as well, except for "the necessities of security and discipline."

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Court orders a classification system to be implemented on admission to the jail.

Parker v. Gladwell, Civil No. C. 74-391 (N.D. OH 1976)

Court orders classification to separate pre-trial from sentenced; juvenile from adult; those of "noticeably different degrees of intelligence" from others; and violent from non-violent.

#### D. SUGGESTED GUIDELINES

##### Commission on Accreditation

5335 There is a written plan for classifying inmates in terms of level of custody required, housing assignment and participation in correctional programs.

5336 The written plan for classification specifies criteria and procedures for determining and changing the status of an inmate, including custody, transfers and major changes in programs.

5337 The facility provides for the separate management of the following categories of inmates: unsentenced females; sentenced females; unsentenced males; sentenced males; other classes of detainees, e.g., witnesses, civil prisoners; community custody inmates; e.g., work releasees, weekenders, trusties; inmates with special problems, e.g., alcoholics, narcotic addicts, mentally disturbed persons, physically handicapped persons, persons with communicable diseases; inmates requiring disciplinary detention; inmates requiring administrative segregation; and juveniles.

5338 Juveniles in custody are provided living quarters separate from adult prisoners, although these may be in the same structure. (Detention--Essential, Holding--Essential)

5339 Female prisoners are provided living quarters separate from male prisoners, although these may be in the same structure. (Detention--Essential, Holding--Essential)

##### National Advisory Commission

9.7 A system of classification should be used to provide the basis for residential assignment.

#### E. MODEL POLICY AND PROCEDURE

##### III.A. Policy:

For the preservation of the security and order of the jail, its staff and prisoners, every prisoner will be classified upon admission to the jail and will be assigned housing according to the classification. There shall be no discrimination by race, color, creed, or national origin.

##### Procedure:

Even if the preceding preliminary health screening has resulted in the transfer or temporary segregation of the prisoner or even if the prisoner is awaiting a further medical examination by the jail physician, the admitting jailer will perform the following classification procedures (see also Procedure III.C.).

1. Review of records: The admitting jailer will review the admissions records (see Procedures II.D., #1) and any existing jail records concerning the prisoner for the following information:

- a. Sex
- b. Age

- c. Offense
  - d. Legal Status
    - (1) sentenced
    - (2) unsentenced
    - (3) state witness
    - (4) work release
  - e. History of Violent or Disruptive Behavior
  - f. Evidence of Homosexuality or Vulnerability to Attack
  - g. Evidence of Mental or Physical Handicap
2. Classification Code. The admitting jailer will then assign a classification code, in the order listed below:
- a. Sex = "M" (male) or "F" (female)
  - b. Age = "A" (adult) or "J" (juvenile)
  - c. Violence = "V" (potentially violent) or "N" (non-violent)
  - d. Legal Status = "P" (pre-trial) or "S" (sentenced) or "WR" (work release)
  - e. Handicap = "H" (mental retardation or physical handicap)
3. Example: For example, a female pre-trial adult with no physical or emotional handicap would be assigned the classification code "FANP." A male sentenced adult with a history of institutional violence would be assigned the code "MAVS," and so on.

- 4. Recording: The classification code will be written on the Booking Card, Cell Assignment Card, and on the cover of the prisoner's file, along with the date the code was assigned.
- 5. Review of Classification: A prisoner's classification shall be reviewed:
  - a. At the request of the Jail Administrator or Jail Physician;
  - b. Following a court appearance;
  - c. Following disciplinary action for a major or serious rule violation.

If a reclassified prisoner objects to his changed status, the procedures for due process as outlined in Procedure IX.C.#9-16 shall be followed.

WORKSHEETA. OPERATIONAL AREA

Classification - Housing Assignment

B. STATE STANDARDS

5120:1-8-04

- (A) Adult female, juvenile female, adult male, and juvenile male prisoners shall be housed completely separate by sight, sound, and touch at all times unless otherwise specified by court order.

C. CASE LAW

(See cases outlined on worksheet for Procedure III.A.)

D. SUGGESTED GUIDELINES

Same as III.A.

E. MODEL POLICY AND PROCEDUREIII.B. Policy:

Housing of prisoners in the Ohio County Jail shall conform to the established classification system for reasons of consistency, fairness, security and safety.

Procedure:

1. Roster Board: Prior to assigning a cell to the new prisoner, the admitting jailer will check the cell-block roster board to determine which cells or bunks are currently available.
2. Assignment: The following chart will be used to assign the prisoner to a cell. The classification codes shown after the cell number represent the preferred use of the particular unit or cell, the codes in parentheses

represent the use of a unit or cell if the preferred choice is unavailable. (see also Appendix M.1 for housing unit(s) and cell numbers).

3. Booking Card: When the assignment has been made, the admitting jailer will note the assignment on the Booking Card and the Cell Assignment Card.
4. Notice: The admitting jailer will then notify Central Control that he intends to escort the prisoner to a specific housing unit and cell.
  - a. Central control officer will notify the housing jailer.
  - b. If the cell is not ready, Central Control will notify the admitting jailer, who may either re-assign as appropriate or place the prisoner in a holding cell until the cell is made ready.
5. Escort: The admitting jailer will escort the prisoner or, if especially busy, request that the housing jailer escort the prisoner to the assigned cell.
6. File and Cards: The prisoner's file will be delivered to the Jail Administrator's office for routine review, the Booking Card will be placed in the "in area" file in the Central Control Room and the Cell Assignment Card will be placed in the file outside the appropriate housing unit.

CELL ASSIGNMENT CHART

Holding

A1 Male  
 A2 Female/Juvenile (medical isolation)

First Floor

B1	<u>Discipline</u>	C1 & 2	<u>MANP</u>	<u>MANP</u>
B2	<u>Administrative Seg.</u>	C3 & 4	<u>MANP</u>	<u>MANP</u>
B3	<u>MAV (Disc)</u>	C5 & 6	<u>MANP</u>	<u>MANP</u>
B4	<u>MAV (Disc)</u>	C7 & 8	<u>MANP</u>	<u>MANP</u>

Second Floor

D1 & 2	<u>MANS</u>	<u>MANS</u>	E1 & 2	<u>MANP (MANS)</u>	<u>MANP (MANS)</u>	
D3 & 4	<u>MANS</u>	<u>MANS</u>	E3 & 4	<u>MANP (MANS)</u>	<u>MANP (MANS)</u>	
D5 & 6	<u>MANS</u>	<u>MANS</u>	E5 & 6	<u>MANP (MANS)</u>	<u>MANP (MANS)</u>	
F1	<u>WR</u>	<u>(FA)</u>	G1	<u>FAV (FJ)</u>	H1	<u>FAN (MJ)</u>
F2	<u>WR</u>	<u>(FA)</u>	G2	<u>FAV (FJ)</u>	H2	<u>FAN (MJ)</u>
F3	<u>WR</u>	<u>(FA)</u>				
F4	<u>WR</u>	<u>(FA)</u>				

CLASSIFICATION KEY

"M"	Male	"A"	Adult
"F"	Female	"J"	Juvenile
"V"	Violent	"P"	Pre-Trial
"N"	Non-Violent	"S"	Sentenced
"WR"	Work Release		

WORKSHEET

A. OPERATIONAL AREA

Classification - Administrative Segregation

B. STATE STANDARDS

5120:1-8-15

- (A) Administrative segregation shall be employed to separate from the general population those prisoners who:
- (1) Present a chronic inability to adjust in the general population.
  - (2) Those who pose a major threat to themselves, others, or the security of the facility.
  - (3) Those presenting a valid need for protection as determined by the facility administrator.
- (B) Prisoners administratively segregated against their will shall be provided an opportunity for a review hearing in accordance with procedures set forth in Rule 5120:1-8-14(A-J) of the administrative code.
- (C) Administrative segregation may be employed to isolate prisoners having a communicable disease.
- (D) Prisoners placed in administrative segregation during treatment for minor medical or psychiatric problems shall be checked daily by medical and jail personnel to review the need for continued administrative segregation.
- (E) When a prisoner is held in administrative segregation thirty (30) consecutive days, he shall receive an administrative review by the facility administrator or his designee. Subsequent reviews shall be conducted every thirty (30) days.
- (F) Prisoners placed in administrative segregation shall receive all regular privileges and rights unless they pose a serious threat to the security of the facility or the health and welfare of the individual.
- (G) Under no circumstances shall administrative segregation be used as a penalty.
- (H) It is essential that prisoners transferred to administrative segregation fully understand their new status.

C. CASE LAW

Wright v. Enomoto, 402 F. Supp. 397 (N.D. CA 1976) affirmed 43 U.S. 1052 (U.S. Supreme Court)

A classification of a prisoner from the general population to administrative segregation requires procedural due process if the conditions of administrative segregation are substantially more "onerous" than those in the general population.

Bartholomew v. Reed, 477 F. Supp. 223 (D. OR 1979)

Administrative transfer of a prisoner to segregation requires some due process. Procedures in effect which require a post-transfer hearing were sufficient to satisfy due process, and is appropriately less stringent than procedures governing disciplinary confinement.

Furtado v. Bishop, \_\_\_ F. 2d. \_\_\_, 25 Crim L. Repr. 2509 (First Circuit, 1979)

The classification of an inmate to segregation does not require due process, but may be attacked via grievance procedures or in the courts as being arbitrary, capricious, or disproportionate to the particular circumstances.

Jordan v. Arnold, 472 F. Supp. 265 (M.D. PA 1979)

The Bureau of Prisons' procedure for reviewing administrative segregation after three days is valid and a sufficient guarantee of due process.

Arsberry v. Seilaff, 586 F. 2d. 37 (7th Circuit 1978)

Transfer of a prisoner to segregation does not require due process unless segregation is authorized solely because of prisoner's misbehavior.

D. SUGGESTED GUIDELINESCommission on Accreditation

5252 Written policy and procedure provide for administrative segregation for inmates with serious behavior problems and for inmates requiring protective custody. (Detention--Essential, Holding--Essential)

5253 Written policy and procedure specify that, behavior permitting, inmates housed in administrative segregation are afforded living conditions and privileges approximating those available to the general inmate population; exceptions are justified by clear and substantiated evidence. (Detention--Essential, Holding--Essential)

5254 Written policy and procedure specify that the status of inmates in administrative segregation is reviewed by the classification officer or other authorized body at least every seven days for the first two months and at least every 30 days thereafter. (Detention--Essential, Holding--Essential)

5255 Written classification policy and procedure specify the review process that is used to release inmates from administrative segregation to the general inmate population. (Detention--Essential, Holding--Essential)

5257 Written policy and procedure provide that staff members in the disciplinary detention and administrative segregation units maintain a permanent log. (Detention--Essential, Holding--Essential)

E. MODEL POLICY AND PROCEDUREIII.C. Policy:

Administrative segregation shall be used to separate those prisoners who, for some reason other than disciplinary, need to be isolated from the general jail population. Prisoners placed in administrative segregation will receive all privileges granted to prisoners in the general population (with the exception that certain materials or activities which may constitute a threat to the prisoner's own safety or the safety of others may be withheld). Depending on the reason for separation, prisoners in administrative segregation may require increased surveillance.

Procedure:

1. Criteria: Administrative segregation will be employed to separate from the general population prisoners who:
  - a. Cannot adjust to the general population.

- b. Pose a serious threat to themselves, others or the security of the jail.
  - c. Present a valid need for protection from other prisoners as determined by the Jail Administrator.
  - d. Have a communicable disease.
  - e. Persons charged with infamous crimes.
  - f. Witnesses.
  - g. Persons whose characteristics are markedly dissimilar from other prisoners thereby severely affecting their ability to function in a regular housing unit.
2. Identification: The identity of and recommendation to administratively segregate a prisoner shall be referred to the Jail Administrator or, in the event that immediate isolation is required, referral will be made to the ranking jailer. Identification of such prisoners shall be made as follows:
- a. Each jailer has the responsibility to observe the behavior of each prisoner and identify those who meet the criteria in #1.
  - b. The Jail Physician or other medical staff shall identify those needing to be isolated for medical/mental reasons.

- c. The County Prosecutor, Attorney General, or Judges of the criminal courts of Ohio County, may order the segregation of state witnesses or other special prisoners being housed at the county jail.
3. Decision: The decision to place a prisoner in administrative segregation will be made by the Jail Administrator on the basis of the following:
- a. A request for segregation by the prisoner. Such a request shall be made in writing, signed, and dated by the prisoner.
  - b. Observations or reports from jailers of persistently disruptive or potentially disruptive behavior, or abnormal behavior which requires removal of the prisoner from the general prisoner population.
  - c. A report from the Jail Physician.
  - d. Apparent need for protection.
  - e. Recommendation of Judges, Prosecuting Attorney or arresting agency.
4. Housing Assignment: The Jail Administrator shall determine which cell prisoners in need of administrative segregation will be assigned (see Procedure III.B). In emergency situations, the ranking jailer on duty shall assign such prisoner(s) to isolation cell B2.



**CONTINUED**

**1 OF 4**

5. Increased Surveillance: The Jail Administrator/ranking jailer shall determine at what interval persons in administrative segregation will be visually observed by staff. Such decisions will be made on an individual basis. All surveillance checks will be recorded in the Daily Log for that housing area.
6. Notification: Prior to placing a prisoner in administrative segregation, the Jail Administrator will fully explain to the prisoner the nature and conditions of the new status, and notify him of his right to a due process hearing.
7. Due Process: If the prisoner subsequently objects to the placement in administrative segregation, or requests a hearing, the procedures for due process as outlined in Procedure IX.C., #9-16 shall be followed.
8. Change of Mind: If a prisoner who is in administrative segregation by his own request, decides he no longer wants to be segregated, the Jail Administrator shall re-assign him to a regular housing unit upon receipt of a written request. The request must be signed and dated by the prisoner.
9. Records: Upon removal of the prisoner from administrative segregation and reassignment to a regular housing unit, the Jail Administrator will record the action in the Daily Log.

10. Review: Any prisoner who is housed in administrative segregation for thirty (30) consecutive days will receive a review by the Jail Administrator to determine the need for continued segregation. Subsequent reviews will be made every ten (10) days thereafter. The Administrator will consider the following factors in the review:
  - a. whether or not the conditions or circumstances which led to segregation still exist;
  - b. the jailer's observations of the prisoner's behavior and attitude during segregation;
  - c. any change in the risk presented to the prisoner by replacement in the general population;
  - d. the presence or absence of continued risk to the general jail population if the prisoner is removed from segregation.
11. Documentation: Each time a review is conducted, the process and the results of that review will be written on the due process form (Appendix N.3.f) and placed in the prisoner's file.

WORKSHOPA. OPERATIONAL AREA

Security - Weapons

B. STATE STANDARDS

5120:1-8-03

- (H) No weapon, ammunition, chemical agent, related security equipment, or any object which presents the potential of being used as a weapon shall ever be permitted in the confinement area unless authorized by the warden, chief, superintendent, Sheriff, or other officials specifically designated as having administrative responsibility for the confinement facility.
- (I) All unissued firearms, weapons, and/or chemical agents assigned to the jail shall be stored in an arsenal, vault, or other secure room under double lock.
- (1) This area shall be inaccessible to all unauthorized persons.
  - (2) There shall be a written procedure for issuing and accounting for all weapons.
- (J) All jails shall have a storage area (e.g., pistol locker, weapons cabinet) for the temporary securing of weapons when persons enter the security perimeter.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5214 Written policy and procedure govern the availability, control and use of firearms, ammunition, chemical agents and related security devices, and ensure that sufficient security equipment is available to meet facility needs.

5215 Written policy and procedure provide that firearms, ammunition, chemical agents and related security equipment are stored in a secure, but readily accessible depository.

5216 Written policy and procedure require that firearms, etc. are inventoried at least monthly to determine their condition and expiration dates.

5221 Except in emergency situations, weapons are not permitted beyond a designated area, to which inmates have no access.

E. MODEL POLICY AND PROCEDUREIV.A. Policy:

To insure the safety and security of jail staff and prisoners, no firearm, chemical agent, or weapon shall be worn or carried in the confinement area unless under emergency conditions and then only upon the authorization of the Jail Administrator or Sheriff.

Procedure:

1. Entry: Staff members supervising entry (housing jailer, admitting jailer) into the confinement area shall require those wishing to enter to remove and deposit firearms, weapons, and chemical agents in the gun locker (located at the prisoner entrance to the booking area).
2. Refusal:
  - a. The ranking jailer on duty shall be summoned immediately if any person refuses to comply with such security precautions. The ranking jailer shall report in writing any resistance to security procedures to the Jail Administrator for appropriate follow-up action (e.g., contact with the person's employing agency).

b. Persons refusing to secure weapons in the gun locker shall not be permitted inside the security perimeter and shall be asked to leave the premises immediately.

3. Armory: The jail utilizes the Sheriff's Department Armory located in the basement of the building. All unissued weapons shall be stored in the armory and each time a weapon is issued therefrom, the name of the person to whom issued and the date, time, and purpose for which issued will be noted on the armory log by the Sheriff's officer in charge.

It is the responsibility of the Jail Administrator to work with the Sheriff's officer in charge of the armory to ensure that the weapons, chemical agents and other security equipment stored there for use by the jail are periodically inspected and inventoried.

WORKSHEETA. OPERATIONAL AREA

Security - Contraband

B. STATE STANDARDS

5120:1-8-03

(G)(2) Items considered as contraband or items permitted in the jail shall be clearly defined in the jail rules.

(3) There shall be a written procedure for reporting security irregularities.

C. CASE LAW

Harvey v. Blankenship, 474 F. Supp. 1349 (W.D. VA 1979)

Where the authorities found cash (\$750.00) and the prisoner was disciplined for the unauthorized possession, the state could place the funds in the prisoner benefit fund and was under no obligation to hold the money for the prisoner and return it upon his release.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5213 Written policy and procedure provide for searches of facilities and inmates to control contraband.

E. MODEL POLICY AND PROCEDUREIV.B. Policy:

The introduction of contraband into the facility or the possession of contraband is a severe threat to the security of the jail and the safety of its staff, prisoners and visitors. Jail staff will take all reasonable precautions to prevent the introduction of contraband and will in no way hinder the discipline or prosecution of persons possessing contraband.

Procedures:

1. Definition: Any item not appearing on the list of "Permitted Items" (see Appendix F) or otherwise approved by the Jail Administrator, shall be considered contraband.
2. Confiscation and recording: When contraband is found on a prisoner or in the jail, the jailer who first discovers the item(s) shall:
  - a. Remove the contraband from the prisoner or location.
  - b. If possession constitutes a major or serious violation (see IX.B., #2.b and c), the prisoner will be removed to a disciplinary isolation cell.
  - c. Place a tag on the contraband showing the date, the name of the prisoner from whom taken and/or the location from which removed.
  - d. Deliver the contraband to the Jail Administrator (within 24 hours).
  - e. Note the incident and the transfer of the contraband in the Daily Log.  
  
(NOTE: Under no circumstances shall a jailer or other employee keep or destroy contraband.)
  - f. Complete an incident report.

- g. The Jail Administrator shall determine whether the possession of the item(s) in question is a violation of state law and, if so, turn over the item(s) and the incident report to the Detective Division for investigation and possible filing of charges.
- h. Whether or not criminal charges are to be filed, the Jail Administrator may elect to begin disciplinary procedures (see Procedure IX.B.2). The contraband shall not be destroyed until such time as all charges or proceedings surrounding the incident are resolved.
- i. If the contraband item(s) include money, such money shall, at the conclusion of all related proceedings be placed in the County General Fund.

WORKSHEETA. OPERATIONAL AREA

Security - Security Inspections

B. STATE STANDARDS

5120:1-8-03

(G) All Jail Administrators shall establish a routine procedure for thoroughly inspecting all facility areas accessible to prisoners for contraband and physical security on at least a weekly basis.

(I) Isolated security "spot checks" shall be conducted on a daily basis.

(L) All security devices and safety equipment shall be inspected monthly to insure they are maintained in proper working order, and the inspections logged.

C. CASE LAW

See generally those cases related to supervision and contraband control.

Bell v. Wolfish, \_\_\_ U.S. \_\_\_, (Supreme Court 1979)

Prisoner has no constitutionally protected interest in being present during searches of the prisoner's living quarters.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5211 Written policy and procedure require at least a weekly inspection of all security facilities.

5212 Written policy and procedure provide for continuous inspection and maintenance of all locks.

5213 Written policy and procedure provide for searches of facilities and inmates to control contraband.

E. MODEL POLICY AND PROCEDURE

IV.C. Policy:

All officers assigned to the jail will be constantly aware of the need for safety and security and use all necessary means for accomplishing this.

Procedure:1. Cell searches (shakedowns):

- a. Special: Any housing jailer shall conduct a cell search whenever he or she has reason to believe that contraband may have been introduced into the housing area (e.g., via informants, personal observation of prisoners, unaccounted for utensils, tools, or other supplies). See Appendix C for Cell Search procedure.
- b. Routine: At various times, but not less frequently than once per week, the Jail Administrator will order the conducting of a systematic cell search and assign jailers accordingly.
- c. Removal: Prisoners will be removed to the multi-purpose room or an unoccupied cell area during special and routine searches.
- d. Contraband: If contraband is found during special or routine cell searches, the procedures set forth in IV.B., #2. will be followed.

2. Inspections: The Jail Administrator will inspect or assign jailers to inspect weekly the security and safety equipment. That inspection will include:

- a. all locks
- b. all doors to the cells, cell areas, and the security perimeter
- c. all video and audio monitoring devices

IV.C. (cont'd.)

- d. first aid kits
  - e. fire extinguishers
  - f. smoke detectors and fire alarms
  - g. window casings and bars
  - h. emergency breathing apparatus (air pacs)
  - i. emergency electrical generator(s)
3. Reporting: If, during cell searches, surveillance tours, weekly or monthly security inspections, any irregularities in safety or security are discovered (such as inoperable locks, damaged equipment, evidence of tampering) each such irregularity will be noted in the Daily Log and reported as soon as possible to the Jail Administrator by means of an incident report. Dates and times of cell searches, weekly and monthly inspections shall be recorded in the Daily Log by the jailer in charge of the search including any irregularities found and disposition.

IV.D.

WORKSHEET

A. OPERATIONAL AREA

Security - Surveillance of Prisoners

B. STATE STANDARDS

5120:1-8-03

- (B) Direct, in-person surveillance of each prisoner shall be conducted on an irregular schedule, no less than once every sixty (60) minutes. Hourly checks must be logged.
- (C) Certain classifications and physical arrangements require increased documented surveillance at intervals to include but not be limited to every 15 to 20 minutes). Examples of classifications and physical arrangements requiring increased surveillance are: suicidal, assaultive, escape risk, mentally/emotionally disturbed prisoners, dormitory settings and bullpen areas.
- (D) When available, closed circuit television (CCTV) shall be primarily used to monitor hallways, stairwells, sallyports, perimeter security, points of egress, and common areas.
- (F) Prisoners must be able to verbally contact jail staff at all times. An audio communication system must be used when a staff person is not within normal hearing distance of the prisoner.
- (K) A detailed written record (e.g., Daily Jail Log) shall be made of all significant activities occurring within the confinement facility.
  - (1) The activities recorded shall include but not be limited to:
    - (a) Security inspections,
    - (b) Prisoner counts,
    - (c) Use of force,
    - (d) Disciplinary actions,
    - (e) Movement inside and outside the jail,
    - (f) Medical treatment,

- (g) Feeding,
- (h) Critical incidents (e.g., fires, assaults, attempted/completed suicides and escapes, and other deaths),
- (i) Prisoner vandalism (e.g., destruction of jail property, flooding, or other acts of vandalism).

C. CASE LAW

Falkenstein v. City of Bismark, 268 N.W. 2d 787 (Sup. Ct. N.D. 1978)

Jail staff have higher duty of supervision for prisoners under influence of alcohol and to prisoners with potential suicidal tendencies.

Parker v. Gladwell, No. C 74-391 (N.D. OH 1976)

Required one guard on duty in cell area at all times. Security checks must be performed at least twice every twenty-four (24) hours.

Hamilton v. Covington, 445 F. Supp. 195 (W.D. AR 1978)

Duty owed by Sheriff to provide adequate security. Liability may exist for deaths and injuries occurring in unattended jail.

Stevens v. County of Dutchess, 445 F. Supp. 89 (S.E. NY 1977)

Sheriff liable if prisoner-on-prisoner attack occurred under conditions of inadequate supervision.

D. SUGGESTED GUIDELINESCommission on Accreditation

5240 Written policy and procedure provide for around-the-clock supervision of inmates by trained correctional personnel.

5242 Written policy and procedure require that each inmate classified as high or medium security is personally observed by a correctional officer at least every thirty (30) minutes, but on an irregular schedule.

5243 Written policy and procedure require that each inmate classified as low or minimum security is personally observed by a correctional officer at least every sixty (60) minutes, but on an irregular schedule.

E. MODEL POLICY AND PROCEDUREIV.D. Policy:

It is the affirmative duty of every jail officer to maintain 'round the clock' surveillance of the prisoners and their activities to insure the safety and security of the jail, staff, and the prisoners.

Procedure:

1. Regular surveillance:  
The housing jailer(s) on duty will conduct a tour of each cell area (or other area where prisoners are present) checking each prisoner at least once every sixty (60) minutes on an irregular schedule.
2. Special surveillance:  
Special surveillance (such as mentally or emotionally disturbed (Cells B1-B4) prisoners designated by the jail physician for increased surveillance, prisoners identified as escape risks, or prisoners identified as suicide risks and all those housed in disciplinary isolation (Cells B1-B4) will be observed more frequently, at least once every twenty (20) minutes.
3. Observation: During a surveillance tour the housing jailer will observe prisoner behavior and appearance for unusual or questionable situations (e.g., bruises or cuts on prisoner's face



or arms, prisoners expressing hostility, showing signs of depression, not eating, not talking to other prisoners, or nervousness). If prisoners are locked in the cells, the jailer will note if they are in their assigned cell.

4. Spot checks: During one or more of the tours required above, the housing jailer will also spot check the security devices (locks, doors, bars, lights) for any evidence of tampering or impairment of operation. Any irregularities discovered will be reported as outlined in Procedure IV.C.#3.
5. Records: The housing jailer(s) will note in each housing unit's Daily Log any and all significant or unusual events occurring during the shift. The times when each surveillance tour is conducted and the area(s) checked will be noted in the Daily Log.
6. Change of shift: When the relief housing jailer(s) reports for duty, the jailer(s) being relieved will direct the attention of the relief housing jailer to any significant entries in the log during the shift change briefing.

WORKSHEETA. OPERATIONAL AREA

Security - Prisoner Counts

B. STATE STANDARDS

5120:1-8-03

- (E) There shall be at least three official counts every twenty-four hours (once per shift) during which each prisoner's physical presence, movement, or speech shall be observed to verify his/her presence. A record shall be made of such counts and signed by the jail staff member who observes the prisoner's presence.

C. CASE LAW

See generally those cases related to surveillance.

D. SUGGESTED GUIDELINESCommission on Accreditation

5206 The facility has a system to physically count inmates.

5251 The facility administrator maintains a written record of.....inmate population count.

E. MODEL POLICY AND PROCEDUREIV.E. Policy:

To prevent escapes and to ensure that prisoners are accounted for at all times, the jail officers must make frequent and accurate counts. Before a prisoner can be regarded as present, the officer conducting the count must visually see the prisoner's flesh or movement.

Procedure:

1. Schedule: At shift change, the housing jailer(s) and the relief housing jailer(s) together will verify the number of prisoners present in each housing unit. Counts will also be verified during the service of meals by the housing jailer on duty.
2. Recording: The count will be recorded on the count form (Appendix N.4d) and signed by the housing jailer(s) and the relief housing jailer(s). The jailer going off duty will verbally relay the count to the central control officer.
3. Re-count: If after all counts are relayed, the central control officer finds that the count does not agree with the previous shift's count and any subsequent recorded movement of prisoners, the central control officer will order a lock-down and re-count. (See also procedures on escape, XI.C.)
4. Upkeep of records: All admissions to and removals from each housing area will be recorded on each count form by the central control officer.

## WORKSHEET

A. OPERATIONAL AREA

## Security - Key Control

B. STATE STANDARDS

5120:1-8-03.

- (M) All jails shall have a key control system. This system shall include but not be limited to the following elements:
- (1) A key control center which is secure and inaccessible to unauthorized persons at all times.
  - (2) An accounting procedure for issuing and returning keys.
  - (3) A procedure for immediate reporting and repairing of any broken or malfunctioning key or lock.
  - (4) A set of duplicate keys to be maintained in a separate, secure place.
  - (5) A third set of keys shall be kept at a location outside the jail.
- (N) In addition, the key control system shall include but not be limited to the following provisions:
- (1) No prisoner shall ever handle keys used to operate jail security locks.
  - (2) Keys operating locks to outside doors and/or gates will never be in the confinement area.
  - (3) Emergency keys and keys to critical security areas (e.g., arsenal) will only be issued in accordance with written procedures established by the Jail Administrator.
  - (4) Precautions similar to those outlined above shall be taken to insure the security of all non-key-operated locking devices (e.g., electrical switches, levers).

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5222 Written policy and procedure govern the control and use of keys.

E. MODEL POLICY AND PROCEDURE

IV.F. Policy:

The control and accounting of keys is crucial to the maintenance of jail security. At no time will any prisoner be allowed to possess any key. The central control officer has the responsibility for supervision the issuance and return of keys.

Procedure:

1. Key cabinet: All keys for locks within the security perimeter, when not in use, will be kept in the key cabinet in the central control room.
2. Tags: Each jailer will have three (3) metal tags on which are stamped the jailer's number. Each key will have an engraved marking and be color coded, identifying its respective locking mechanism.

3. Exchange: Each time a jailer needs to use a key, he or she will give to the central control officer an identifying tag(s). The central control officer will remove the key(s) from the hook in the key cabinet and will replace the key(s) with the jailer's tag(s).
4. Return: All keys must be returned to the central control officer by the end of each shift. When key(s) are returned, the jailer's tag(s) will be removed from the hook, replaced by the key(s) and the tag(s) returned to the jailer.
5. Backup Keys:
  - a. Location: One complete set of keys to the confinement area will be maintained in the jail safe and a third set in the Chief safe at the Buckeye City Police Station for use in emergencies.
  - b. Access to: The ranking jailer on duty is authorized to use the second set of keys (jail safe) in case of an emergency. The third set may be obtained by contacting the Police Chief or Assistant Police Chief and requesting the same.
  - c. Perimeter keys: Keys which control the doors through the security perimeter (the security entrance and the entrance adjacent to the receptionist/central control center) will be kept in the central control area in the key cabinet. These keys will be issued only when the electronic door control system fails.

d. Lost or damaged keys or locks: The loss or damage of a key or lock will be reported in writing to the Jail Administrator as soon as possible. If the loss appears to have occurred within the security perimeter, the Jail Administrator (or the central control officer on duty in the Administrator's absence) will order a lock-down and conduct a search for the missing key.

WORKSHEET

A. OPERATIONAL AREA

Security - Control of Tools and Hazardous Materials

B. STATE STANDARDS

5120:1-8-03

- (0) All tools; toxic, corrosive, and flammable substances; and other potentially dangerous supplies and equipment shall be stored in a locked area which is secure and located outside the security perimeter of the confinement area.
- (1) Tools, supplies, and equipment which are hazardous shall be used by prisoners only under direct supervision.

C. CASE LAW

None directly applicable. See generally decisions holding officials liable for prisoner death or injury due to negligent supervision.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5224 Written policy and procedure govern the use of all flammable, toxic and caustic materials.

E. MODEL POLICY AND PROCEDURE

IV.G. Policy:

No prisoners except those on trusty status shall be given or have access to any tools or hazardous agents (e.g., toxic cleaning fluids, drain cleanser, pressurized aerosol cans, any substance labelled poisonous).

Procedure:

1. Supervision: Trustees who are assigned certain duties involving the use of tools or hazardous or toxic agents will only use them under direct supervision of a jailer/officer. (See also Procedure VII.A., #3-5).
2. Inventory: The jailer/officer who supervises the trusty(s) will be responsible for accounting for all tools and supplies when the work is completed.
  - a. Check out: The jailer/officer supervising will, when issuing supplies from the storage closet (adjacent to the entrance of the first floor cell-block), check off the item(s) on the inventory sheet hanging inside the closet on the clipboard.
  - b. Check in: When work has been completed, the jailer/officer will check the returned materials against the inventory sheet.
3. Discipline: If there is any misuse or attempted misuse of tools or hazardous materials, the jailer/officer will prepare a written recommendation to the Jail Administrator to remove the prisoner in question from trusty status and to take possible disciplinary action where warranted.

WORKSHEETA. OPERATIONAL AREA

Security - Use of Physical Force

B. STATE STANDARDS

5120:1-8-03

- (W) Physical force shall only be employed when reasonably necessary for the following:
- (1) Self-defense of staff.
  - (2) Protection of another person from a prisoner attack.
  - (3) Prevention of riot or escape; and
  - (4) Enforcement of institutional rules and regulations.
- (Y) Only the amount of force reasonably necessary to control a given situation shall be used.
- (Z) All use of physical force shall be thoroughly documented with a detailed account including but not limited to:
- (1) Who was involved.
  - (2) The force that was used.
  - (3) Justification for its use.
- (AA) An immediate examination and/or treatment by in-house medical personnel or outside emergency medical services shall be provided to prisoner(s) and/or staff involved in any use of force incidents.
- (1) The examination and/or treatment shall be thoroughly documented.

C. CASE LAWOwens v. Haas, 601 F. 2d. 1242 (2nd Cir. 1979)

The county may be held liable for failing to properly train jail staff if that failure amounts to "gross negligence" or "deliberate indifference" to the inevitable consequences of a lack of training. In addition, there need not be a "pattern" of abuse for the county to be liable, but liability under § 1983 can arise from a single incident if that incident is serious enough to indicate some level of "official acquiescence" (in this case, the incident was the beating of a prisoner who refused to leave his cell by the defendant Officer Haas and other officers).

If the plaintiff can show an official "custom or policy" stemming from or resulting in a conspiracy, and if the conspiracy implicates the county itself, then the county may be liable as a "person" under Title 42, Section 1985 (the conspiracy section of the Civil Rights Act).

NOTE: These conclusions by the Circuit Court were appealed by the county to the U.S. Supreme Court (see Nassau County v. Owens, 48 USLW 3259). In December 1979 the Supreme Court refused to hear the appeal (denied certiorari) and so let the 2nd Circuit's decision stand.

Dailey v. Byrnes, 605 F. 2d. 858 (5th Cir. 1979)

Where a guard struck the plaintiff prisoner in retaliation for water being thrown at the guard, there was a clear violation of civil rights.

Collins v. Cundy, 603 F. 2d. 824 (10th Cir. 1979)

Mere verbal abuse of a prisoner does not state a claim for relief under § 1983, but an allegation that a jailer beat the plaintiff does state a claim.

Martinez v. Rosado, 474 F. Supp. 758 (S.D. NY 1979)

When force is used not with respect to the duty to maintain order and enforce rules but with the intention of causing injury, the injured prisoner may maintain an action for violation of civil rights.

Stanley v. Henderson, 597 F. 2d. 651 (8th Cir. 1979)

The court finds that in fact the defendant correctional officer did hit the plaintiff prisoner. An award by the District Court of \$1,000.00 in actual and \$2500.00 in punitive damages is upheld.

Lamb v. Hutto, 467 F. Supp. 562 (E.D. VA 1979)

Mere threats do not state a claim on which relief can be granted, but a single act of a beating by several guards is offensive and does state a claim for violation of civil rights.

Fowler v. Vincent, 452 F. Supp. 449 (S.D. NY 1978)

Not every battery by a guard automatically states a claim for violation of civil rights, but where the battery is unprovoked or has no relationship to the necessary operation of the institution, a claim can be stated.

D. SUGGESTED GUIDELINESCommission on Accreditation

5233 Written policy and procedure restrict the use of physical force by facility personnel to instances of justifiable self-protection, protection of others, protection of property and prevention of escapes, and to only the degree necessary, and in accordance with appropriate statutory authority. A written report is prepared following all uses of force and is submitted to the facility administrator. (Detention--Essential, Holding--Essential)

E. MODEL POLICY AND PROCEDUREIII.H. Policy:

Only that amount of physical force necessary to regain control of a prisoner will be used by the staff of the Ohio County Jail. Physical force may be used only when an attack by a prisoner(s) on a jail employee, visitor, other persons or other prisoner(s) is actually occurring, is clearly imminent or, when other lesser means have failed to achieve a legitimate and necessary objective. Physical punishment of a prisoner by a jailer will not be permitted.

Procedure:

The following procedural guidelines are designed to illustrate that jailers have a number of choices in handling violent or potentially violent situations. Jailers should, whenever possible, move through these procedures in sequence so that prisoners are given every opportunity to cease their disruptive or assaultive activity and cooperate with the jailer(s).

1. Uncooperative Prisoner:  
The jailer who encounters an uncooperative prisoner (e.g., refuses to enter cell, refuses frisk search, refuses to be removed from cell) will take the following actions:
  - a. Verbal persuasion: attempt to verbally convince the prisoner to cooperate;
  - b. Verbal warnings: if verbal persuasion fails, warn the prisoner of the consequences of non-cooperation (use of force, disciplinary sanctions);
  - c. Show of force: if warnings are not effective, call for backup personnel in an attempt to intimidate the prisoner through a show of force;
  - d. Control holds: if a show of force is insufficient (or impossible) the jailer(s) shall attempt to use the physical holds designed to gain control of the prisoner (no blows will be struck by the officer unless the resisting prisoner becomes an attacker).

2. Attacking Prisoner: If at any point in the above process a prisoner attempts to physically attack a staff member, visitor, other prisoner or any other person, the following steps shall be taken:
  - a. Backup: call for backup personnel (if not already present);
  - b. Blocks: block the blows or kicks of the prisoner, giving the prisoner opportunity to reconsider and clearly establishing that the prisoner is in fact the aggressor;
  - c. Take-downs: if, after the prisoner's initial blows or kicks have been blocked, the prisoner persists, the jailer(s) will attempt to take the prisoner down by using take-down techniques (specified in the jail training course) designed to gain control over the prisoner;
  - d. Blows and kicks: if the prisoner's strength and agility are such that the take-down techniques are not effective (or if the physical setting renders their use ineffective), only then may the jailer(s) resort to kicks or blows. The following blows are to be avoided categorically unless a jailer's life or the life of another person is clearly in danger:

- (1) knuckle blows to the temple,
- (2) base of hand blows to the nose,
- (3) cupped-hand blows to the ears,
- (4) kicks to the groin or head areas,
- (5) blows or gouges to the eye.

When a jailer resorts to blows or kicks, only the type and number sufficient to bring the prisoner under control shall be used. Such tactics may not be used to inflict unnecessary or permanent injury (thus the prohibition of (1) through (5) above) but only to temporarily disable and only after other means have failed.

- e. Retreat: jailers may, if all else has failed, if an escape route is open to the jailer(s) and if no other persons are or would be open to attack from the prisoner, retreat from the scene and obtain a baton and chemical irritant spray (from the armory).
- f. Use of baton: the baton is for defensive purposes and the same procedures apply to the baton as apply to hands and feet. First, use the baton to block the prisoner's blows or kicks, giving the prisoner the opportunity to desist and surrender. Second, use

the baton to strike the prisoner below the neck and in a manner designed only to temporarily disable and gain control, not to cause permanent injury. (See Sheriff's Training Manual.)

- g. Use of chemical irritants: if chemical irritant spray is used, it shall be used only in that amount necessary to gain control and to cause the prisoner to desist. It should never be sprayed directly into the face at close range.

3. Multiple Prisoners: See Procedure XI.A. "Riot or Disorder."
4. Medical Examination: Persons involved in a use of force incident who complain of or receive injuries, will receive medical assistance as follows:
  - a. Prisoners will be treated in accordance with the Medical Emergency Health Care Plan, Appendix G.  
NOTE: Prisoners not requesting or receiving immediate medical attention will be scheduled to see the Jail Physician during his next regular visit to the jail.
  - b. All staff persons will be required to receive immediate medical attention and provide documentation of treatment.
  - c. All other persons will be requested to seek immediate medical attention.



5. Increased Surveillance: Following a use of force incident, the housing jailer will observe the prisoner at least every 15 minutes for the next 24 hours to detect any noticeable change in the prisoner's behavior or physical condition. Each check will be noted in the Daily Log and initialed by the housing jailer.
6. Investigation: The Sheriff will initiate an investigation of the incident (apart from any investigation for disciplinary charges against the prisoner(s) if:
- a. the prisoner alleges an excessive use of force; or
  - b. the Sheriff determines from the report(s) that an investigation is warranted.
7. Reporting: After every incident in which the jailer(s) or staff member has used physical force, the jailer(s) involved will immediately file a full report of the incident, citing the reasons for the degree of force used and the results of its use. The report will be transmitted to the Jail Administrator and the Sheriff.

WORKSHEETA. OPERATIONAL AREA

Security - Use of Physical Restraining Devices

B. STATE STANDARDS

5120:1-8-03

- (V) Each Jail Administrator shall develop written policies and procedures governing the use of physical restraints.
- (1) No prisoner placed in physical restraints shall be left unattended.
- (X) Restraining devices shall only be employed during transportation or pending the approval of the Jail Physician for the following:
- (1) To prevent the prisoner from harming himself.
  - (2) Protection of another person from a prisoner attack; and
  - (3) Self defense of staff.

C. CASE LAW

(See generally those related to transfer/release and to use of force.)

D. SUGGESTED GUIDELINESCommission on Accreditation

5234 Written policy and procedure govern the use of restraint equipment. A written report is prepared following all uses of restraint equipment and is submitted to the facility administrator. (Detention--Essential, Holding--Essential)

## E. MODEL POLICY AND PROCEDURE

IV.I. Policy:

Restraining devices (handcuffs, leg chains, belly chains, "4-way" restraints) will never be used for purposes of punishment but only for the prevention of escape, the protection of prisoner from self injury or the prevention of a prisoner from injuring others.

Procedure:1. Protection from Self-Harm:

- a. Isolation cell: when a prisoner behavior indicates a potential for an actual attempt at injury to him or herself, the prisoner will be removed to an isolation cell.
- b. Restraints: after placement in an isolation cell, if the prisoner's behavior is still directed toward or indicative of self-harm, the prisoner will be placed in physical restraints. When restraints are used in such a manner, they will be used to restrict the movement of the prisoner only to the degree necessary and will be affixed in such a way as to cause minimal discomfort and avoid their injuring the prisoner.
- c. Surveillance: prisoners placed in restraints will be subjected to more frequent observation by the jailer assigned to the housing unit, who will observe the prisoner at least every ten minutes.

- d. Physician: if any prisoner is placed in restraints, the Jail Physician will be called by the central control officer and informed of the circumstances. No prisoner will remain in restraints for more than eight hours without an examination by the Jail Physician or the physician's designee.
  - e. Reporting: the removal of a prisoner to isolation and the placement of the prisoner in restraints for self-protection will be reported immediately to the Jail Administrator or ranking jailer. A written incident report will be filed with the Jail Administrator within 24 hours of the incident.
2. Prevention of Escape or Assault:
- a. Transportation to court or hospital: See Procedures VI. A.5 and VII.C.
  - b. Transfer to other law enforcement or correctional agency: when a prisoner is being transferred into the custody of another law enforcement agency or correctional agency, the admitting jailer will inform the escorting officer(s) of the prisoner's history and behavior and any indication of risk posed by the prisoner. The use of restraints will be at the discretion of the escorting officer(s).

WORKSHEETA. OPERATIONAL AREA

Prisoner Communications - Mail

B. STATE STANDARDS

5120:1-8-06

- (A) Each Jail Administrator shall develop written policies and procedures governing prisoner mail.
- (B) There shall be no limitation on the amount of incoming or outgoing first-class correspondence.
- (C) Incoming correspondence shall not be censored, except as provided in Rule 5120:1-8-06(H) of the Administrative Code.
  - (1) Incoming correspondence shall be inspected for contraband items prior to delivery.
  - (2) Incoming correspondence from the courts, an attorney of record, or public officials shall be opened in the presence of the prisoner.
- (D) Outgoing mail shall be forwarded sealed without inspection except as provided in Rule 5120:1-8-07(H)(1) and (2) of the Administrative Code.
- (E) Each jail shall provide the necessary writing materials, envelopes, and postage for a minimum of two letters per week for indigent prisoners.
- (G) Packages arriving through the mail for a prisoner shall be thoroughly examined for contraband.
- (H) Each jail shall develop a written policy governing the censoring of mail. Any regulation for censorship shall meet the following criteria:
  - (1) The regulation must further an important and substantial governmental interest unrelated to the suppression of expression (e.g., detecting escape plans which constitute a threat to facility security and/or the well-being of staff and/or prisoners).
  - (2) The limitation must be no greater than is necessary to the protection of the particular governmental interest involved.

C. CASE LAWFeeley v. Sampson, 570 F. 2d 364 (1st Cir. 1978)

Outgoing mail may be searched

Jones v. Wittenberg, 440 F. Supp. 60 (N.D. OH 1977)

Opening and censoring of privileged mail (attorneys, courts) not permissible unless done in presence of inmate.

O'Bryan v. Saginaw, 466 F. Supp. 436 (E.D. MI, 1978)

Indigent inmates to be provided postage and materials for at least one letter per week for personal use and more for correspondence to court.

Sykes v. Kreiger, 451 F. Supp. 421 (N.D. OH, 1975)

Indigent inmates must be allowed to send five free letters per week. No limitations allowed on attorney-client mail. Inmates in isolation entitled to correspond with attorney.

Vest v. Lubbock Co., 444 F. Supp. 824 (N.D. TX 1977)

Neither incoming nor outgoing mail may be censored but may be opened and inspected. Incoming mail must be delivered to inmate within 24 hours.

D. SUGGESTED GUIDELINESCommission on Accreditation

5306 Written policy and procedure govern inmate correspondence.

5307 There is no limitation on the volume of mail an inmate may send or receive, except where there is clear and convincing evidence to justify such limitation.

5308 Inmate mail, both incoming and outgoing, is not read or censored, except where there is clear and convincing evidence to justify such actions.

5309 Written policy and procedure provide for the inspection of inmate mail to intercept cash, checks, money orders and contraband.

5310 Written policy and procedure specify that inmates are permitted to send sealed letters to a specified class of persons and organizations, including, but not limited to: courts, counsel, officials of the confining authority, government officials, administrators of grievance systems, and members of the paroling authority.

5311 Written policy and procedure require that incoming and outgoing mail are not held for more than 24 hours, excluding weekends and holidays.

5312 Written policy and procedure provide that indigent inmates receive a postage allowance sufficient to maintain community ties.

E. MODEL POLICY AND PROCEDURE

V.A. Policy:

It is the policy of the Ohio County Jail to impose no restrictions, formal or informal, on the ability of a prisoner to communicate with persons outside the jail, except where such restrictions are clearly necessary to the maintenance of the order and security of the jail.

Procedure:

Outgoing and Internal Mail:  
Any prisoner may correspond with anyone outside the jail so long as each letter or parcel bears the proper postage.

1. Indigent prisoners:  
If a prisoner who is without funds wishes to send mail, the housing jailer who receives a request for postage and writing materials from the prisoner will:

- a. check the face of the prisoner's money envelope to be sure there are no funds available to the prisoner,
  - b. supply the prisoner with two (2) envelopes, ten sheets of paper, two (2) postage stamps, and a pencil from the storage cabinet in Central Control (such supplies may be replenished no more than once per week per prisoner).
2. Collection: Prisoners will seal their envelopes and hand them to the program jailer when he collects the mail at 4:30 p.m. The program jailer will deliver the sealed letters to the Central Control, where it will be posted for the next earliest U.S. Postal Service collection.
  3. Prisoner-to-prisoner: Any prisoner who wishes to correspond in writing with another prisoner in the Ohio County Jail must make a verbal or written request to a housing jailer. The jailer will refer the request to the Jail Administrator, who will make a decision within five (5) days and notify a housing jailer. If the prisoner is allowed to correspond with another prisoner, a notation to that effect will be made in each prisoner's file.

Incoming Mail:

4. Letters: Letters addressed to prisoners, except those from attorneys, the courts or other public officials, will be opened and inspected for contraband by the central control officer.
  - a. Letters from attorneys, the court, or other public officials will be opened and inspected for contraband in the prisoner's presence during the routine mail delivery.
  - b. Letters will not be read by control officers or housing jailers.
5. Parcels: Parcels will be opened in the presence of the prisoner by the housing jailer and inspected for contraband.
6. Books, magazines and newspapers: Books, magazines and newspapers will be inspected for contraband and subject to censorship by the central control officer. (For guidelines on censorship, see Appendix J.)
7. Delivery: Incoming mail will be picked up at Central Control by the program jailer on duty at 4:30 p.m. each weekday and Saturday. Incoming mail will be distributed to the prisoners preceding the evening meal. If incoming mail is hand-delivered (e.g., from the courts) it will be delivered to the prisoner within one hour of its receipt by the housing jailer.

8. Contraband: If a letter, parcel, or other incoming mail is discovered to contain contraband, the procedures set forth in VI.B. will be followed and the prisoner will be verbally informed that items of contraband were found.
9. Money: If money is found in the envelope, the prisoner will be given a receipt and the amount of the deposit recorded on the prisoner's money envelope.
10. Undeliverable: If any incoming mail is undeliverable (e.g., the prisoner to whom addressed is no longer in custody), the central control officer will attach an explanatory note to the mail and return it to the sender.

WORKSHEETA. OPERATIONAL AREA

Prisoner Communications - Use of Telephone While in Custody

B. STATE STANDARDS

5120:1-8-08

- (A) Each Jail Administrator shall develop written policies and procedures governing prisoner telephone communication.
- (B) Each jail shall have provisions for making telephone calls from a secured area.
- (1) Prisoners shall be provided an opportunity to use this equipment to make at least one (1) local call each week to a relative, employer, friend, attorney, or clergy.
  - (2) Additional calls to legal counsel shall be provided for unsentenced prisoners.
  - (3) Prisoners not residing or having family in the local area shall be permitted one (1) long-distance collect call per week.

C. CASE LAW

Jones v. Wittenberg, 440 F. Supp. 60 (N.D. OH 1977)

Limits on prisoner phone calls found too restrictive.

O'Bryan v. Saginaw, 446 F. Supp. 436 (E.D. MI 1978)

Telephone calls on admissions, return from court and at least 10 minutes per week.

Owens-El v. Robinson, 457 F. Supp. 984 (N.D. PA 1978)

Telephone system ordered.

Sykes v. Kreiger, 451 F. Supp. 421 (N.D. OH 1975)

Prisoner access to telephones ordered.

D. SUGGESTED GUIDELINES

None directly applicable.

E. MODEL POLICY AND PROCEDUREV.B. Policy:

Each prisoner shall have equal and adequate access to a telephone to maintain community ties and contacts with attorneys. Telephone calls will be permitted on Mondays and Wednesdays from 7:00 p.m. to 9:00 p.m. and on Saturdays from 10:00 a.m. to 11:00 a.m. Each prisoner is permitted one personal phone call per week.

Procedure:

1. Requests: During the scheduled telephone periods, the housing jailer will ask prisoners if they wish to make a phone call. The prisoner will inform the jailer whom they wish to call.
2. Special Requests: Requests to call attorneys or probation/parole officers will be honored at any reasonable time as the housing jailer's schedule permits.
3. Response: The housing jailer will obtain the telephone from his post and plug it into the jack in the cell area. The jailer will obtain the telephone log (Appendix N.4b) to verify that the prisoners requesting calls have not made personal calls that week.
4. Dialing: The housing jailer will dial the telephone number for the prisoner and hand the prisoner the receiver before the called party answers.
5. Long Distance: If the call is a toll call, the housing jailer will dial the number and request the operator to reverse the charges.

6. During the Call: The housing jailer will remain within sight of the prisoner, but will not listen to the conversation.
7. Duration: No telephone call, except to the prisoner's attorney of record, may exceed ten minutes.
8. Completed Calls: When the call is completed, the housing jailer will remove the telephone and return it to storage.
9. Records: After the call has been completed, the time, number and party called will be noted by the housing jailer on the telephone log. This applies to all calls, even if the party was not reached or the party refused to accept the reversed charges for a toll call.
10. Exceptions and Restrictions:
  - a. Calls to attorneys or probation or parole personnel shall not be restricted unless the attorney or probation personnel submit a written request to the Sheriff stating to what degree and under what circumstances such calls are to be restricted. Requests made and honored will be attached to the telephone log.
  - b. For circumstances under which telephone privileges may be denied or restricted, see procedures under Discipline (IX.B.).
  - c. Use of telephones by prisoners shall be suspended during emergencies.

## WORKSHEET

## A. OPERATIONAL AREA

Prisoner Communications - Visitation

## B. STATE STANDARDS

5120:1-8-07

- (A) Each Jail Administrator shall develop written policies and procedures governing prisoner visitation.
- (B) Each jail shall provide a secure visiting area free from obstructions or obstacles to normal conversation or viewing.
  - (1) Contact visits shall be permitted at the discretion of the Jail Administrator.
- (C) Each jail shall maintain a visitors' journal. All visitors shall be required to show proper identification.
- (D) Visiting hours shall be scheduled at the discretion of the Jail Administrator to include:
  - (1) Week day hours.
  - (2) Evening hours.
  - (3) Weekends.
- (E) Each prisoner shall be permitted a minimum of one weekly visiting period of no less than thirty (30) minutes, unless circumstances dictate temporary suspension (e.g., major disturbance).
- (F) Visitors shall be subjected to security controls established by the Jail Administrator to prevent contraband and weapons from being brought into the jail.
- (G) Prisoners shall not be restricted in regards to who they may visit unless the facility administrator determines that a visitor should be excluded due to one or more of the conditions listed in Rule 5120:1-8-07(J) of the Administrative Code.
- (H) The jail staff shall not listen to visitors' conversations but may observe the visitation.

- (I) Any attorney of record shall be allowed to visit his client at all reasonable times, both daytime and evenings.
- (J) Visitation can be denied by the Jail Administrator under the following conditions:
  - (1) The visitor represents a clear and present danger to security.
  - (2) The visitor has a past history of disruptive conduct at the jail.
  - (3) The visitor is under the influence of alcohol or drugs.
  - (4) The visitor refuses to submit to search or show proper identification.
  - (5) The prisoner refuses the visit.
- (K) A member of the clergy shall be allowed to visit a prisoner at all reasonable times, both daytime and evenings.
- (L) Written procedures shall be developed to regulate special visits.

C. CASE LAW

Martin v. Knoch, No. C. 74.284 (N.D. OH 1975)

Visitation schedule expanded in Auglaize County Jail.

Johnson v. O'Brien, 445 F. Supp. 122 (E.D. MO 1977)

Court ordered revision of visiting rules to extend time limits and increase frequency of visits.

Jordan v. Wolke, 444 F. Supp. 599 (E.D. WI 1978)

Orders establishment of procedures for denial of visitation. Orders expansion of visiting list to include children.

McGoff v. Rapone, 78 F.R.P. 8 (E.D. PA 1978)

Contact visitation ordered.

O'Dryan v. Saginaw, 446 F. Supp. 436 (E.D. MI 1978)

Expanded visitation schedule to include at least two visits per week; include children; limited contact visitation ordered.

OWENS-El v. Robinson, 442 F. Supp. 1368 (W.D. PA 1978)

Three visits per inmate per week found acceptable.

Vest v. Lubbock Co., 444 F. Supp. 824 (N.D. TX 1977)

Pre-trial detainees ordered to be permitted daily visits, others at least two (2) per week.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5314 Written policy and procedure govern visiting, are reviewed annually, and updated as needed.

5315 The number of visitors an inmate may receive and the length of visits are limited only by facility schedules and space and personnel constraints, except where there are substantial reasons to justify such limitation.

5316 For inmates who do not represent a substantial security risk, policy and procedure provide visiting facilities to permit informal communication, including opportunity for physical contact.

5317 Written policy and procedure govern visiting for high risk inmates.

5318 Written policy and procedure govern special visits.

5319 Written policy and procedure specify visitor registration upon entry into the facility and the circumstances under which visitors are searched.

E. MODEL POLICY AND PROCEDURE

V.C. Policy:

It is the policy of the Jail to enable and encourage prisoners to maintain contact with family and friends through regular visits. Restrictions on visits are for the limited purposes of using jail staff judiciously and maintaining the security and order of the jail.



Procedure:Regular Visits:

1. Times: Families, friends, and relatives of prisoners may visit on Sundays from 1:00 p.m. to 4:00 p.m., Tuesdays from 1:00 p.m. to 3:00 p.m., and Thursdays from 7:00 p.m. to 9:00 p.m.
2. Frequency: Each prisoner is permitted two visits per week.
3. Duration: No visit may exceed 45 minutes and may be limited by the housing jailer to as short as 30 minutes if the number of prisoners and visitors requires such limitation.
4. Children: No person under eighteen (18) years of age may visit a prisoner unless accompanied by a person over eighteen (18) years of age who is related (mother, father, wife, husband, cousin, child's sister or brother) to the prisoner.
5. Identification: The central control officer, when screening visitors, will
  - a. obtain identification from the visitor(s); and
  - b. have the visitor(s) sign the visitors' log, noting visitor's name, relationship to the prisoner, name of prisoner, date and time.

6. Notification: The central control officer will notify the program jailer that there are visitors for particular prisoners.
7. Supervision: The program jailer will go to the public lobby and unlock the public access to the visiting area, allowing the visitors to enter (no more than three (3) visitors per prisoner).
8. Escort: When the visitors have been seated in the visiting booths, the program jailer will escort the prisoners to the secure visiting area adjacent to Central Control. The program jailer will remain in the area to assist the central control officer in supervision of the visits.
9. Assistance: Should a prisoner or a visitor become disruptive during the visit, the central control officer will call the housing jailer, if necessary, to assist the program jailer in removing the visitor and prisoner.
10. Denial of Visits: The central control officer may deny a visit if:
  - a. the visitor is disruptive or dangerous;
  - b. the visitor has a recent history of disruptive behavior at the jail;
  - c. the visitor is under the influence of alcohol or drugs;

- d. the visitor refuses to show identification; or
- e. the prisoner refuses the visit. Any such denial will be documented by the central control officer with the filing of an Incident Report and a notation in the Daily Log.

Official Visits: Official visits shall be granted for particular persons, at times other than regular visiting hours, as specified below:

11. Officials and Attorneys: Upon presentation of valid identification, judges of courts within the county, probation officers, members of the Grand Jury, the Prosecuting Attorney or his staff, staff of the Ohio Department of Rehabilitation and Corrections, the Ohio Parole Board and its representatives, peace officers from Ohio law enforcement agencies, and the attorney of record will be allowed to visit with a prisoner at any reasonable time during daytime and evening hours. Such visits may be delayed by the central control officer if staff are busy preparing prisoners for court or serving meals. If the official or attorney requests, the central control officer will arrange for the visit to take place in an interview room, rather than in the secure visiting area.

12. Visits by Clergy: Upon presentation of appropriate identification, members of the clergy may visit a prisoner between the hours of 7:00 a.m. and 9:00 p.m. Exceptions to this time limitation may be made by the ranking jailer on duty in the jail so long as the clergy wishing to visit presents proper identification and reasonable justification for the exception.

13. Visits or Interviews by Representatives of News Media: News media representatives may be permitted to interview prisoners during daytime hours, provided that:

- a. A request from the reporter, writer, editor, or correspondent for the interview is made in writing to and is approved by the Jail Administrator;
- b. Written approval is secured from the prisoner's attorney (for pre-trial prisoners); and
- c. The prisoner consents to the interview.

Special Visits:

Family, relatives, and friends of prisoners may be allowed to visit at times other than regular visiting hours if procedures set forth below are observed.

14. Permission: If the Jail Administrator is on duty when a verbal request by the visitor or prisoner for an exception is made, the Administrator shall grant or deny such a request. When the Administrator is not on duty, the jailer who receives a request from a prisoner or visitor will contact the highest ranking jailer on duty, who shall grant or deny the request.

15. Circumstances: The following circumstance will be taken into account in deciding whether to grant a visit at times other than the regularly scheduled visiting times:

- a. The prisoner will be transported to the Department of Rehabilitation and Corrections, the Federal Bureau of Prisons or some other place of confinement prior to the next regular visiting time;
- b. The visitors have traveled more than 100 miles and were unaware of or legitimately unable to comply with the regular visiting schedule;
- c. An event of personal significance has occurred for the prisoner (e.g., death of a spouse, sibling, or parent) and the visit may help to reduce the ill-effects of the event on the prisoner; or

- d. Other such circumstances which have prevented or will prevent a visit from taking place in the regular schedule.

WORKSHEETA. OPERATIONAL AREA

Prisoner Communications - Emergency Messages to Prisoners

B. STATE STANDARDS

None directly applicable. (see generally those having to do with communications in V.B.)

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

None directly applicable.

E. MODEL POLICY AND PROCEDUREV.D. Policy:

No employee of the Ohio County Jail will knowingly withhold from a prisoner or impede an emergency message of a personal nature, but will use special care in the delivery of such a message.

Procedure:

1. Referral: Any employee who receives by telephone, in person, or by mail or telegram an emergency message for a prisoner, will refer the message to the highest ranking jailer on duty.

2. Verification: If the ranking jailer has reason to suspect the accuracy or truthfulness of such a message, the ranking jailer will attempt to verify the message through whatever means are available (jail records, court records, telephone calls, other officers, etc.).
3. Delivery: If the emergency message is a notification of the death or serious injury of a loved one or other message which may cause trauma to the prisoner recipient, the ranking jailer will call Central Control to arrange to have the prisoner brought to an interview room and deliver the message there. If the ranking jailer has been unable to verify the message, the prisoner will be so informed or, if the message has been verified, the prisoner will likewise be informed.
4. Recording: The jailer who delivers the emergency message will note the action on the Daily Log.
5. Visits: If the message was delivered to the jail in person by a friend or relative of the prisoner and if the prisoner wishes to visit with that friend or relative, the ranking jailer will refer to procedures set forth in Procedure V.D., "Special Visits."

6. Observation: The ranking jailer who delivers the message will closely watch the prisoner after returning him to his assigned area if the jailer suspects that the prisoner may endanger himself, others or the security of the jail in reaction to the message. Directions for such observation will be noted in the Daily Log and the prisoner's file so that all staff are put on notice and are instructed to pay close attention to the prisoner for signs of potential suicide, emotional breakdown, or a possible escape attempt. (See Procedure IV.D., "Special Surveillance.")
7. Temporary Release: No officer of the Ohio County Jail or Sheriff's Department has the authority to temporarily release a prisoner to go to a funeral, visit a hospital, or any other similar purpose. The ranking jailer who delivers the message will inform the prisoner of this fact. The ranking jailer or any other employee who subsequently receives an inquiry from the prisoner or any person on the prisoner's behalf shall direct the person to make a request to the Court of Common Pleas of Ohio County. (See also Procedure X.)

WORKSHEETA. OPERATIONAL AREA

Medical Services - Staff and Training

B. STATE STANDARDS

5120:1-8-09

- (A) All jails shall have a designated facility physician licensed to practice medicine or osteopathic medicine in the State of Ohio.
- (B) The Jail Physician shall develop a written medical and health care plan outlining policies and procedures regulating all aspects of medical treatment and services for prisoners.
- (I) The use of non-physician medical personnel (e.g., registered nurses, licensed practical nurses, physician assistants, paramedics, emergency medical technicians) shall be determined by the Jail Physician subject to limitations imposed by law.

- (1) All medical work of such medical personnel shall be under the supervision of the facility physician.

5120:1-8-18

- (B) (6) All corrections officers shall receive American Red Cross or equivalent training in emergency first aid and life saving techniques.

C. CASE LAWSmith v. Weyandt, No. C. 73-888 (N.D. OH 1976)Similar requirements to Jones v. Wittenberg and staff with paramedic or EMT training to be available on each shift.Shannon V. Lester, 519 F. 2d 76 (6th Circuit 1975)

Persons in custody entitled to medical care. Denial of treatment is violation of due process.

Estelle V. Gamble, 429 U.S. 97 (Supreme Court 1976)

Deliberate indifference to medical needs violates Eighth Amendment.

## D. SUGGESTED GUIDELINES

Commission on Accreditation

5153 A physician, licensed in the state, is responsible for the facility's medical services pursuant to a written agreement between the governmental funding agency responsible for the facility and/or the facility administrator and the responsible physician or qualified medical authority. (Detention--Essential, Holding--Essential)

5156 There is a quarterly report on the health delivery system and the health environment of the facility, and an annual statistical summary. (Detention--Essential, Holding--Important)

5157 Written standard operating procedures, approved by the responsible physician, exist for the following:

- \*Receiving screening;
- Health appraisal data collection;
- Non-emergency medical services;
- \*Emergency medical and dental services;
- \*Decision on emergency nature of illness or injury;
- Dental screening, prevention, examination and treatment;
- Provision of medical and dental prosthetics;
- \*First aid;
- \*Notification of next of kin or legal guardian in case of serious illness, injury or death;
- Provision for chronic care;
- Provision for convalescent care;
- Provision of medical preventive maintenance;
- \*Screening, referral and care of mentally ill and retarded prisoners;
- \*Implementation of special medical program;
- \*Delousing procedures;
- \*Detoxification procedures; and
- \*Pharmaceuticals. (Detention--Essential, Holding--Essential where indicated by asterisk (\*))

5160 Treatment by medical personnel other than the responsible physician is performed pursuant to written standing or direct orders from the physician. In lieu of standing orders, nationally certified physician assistants and nurse practitioners may practice within the limits of their national certification(s), providing that such practice(s) is consistent with state law and authorized by the responsible physician. (Detention--Essential, Holding--Essential)

5172 All personnel have current training in basic first aid equivalent to that defined by the American Red Cross. (Detention--Essential, Holding--Essential)

5173 At least one person per shift has training in receiving screening, basic life support, cardiopulmonary resuscitation (CPR), and recognition of symptoms of the illnesses most common to the facility. (Detention--Essential, Holding--Essential)

American Medical Association

101 The facility has a designated health authority with responsibility for health care services pursuant to a written agreement, contract or job description. The health authority may be a physician, health administrator or agency. When this authority is other than a physician, final medical judgments rest with a single designated responsible physician licensed in the state. (ESSENTIAL)

104 There is, minimally, a quarterly report on the health care delivery system and health environment and an annual statistical summary. (ESSENTIAL)

108 In facilities without any full-time qualified health personnel, a health trained staff member coordinates the health delivery services in the facility under the joint supervision of the responsible physician and facility administrator.

114 The monitoring of health services rendered by providers other than physicians and dentists is performed by the responsible physician who reviews the health services delivered, as follows:

At least once per month in facilities with less than 50 prisoners;

At least every two weeks in facilities of 50 to 200 prisoners; and

At least weekly in facilities of over 200 prisoners.

115 Written policy and defined procedures exist regarding the provision of an adequate number of health trained correctional officers as follows:

Prisoners are within sight or sound of at least one health trained correctional officer at all times; and,

Minimally, one health trained correctional officer per shift is trained in basic cardiopulmonary resuscitation (CPR) and recognition of symptoms of illnesses most common to the prisoners. (ESSENTIAL)

124 A written plan approved by the health authority provides for all health services personnel to participate in orientation and training appropriate to their health care delivery activities.

129 Written policy requires that all correctional personnel have been trained within the past five years in basic first aid equivalent to that defined by the American Red Cross.

#### E. MODEL POLICY AND PROCEDURE

##### II.D.1 Policy:

All Ohio County Jail prisoners are entitled to health care comparable to that available to citizens in the surrounding community. Medical care at the jail shall be delivered under the direction of a licensed physician and through the use of trained health care personnel. No jailer or other employee will ever summarily or arbitrarily deny a prisoner's request for medical services.

##### Procedures:

##### 1. Staff:

- a. A physician who is licensed in the state of Ohio is responsible for medical services at the Ohio County Jail. This authority is supported by a written agreement between the Sheriff, the Ohio County Board of Commissioners, and the Physician who is hereafter referred to as the Jail Physician. The physician of record is Dr. R. Vasquez. He is on call to the jail at all times and his telephone number is on the Emergency Medical Health Care Plan posted in the Central Control Room, and the Booking Room.

- b. A nurse from the Ohio County Health Department, Anne Glenn, RPN, is used by the Jail Physician to administer injections or other complex medication needs.
- c. Emergency treatment is available through the Buckeye City Emergency Squad or the Buckeye Memorial Hospital Emergency Room.

2. Review/Report: The Jail Physician will submit an annual statistical review of medical services to the Sheriff which indicates the number of prisoners receiving medical services by category of care. The Jail Physician will review at least once a quarter: the effectiveness of the medical care system processing; description of any health environmental factors which are substandard; changes implemented since the last reporting period; and recommended changes. The jail is currently inspected annually for health and environmental conditions by the County Health Department. The annual findings of this authority are one source of basic information for the Jail Physician's review.
3. Training: All jailers are to be trained in emergency first aid and cardiopulmonary resuscitation (CPR), with updated training every three years. The jail has at least one jailer on duty at all times who is trained in admissions screening, recognition of symptoms for illness most common to the prisoners, and who can carry out the Jail Physician's basic orders (within the limitations of the jailer's training). All ranking jailers are trained by the Jail Physician to administer medications.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Health Appraisal

B. STATE STANDARDS

5120:1-8-09

- (C) A medical staff member or the receiving officer shall complete a preliminary health evaluation record for all new admissions including but not limited to:
- (1) Current illnesses and health problems including those specific to women.
  - (2) Medications taken and special health requirements.
  - (3) Screening or other health problems designated by the responsible physician.
  - (4) Behavior observation, including state of consciousness and mental status.
  - (5) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice.
  - (6) Condition of skin and body orifices, including rashes and infestations.
  - (7) Disposition, if applicable.
  - (8) Document referral of prisoners to qualified medical personnel for emergency treatment.
- (D) Within fourteen (14) days after admission, a health appraisal should be completed for each prisoner whose stay exceeds ten (10) days. This appraisal shall include but not be limited to:
- (1) Review of the preliminary health evaluation.
  - (2) Additional data to complete the medical and psychiatric history.
  - (3) Laboratory and diagnostic tests to detect communicable diseases, including venereal diseases and tuberculosis.

- (4) Height, weight, pulse, blood pressure, and temperature.
  - (5) Other tests and examinations as appropriate.
- (J) Complete and accurate records documenting all patient-perceived medical problems, examinations, diagnosis, and treatment shall be maintained under the supervision of the physician in charge.
- (1) All medical records shall be considered strictly confidential.
  - (2) The physician-patient privilege shall be protected at all times.

C. CASE LAW

Johnson v. O'Brien, 445 F. Supp. 122 (E.D. MO 1977) (St. Louis County Jail)

The sick call procedures are delineated. A physician is to visit the facility at least three times each week.

Jones v. Wittenberg, 440 F. Supp. 60 (N.D. OH 1977) (Lucas County Jail)

Jail physician fails to provide adequate intake physicals or coverage.

Vest v. Lubbock Co. Commissioners Court, 44 F. Supp. 824 (N.D. TX 1977) (Lubbock County Jail)

Sick call is to be held by a physician at least twice each week. Examination facilities are to be provided.

D. SUGGESTED GUIDELINESCommission on Accreditation

5163 Receiving screening is performed on all prisoners upon admission to the facility and before their placement in the general population or housing area. The findings are recorded on a printed screening form approved by the responsible physician. The screening includes inquiry into:

Current illnesses and health problems, including those specific to women;

Medications taken and special health requirements;



Screening of other health problems designated by the responsible physician;

Behavioral observation, including state of consciousness and mental status;

Notation of body deformities, trauma markings, bruises, lesions, jaundice, ease of movement, etc;

Condition of skin and body orifices, including rashes and infestations; and

Disposition/referral of prisoners to qualified medical personnel on an emergency basis. (Detention--Essential, Holding--Essential)

5164 The health appraisal data collection, which is completed for each prisoner within 14 days after admission to the facility, includes: Review of the earlier receiving screening; additional data to complete the medical and psychiatric history; laboratory and diagnostic tests to detect communicable diseases, including venereal diseases and tuberculosis; height, weight, pulse, blood pressure and temperature; other tests and examinations as appropriate; and a standardized medical examination with appropriate comments about mental and dental status. (Detention--Essential, Holding--Not Applicable)

5165 Qualified medical personnel collect prisoner health histories, vital signs and other health appraisal data; all health appraisal data is recorded on the health data forms approved by the responsible physician. The responsible physician or designated medical personnel review the results of the medical examination, tests, and problem identification. (Detention--Essential, Holding--Not Applicable)

#### American Medical Association

126 Written policy and defined procedures for the collection and recording of health appraisal data require that:

The forms are approved by the health authority;

Health history and vital signs are collected by health trained or qualified health personnel; and,

Collection of all other health appraisal data is performed only by qualified health personnel. (ESSENTIAL)

140 Written policy and defined procedures require receiving screening to be performed by health trained or qualified health care personnel on all prisoners, including transfers, upon arrival at the facility with the findings recorded on a printed screening form approved by the health authority. The screening includes at least:

#### Inquiry into:

Current illness and health problems including venereal diseases;

Medications taken and special health requirements;

Use of alcohol and other drugs which includes types of drugs used, mode of use, amounts used, frequency used, date or time of last use and history of problems which may have occurred after ceasing use (e.g., convulsions);

Other health problems designated by the responsible physician;

#### Observation of:

Behavior, which includes state of consciousness, mental status, appearance, conduct, tremor and sweating;

Body deformities, ease of movement, etc.: condition of skin, including trauma markings, bruises, lesions, jaundice, rashes, and infestations, and needle marks or other indication of drug abuse.

#### Disposition to:

General population; or

General population and later referral to appropriate health care service; or

Referral to appropriate health care service on an emergency basis.

(ESSENTIAL)

142 Written policy and defined procedures require that health appraisal for each prisoner is completed within 14 days after arrival at the facility; in the case of a prisoner who has received a health appraisal within the previous 90 days, a new health appraisal is not required except as determined by the physician or his designate. Health appraisal includes:

Review of the earlier receiving screening;

Collection of additional data to complete the medical, dental, psychiatric and immunization histories;

Laboratory and/or diagnostic test results to detect communicable disease, including venereal diseases and tuberculosis;

Recording of height, weight, pulse, blood pressure and temperature;

Other tests and examinations as appropriate;

Medical examination with comments about mental and dental status;

Review of the results of the medical examination, tests, and identification of problems by a physician; and,

Initiation of therapy when appropriate.

(ESSENTIAL)

#### E. MODEL POLICIES AND PROCEDURE

##### VI.A. Policy:

Health appraisal data for each individual shall be collected in order to properly classify prisoners, promote awareness of and respond to their medical conditions, and maintain adequate records of the prisoner's health status.

##### Procedure:

1. Preliminary Health Screening: The admitting jailer will conduct the initial health screening at book-in (see Procedure II.P.)
2. Medical Exam: Each prisoner whose stay exceeds ten (10) days will receive a medical examination within 14 days of admission.

- a. Scheduling. The central control officer on duty during the 11:00 p.m. to 7:00 a.m. shift will review booking cards each Monday. The officer will check the admission date(s) for prisoners in custody and make a list of prisoners whose stay is likely to exceed ten (10) days within 72 hours after the physician's scheduled visit. The list will show the prisoner's admission date, name and cell number. That list will be placed in the physician's message box with a copy to each housing jailer(s) box. The physician will review the list and conduct the necessary examinations during his next visit. The housing jailer(s) will escort prisoners to the medical room as outlined in Procedure VI.A.4, #5.
- b. Health history: The prisoner's health history is a self-administered form (Appendix . .d). It will be given to the prisoner by the housing jailer to complete immediately prior to the scheduled physical examination. If the prisoner cannot read or write, or does not understand the questions, the ranking jailer on duty may administer the form and make appropriate notations. The completed form is taken with the prisoner when he is escorted to the medical room for the examination. The health history will be filed in the prisoner's medical file.

- c. Physical Exam: The medical exam will be conducted by the physician in the medical room using the form in Appendix N.2.e to document his findings. In addition to the medical exam, the physician shall: review the preliminary health screening form and health history; record the prisoner's height, weight, pulse, blood pressure and temperature; test for TB and VD; order other tests and/or examinations as he deems necessary and initiate appropriate treatment.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Emergency Medical Care

B. STATE STANDARDS

5120:1-8-09

- (E) Every jail shall have emergency medical treatment available either through an in-house or outside medical service arrangement on a twenty-four (24) hour basis for all prisoners.
- (T) Emergency medical equipment and supplies, as determined by the attending physician for the jail, shall be readily available at all times.

C. CASE LAW

Green v. Carlson, 581 F. 2d. 669 (7th Circuit 1978)

Institution's medical equipment found not operative, institution had no medical emergency plan, no staff trained in emergency first aid: these conditions constituted deliberate indifference to known medical needs of a prisoner who died as a result.

Fielder v. Bosshard, 590 F. 2d. 105 (5th Circuit 1979)

Jury awards damages for death of county jail prisoner.

Dailey v. Byrnes, 605 F. 2d. 858 (5th Circuit 1979)

Where county jail prisoner was struck and injured by a guard and no effort made to secure medical attention, guard and county could be held liable for deliberate indifference.

Davis v. Zahradnick, 600 f. 2d. 458 (4th Circuit 1979)

If the warden failed to properly supervise his officers and if improper supervision resulted in the guards' denial of access to medical treatment to a prisoner who'd been beaten, the warden could be found vicariously liable for his failure to carry out the duty of supervision.

D. SUGGESTED GUIDELINESCommission on Accreditation

5162 First aid kit(s) are available in all facilities. The responsible physician approves the contents, number, location, and procedure for periodic inspection of the kit(s). (Detention--Essential, Holding--Essential)

5170 The facility provides 24-hour emergency medical and dental care, as outlined in a written plan, which includes arrangements for:

Emergency evacuation of the inmate from the facility;

Use of an emergency medical vehicle;

Use of one or more designated hospital emergency rooms or other appropriate health facilities; and

Emergency on-call physician and dental services when the emergency health facility is not located in a near-by community. (Detention--Essential, Holding--Essential)

171 Facility personnel are trained in and use emergency care procedures. Written standard operating procedures and training of staff incorporate the following steps:

Awareness of potential emergency situations;

Notification or observation--determination that an emergency is in progress;

First aid and resuscitation;

Call for help; and

Transfer to appropriate medical provider. (Detention--Essential, Holding--Essential)

American Medical Association

116 First aid kit(s) are available in designated areas of the facility. The health authority approves the contents, number, location and procedures for monthly inspection of the kit(s).

119 Written policy and defined procedures require notification of the next of kin or legal guardian in case of serious illness, injury or death.

128 Written policy and a training program established by the responsible health authority in cooperation with the facility administrator guides the training of all correctional personnel who work with prisoners to respond to health related emergency situations. The training covers at least the following:

Types of action required for potential emergency situations;

Signs and symptoms of an emergency;

Administration of first aid;

Methods of obtaining emergency care; and,

Procedures for transferring patients to appropriate medical facilities or health care providers.

(ESSENTIAL)

154 Written policy and defined procedures require that the facility provide 24-hour emergency medical and dental care availability as outlined in a written plan which includes arrangements for:

Emergency evacuation of the prisoner from within the facility;

Use of emergency medical vehicle;

Use of one or more designated hospital emergency rooms or other appropriate health facilities;

Emergency on-call physician and dentist services when the emergency health facility is not located in a near-by community; and

Security procedures that provide for the immediate transfer of prisoners when appropriate.

(ESSENTIAL)

E. MODEL POLICY AND PROCEDURESVI.A.3 Policy:

Emergency medical services are available 24 hours a day to prisoners of the Ohio County Jail to insure prompt attention of their medical needs. All jailers are trained to respond to medical emergencies since the prisoner's life may depend on quick action.

Procedure:

1. Emergency Definition: The following occurrences define an emergency and their presence will initiate the Medical Emergency Care Plan (Appendix G).
  - a. Severe Bleeding - Apply clean/sterile pressure dressing to wound - apply pressure by use of hands.
  - b. Unconsciousness - Maintain body alignment, observe vitals, respiration, etc. for change/arrest until doctor/emergency squad arrives.
  - c. Serious Breathing Difficulties - Keep in semi-sitting position. Loosen/remove all tight clothing - Observe, Reassure.
  - d. Head Injury - Keep prisoner quiet. Stop any bleeding, maintain neck alignment - Observe.
  - e. Severe Burns - Do not remove clothing. Apply clean wet dressing to area. Prevent chilling - Observe.
2. Notification: The jailer confronted with a medical emergency will:
  - a. immediately notify the ranking jailer on duty and request assistance in administering first aid,
  - b. request the central control officer to call the Jail Physician in accordance with the Medical Emergency Care Plan (Appendix G) and relay the emergency information.  
NOTE: If the Jail Physician is not available, the Buckeye City Emergency Squad shall be called instead.

3. Isolation: When possible the jailer(s) will move the prisoner to a holding cell or remove other prisoners from the scene either by locking them in their cells or returning them to their housing units.
4. First Aid: All jailers are instructed in first aid and cardiopulmonary resuscitation (CPR) and shall provide first aid as guided in the American Red Cross Basic First Aid Manual. First aid boxes are located in the booking area, central control and in all cruisers. (For a list of first aid equipment, see Appendix I.)
5. Emergency Instructions: The central control officer will relay, to the ranking jailer, the Jail Physician's instructions to:
  - a. contact the Buckeye City Emergency Squad to transport to Buckeye Memorial Hospital, or another designated hospital,
  - b. transport to the physician's office, by a regular cruiser, or
  - c. treat at the jail in accordance with medical orders.
6. Transport: If the prisoner is transported to a hospital or the physician's office, the ranking jailer on duty will designate another jailer to accompany the prisoner and will call the Jail Administrator (or in his absence, the Sheriff) to arrange relief for that jailer.

7. Next of Kin: The prisoner's next of kin (see booking card) will be notified of the emergency situation immediately if the prisoner is transported to the hospital. The ranking jailer on duty is responsible for the notification.
8. Records: Each jailer involved will file an incident report as soon as possible after the incident has concluded.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Non-Emergency Medical Care, Daily Medical Complaints

B. STATE STANDARDS

5120:1-8-09

- (F) Each jail shall provide a daily procedure whereby each prisoner may have an equal opportunity to report medical complaints to the facility physician, either directly or through his designee(s).
- (1) All such complaints shall be recorded and reviewed by the Jail Physician.
- (G) Sick call shall be conducted by a physician and/or allied medical personnel as follows:
- (1) A minimum of once per week for jails whose average daily prisoner population is less than fifty (50).
- (2) A minimum of three times per week for jails whose average daily prisoner population is between 50-199.
- (3) A minimum of five times per week for jails whose average daily population is 200 or more.
- (P) No prisoner shall be denied medical attention for disciplinary reasons or on the basis of his classification status.

C. CASE LAW

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Physician must be on call. Sick call must be held daily. Nurse may not prescribe medication. Dentist to be available part-time.

Johnson v. O'Brien, 445 F. Supp. 122 (E.D. MO 1977)

Guards prohibited from interfering in medical treatment.

D. SUGGESTED GUIDELINESCommission on Accreditation

5166 At the time of admission to the facility, prisoners are informed in writing of the procedures for gaining access to medical services (Detention--Essential, Holding--Essential)

5167 Prisoner's medical complaints are collected daily and responded to by medically trained personnel. Appropriate triage by qualified medical personnel follows. (Detention--Essential, Holding--Essential)

5168 Sick call, conducted by a physician and/or other qualified medical personnel, is available to each prisoner as follows:

Small facilities of less than 50 prisoners hold sick call once per week, at a minimum;

Medium-sized facilities of 50-200 prisoners hold sick call at least three times per week; and

Large-size facilities of over 200 prisoners hold sick call a minimum of five times per week. (Detention--Essential, Holding--Not Applicable)

5169 A physician is available at least once each week to respond to prisoner complaints regarding service received from other medical providers. (Detention--Essential, Holding--Not Applicable)

American Medical Association

137 Written policy and defined procedures require that information regarding access to and the processing of complaints regarding health care or services is communicated orally and in writing to prisoners upon arrival at the facility. (ESSENTIAL)

145 Written policy and defined procedures require that prisoners' health complaints are processed at least daily, as follows:

Solicited daily and acted upon by health trained correctional personnel; and

Appropriate triage and treatment by qualified health personnel follow. (ESSENTIAL)

146 Written policy and defined procedures require that sick call, conducted by a physician and/or other qualified health personnel, is available to each prisoner as follows:

In small facilities of less than 50 prisoners sick call is held once per week at a minimum;

Medium-sized facilities of 50 to 200 inmates sick call is held at least three times per week; and

Facilities of over 200 prisoners hold sick call a minimum of five times per week.

If a prisoner's custody status precludes attendance at sick call, arrangements are made to provide sick call services in the place of the inmate's detention. (ESSENTIAL)

E. MODEL POLICY AND PROCEDUREVI.D.4 Policy:

Ohio County Jail prisoners are able to express medical complaints daily for review by qualified medical personnel to ensure appropriate medical attention and to enable early detection of illnesses that may appear minor but, are serious in nature.

Procedure:

1. Notification: At the time of admission the admitting jailer informs prisoners both verbally and in writing (Prisoner Handbook) of the procedures for obtaining medical care.
2. Requests: Prisoner requests for medical care will be documented on the Request Slip (Appendix N.2.a). The slips will be provided by the housing jailer upon request and will be collected by the admitting jailer daily at breakfast. Complaints made at other times will be collected by the housing jailer(s) and delivered to the ranking jailer on duty as soon as possible.

3. Referral: The admitting jailer will immediately forward these slips to the ranking jailer on duty. All requests for medical care will be relayed daily by the ranking jailer (7:00 a.m.-3:00 p.m. shift) to the Jail Physician via telephone. The Jail Physician's instructions shall be initiated and, if necessary, the case referred as follows:

- a. to the physician's office for treatment,
- b. to the Buckeye County Memorial Hospital Emergency Room for immediate treatment,
- c. to the regularly scheduled sick call visit by the Jail Physician.

4. Sick Call: The Jail Physician comes to the jail every Tuesday at 8:30 a.m. to examine those prisoners who require his attention. The ranking jailer on duty will prepare a list of prisoners either requesting medical attention (#2) or, previously scheduled by the Jail Physician for examination (#3), one half hour before the Jail Physician arrives.

5. Escort: Prisoners will be brought to the medical room by the housing jailer(s) in the order requested by the physician.

NOTE: If any jailer believes it is inadvisable to escort an isolation prisoner to the medical room, the Jail Physician will examine the prisoner in his own cell with two jailers stationed (one inside, one immediately outside the cell) for security.

6. Records: The Jail Physician will record all examinations, treatments, etc. in the prisoner's medical file. The housing jailer will note the prisoner's sick call visit on the Daily Log.

7. Orders: Any order(s) given by the physician for a prisoner (Appendix N.2.b) will be attached to the Daily Log with an accompanying notation made on the log. Upon completion of the physician's order(s), the form (N.2.b) will be returned to the ranking jailer on duty for placement in the prisoner's medical file.



WORKSHEETA. OPERATIONAL AREA

Medical Services - Non-Emergency Transportation

B. STATE STANDARDS

5120:1-8-03

- (T) Written procedures shall be developed for transporting prisoners outside the facility.

5120:1-8-17

- (G) (3) When applicable, the jail shall provide sufficient staff to conduct prisoner transportation...without disrupting routine jail operations.

C. CASE LAW

None directly applicable

D. SUGGESTED GUIDELINESCommission on Accreditation

5155 Security regulations applicable to facility personnel also apply to medical personnel. (Detention--Essential, Holding--Essential)

American Medical Association

102 Matters of medical and dental judgment are the sole province of the responsible physician and dentist respectively; however, security regulations applicable to facility personnel also apply to health personnel. (ESSENTIAL)

119 Written policy and defined procedures require notification of the next of kin or legal guardian in case of serious illness, injury, or death.

159 Written policy and defined procedures guide the use of medical restraints.

Discussion: This standard applies to those situations where the restraints are part of a health care treatment regimen. The same kinds of restraints that would be medically appropriate for the general population within the jurisdiction are likewise to be used for the medically restrained incarcerated individual. Written policy should identify authorization needed, when, where, duration and how restraints may be used.

The health care staff should not participate in disciplinary restraint of prisoners.

E. MODEL POLICY AND PROCEDUREVI.A.5 Policy:

Prisoners, who must be transported to an appropriate medical facility, shall be transported in a manner that is safe, secure, yet does not endanger the prisoner's health or medical condition.

Procedure:

1. Supervision: If the Jail Physician orders that a prisoner be transported to the hospital for tests, examinations, or treatment of a non-emergency nature, the jailer who receives the written order will forward it to the Jail Administrator. The Administrator will:
  - a. make arrangements with road deputies to transport the prisoner at the designated time,
  - b. arrange for a jailer or deputy to accompany the prisoner,
  - c. arrange for other jailers or deputies to provide relief at the hospital,
  - d. notify, by memo, the security posts (housing, central control, admitting) at the jail of the arrangements made, attaching a copy of the physician's order.
2. Notification of Hospitalization:
  - a. If a pre-trial prisoner's stay in the hospital exceeds 24 hours, the Jail Administrator will notify by telephone, the clerk of the court in which the case is pending.

For sentenced prisoners, the court will be notified in writing if it appears that the prisoner's stay in the hospital will exceed 48 hours.

- b. If a prisoner's stay in the hospital exceeds 24 hours, the Jail Administrator will notify the family by telephone.
3. Restraints: Physical restraints will not be used in transporting a prisoner to the hospital unless the prisoner has a history of escapes or jail officials (jailers and Administrator) have a sound basis for believing that the prisoner presents an escape risk. Once at the hospital and during the prisoner's stay, the attending physician is responsible for final decisions regarding use of physical restraints with the advice of the supervising jailer or deputy.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Medications/Pharmaceuticals

B. STATE STANDARDS

5120:1-8-09

- (J) Complete and accurate records documenting all patient-perceived medical problems, examinations, diagnosis, and treatment shall be maintained under the supervision of the physician in charge.
- (1) All medical records shall be considered strictly confidential.
- (2) The physician-patient privilege shall be protected at all times.
- (K) The prescribing and administration of medications and medical supplies shall be regulated by the written medical and health care plan and in accordance with Chapters 3715, 3719, 4715, 4729, 4730, and 4731 of the revised code.
- (L) The Jail Physician shall establish and supervise the maintenance of a formulary (a listing of drugs and supplies that will be administered to prisoners). A complete and accurate record of all prisoners receiving such medications and supplies shall include but not be limited to:
- (1) The kind and amount of medication and/or medical supplies administered.
- (2) The time and by whom such medications and supplies are administered.
- (M) Medications shall only be administered in the dosage, form, and at the time prescribed by the written order of the attending physician.
- (N) Control of dangerous drugs, in accordance with Rule 4729-9-11 of the Administrative Code promulgated by the State Board of Pharmacy, shall be carried out in a manner which will prevent the abuse of such substances.

- (1) Hypodermic needles, syringes, and other supplies subject to abuse shall be made secure and destroyed after use.
- (0) Medications, medical supplies, and records shall be stored in secure locked cabinets, storage rooms, and refrigeration units as determined by the facility physician or his designee(s).
- (1) Such medications, supplies, and records shall be inaccessible to unauthorized persons at all times.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINESCommission on Accreditation

5181 The facility's standard operating procedures for the proper management of pharmaceuticals include:

A formulary;

Requirements that the facility adheres to regulations established by the State Board of Pharmacy regarding medications;

Policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

Policies regarding medication dispensing and administration; and

Policies regarding the maximum security storage and weekly inventory of all controlled substances, syringes, needles and surgical instruments. (Detention--Essential, Holding--Essential)

5182 The person administering medications: has received training from the responsible physician and the facility administrator; is accountable for administering medications according to orders; and, records the administration of medications in a manner and on a form approved by the responsible physician. (Detention--Essential, Holding--Essential)

5183 The medical record file contains the completed receiving screening form; health appraisal data collection forms; all findings, diagnoses, treatments, dispositions, prescriptions, and administration of medications; notes concerning patient education; and notations of place, date and time of medical encounters and discharges from medical treatment. The method of recording entries in the medical record, and the form and format of the record, are approved by the responsible physician. (Detention--Essential, Holding--Essential)

5184 Access to the medical record is controlled by the responsible physician. The physician-patient privilege applies to the medical record. (Detention--Essential, Holding--Essential)

5185 The medical record file is not in any way part of the confinement record. (Detention--Essential, Holding--Essential)

American Medical Association

127 Written policy and defined procedures guide the training of personnel who administer or distribute medication and require:

Training from the responsible physician and the facility administrator or their designees.

Training regarding:

Accountability for administering or distributing medications in a timely manner according to physician orders; and

Recording the administration or distribution of medications in a manner and on a form approved by the health authority. (ESSENTIAL)

138 Treatment by health care personnel other than a physician or dentist is performed pursuant to direct orders written and signed by personnel authorized by law to give such orders. (ESSENTIAL)

139 If standing medical orders exist, they are signed by the responsible physician.

163 Written policy and defined procedures require that the proper management of pharmaceuticals include:

Adherence to state law as related to the practice of pharmacy;

A formulary specifically developed for the facility;

Adherence to regulations established by the Federal Controlled Substances Act relating to controlled substances.

Prescription practices which require that:

Psychotropic medications are prescribed only when clinically indicated, as one facet of a program of therapy and are not allowed for disciplinary reasons;

The long-term use of minor tranquilizers is discouraged;

"Stop-order" time periods are stated for behavior modifying medications and those subject to abuse;

Re-evaluation by the prescribing provider prior to renewal of a prescription.

Procedures for medication dispensing and administration or distribution; and

Maximum security storage and weekly inventory of all controlled substances, syringes and needles.  
(ESSENTIAL)

165 Written policy and defined procedures which effect the principle of confidentiality of the health record require that:

The active health record is maintained separately from the confinement record;

Access to the health record is controlled by the health authority.

#### E. MODEL POLICY AND PROCEDURE

##### VI.A.6 Policy:

Medications and medical supplies shall be administered and stored so as to comply with the regulations of the Ohio Board of Pharmacy and the Federal Control Substances Act and to minimize the possibility of their misuse or abuse.

##### Procedure:

Staff: The ranking jailer(s) on duty is the only staff which has approval from the Jail Physician to administer medications. They are responsible for handling and administering the medications under the Jail Physician's direct written orders.

2. Storage: All medication (both prescription and non-prescription) and all needles/syringes are stored in the locked cabinet in the medical room. All narcotics are double locked in a box inside the cabinet. The key to that cabinet will be kept in the key cabinet in Central Control at all times and may only be issued to the ranking jailer on duty. The Jail Physician also has a key to the cabinet and the narcotics box and is the only person authorized to carry keys on his person. The Jail Physician has developed a written formulary for the jail which is on file in the medical room.

3. Inventory: A running inventory on all controlled substances, needles and syringes will be conducted each week by the ranking jailer on duty (7:00 a.m.-3:00 p.m.) and the county health nurse. The jailer will count, the nurse will record, and both will initial the inventory.

NOTE: When any prescription medication or equipment is unaccounted for (lost, stolen, misplaced) it shall be the cause of a special shakedown (see Procedure IV.C.).

4. Schedule: Normal medication times are 6:00 a.m., 11:30 a.m., 4:00 p.m. and 10:00 p.m. A time allowance of 45 minutes before/after scheduled time(s) of dose(s) is permitted. Any longer period of alteration of scheduled dose(s) must be given at exactly the time(s) indicated will be tagged with red tape and noted on the composite medication list.
5. Setting Up Medication: Medications will be set up by the ranking jailer on duty only in accordance with orders of the Jail Physician. The ranking jailer will:
  - a. Review the composite list of prisoners requiring medication and the preliminary health screening forms of prisoners admitted on the previous shift who might have a prescription at admissions. All prisoners currently taking medication have log sheets in the active medication file.
  - b. Make certain that if a prisoner was admitted with medication on his person, that the prescription has been verified with the original physician and approved by the Jail Physician before it is administered.
  - c. Pull the medication log sheets (Appendix F.3.c) from the active medication file for prisoners due to receive medication that shift and prepare log sheets needed for any newly admitted prisoners (see 5.b).
  - d. Obtain the appropriate medication from the cabinet in the medicine room and place each dose (for that shift only) in individual envelopes with the prisoner's name, date, time(s) to administer, and quantity(s) noted on the outside.
  - e. Store the medication envelopes in the locked cabinet until time to distribute.
6. Administering: At the scheduled medication times, the ranking jailer will:
  - a. Take the necessary envelopes and medication log sheets to each housing area.
  - b. Identify the prisoner(s) by the photo(s) on the cell assignment card(s) in the housing area.
  - c. Have the prisoner take the medication in his presence. If taken by mouth, the ranking jailer is to observe swallowing, check mouth, have prisoner talk immediately after swallowing and watch for several minutes to assure ingestion of the medication.
  - d. Have the prisoner initial the medication log sheet and initial it himself.
  - e. Return all medication log sheets to the active medications file or, to the prisoner's medical file upon completion of the prescription and/or the prisoner's release from confinement.

NOTE: The county health nurse will be called to administer injections or other medication as required by the Jail Physician.

7. Refusal: If a prisoner refuses medication, the ranking jailer on duty will note this fact on the medications log sheet, initial it, and have the housing jailer witness it.

(The housing jailer will also note the refusal in the Daily Log.) The ranking jailer will place the prisoner on the list to see the Jail Physician at the next scheduled sick call.

8. Non-prescription Medication: The ranking jailer on duty may administer non-prescription medication to prisoners in accordance with the Jail Physician's written standing orders, in amounts and for times specified as follows:

- a. Simple headache - two tablets of aspirin or tylenol every three to four hours may be given to patient at the discretion of the ranking jailer for minor pains. Use tylenol if any history of allergy to aspirin or previous ulcers or bleeding tendencies. (NOT TO EXCEED 8 PER 24 HOUR PERIOD.)
- b. Cold symptoms - give two teaspoons non-prescriptive cold/cough medicine every 4 hours (NOT TO EXCEED 6 DOSES PER A 24 HOUR PERIOD). Give throat lozenges at discretion of ranking jailer--if persistent refer to sick call.

- c. First Aid - see under Emergency Procedures VI.A.3.

Minor cuts:

- (1) Clean with Betadine, or equivalent.
- (2) Apply one band-aid every 12 hours (NOT TO EXCEED 24 HOUR PERIOD.)

- d. Minor stomach upset - Give Maalox tablets, two before/after meals, as needed. If pain persists, notify the Jail Physician (NOT TO EXCEED 24 HOUR PERIOD.)

The symptoms will be referred to the Jail Physician in accordance with Procedure VI.A.4., #3. Documentation of the administration of non-prescription medications will be completed in the same manner as for prescription medications.

NOTE: Always check for allergies by asking the prisoner before giving any medication.

9. Confidentiality of Medical Records: Medical records are in a locked file cabinet in the medical room. Only the ranking jailers have been authorized by the Jail Physician to have access to these files.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Dental

B. STATE STANDARDS

5120:1-8-09

- (Q) Prisoners who have been confined for a continuous period of six months or more should be provided professional dental services, both preventative and corrective, as required.
- (R) All prisoners shall be provided professional dental treatment for extractions and other work of an emergency nature, as required.

C. CASE LAW

Sykes v. Kreiger, 451 F. Supp. 421 (N.D. OH 1975)

Emergency dental services must be provided.

Finney v. Malory, 458 F. Supp. 720 (E.D. AR 1978) (AR System)

By agreement of the parties, the prisoners are to receive reasonable and necessary medical and dental care.

D. SUGGESTED GUIDELINESCommission on Accreditation

5176 Dental care is provided to each prisoner under the direction and supervision of a dentist, licensed in the state, as follows:

- Dental screening within 14 days of admission;
- Dental hygiene services within 14 days of admission;
- Dental examinations within three months of admission; and
- Dental treatment, not limited to extractions, within three months of admission when the health of the prisoner would otherwise be adversely affected. (Detention--Essential, Holding--Not Applicable)

American Medical Association

143 Written policy and defined procedures require that dental care is provided to each prisoner under the direction and supervision of a dentist licensed in the state as follows:

- Dental screening within 14 days of admission;
- Dental hygiene services within 14 days of admission;
- Dental examinations within three months of admission; and
- Dental treatment, not limited to extractions, when the health of the prisoner would otherwise be adversely affected as determined by the dentist.

154 Written policy and defined procedures require that the facility provide 24-hour emergency dental care availability.

E. MODEL POLICY AND PROCEDUREVI.A.7 Policy:

Inasmuch as dental health directly affects an individual's total health and medical status, prisoners of the Ohio County Jail shall receive emergency dental care and other dental treatment as deemed necessary by a physician or dentist.

Procedure:

- Emergency Treatment:  
Dental care is available for those prisoners experiencing acute dental problems, i.e., severe pain, infection, bleeding gum, or broken dental prosthesis necessary for eating. Prisoners requesting dental care will be handled in accordance with the daily medical complaint procedure VI.A.4, #2 and #3. If the physician determines that the services of a dentist or an oral surgeon are needed, the Jail Administrator will make the necessary arrangements

to transport the prisoner within 72 hours to the dentist. At this time, the following local dentists are available to provide dental services to prisoners on an emergency basis:

- a. Dr. Red Carnation  
(237-2853)  
240 S. Parsons Ave.
  - b. Dr. B. Grey  
(237-8083)  
260 Stygler Rd.
2. Regular Dental Care: If a prisoner can arrange for payment of other non-necessary dental care, provisions will be made for regular dental care on an individual basis, dependent on security considerations and available staffing. NOTE: Prisoners who have been housed at the jail for a consecutive period of 6 months are eligible for one (1) routine dental examination at the county's expense.
3. Supplies: Dental hygiene items are available through commissary. Toothbrushes and toothpaste are provided for indigent prisoners.

WORKSHEETA. OPERATIONAL AREA

Medical Services - Psychological/Psychiatric

B. STATE STANDARDS

5120:1-8-09

- (S) All prisoners evidencing signs of serious mental disorder shall be referred to the Jail Physician who shall arrange appropriate psychiatric services or other courses of treatment as he may deem necessary.

5120:1-8-15

- (D) Prisoners placed in administrative segregation during treatment for minor medical or psychiatric problems shall be checked daily by medical and jail personnel to review the need for continued administrative segregation.

C. CASE LAW

Sykes v. Kreiger, 451 F. Supp. 421 (N.D. OH 1975) (Cuyahoga County Jail)

A psychiatric unit is to be built in the jail and a plan for treatment is to be established.

Campbell v. McGruder, 580 F. 2d. 521 (D.C. Cir. 1978) (D.C. Jail)

An order requiring that mentally ill prisoners be removed from the jail within 24 hours of discerning such mental condition is upheld.

Owens-El v. Robinson, 457 F. Supp. 984 (W.D. PA 1978) (Allegheny County Jail)

At least one nurse per shift is to have training in handling mental problems.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5177 Screening and referral for care are provided to mentally ill or retarded prisoners whose adaptation to the detention environment is significantly impaired. The responsible physician has provided a written list of symptoms or behavior indicative of mental illness and retardation and has designated, in advance, specific referral sources. (Detention--Essential, Holding--Essential)



5178 Facility personnel are trained regarding recognition of symptoms of mental illness and retardation. (Detention--Essential, Holding--Essential)

American Medical Association

112 Written policy requires consultation between the facility administrator and the responsible physician or their designates regarding patients who are diagnosed as having a psychiatric illness prior to the following actions being taken:

- Housing assignments;
- Program assignments;
- Disciplinary measures;
- Transfers in and out of institution.

130 Written policy requires that all correctional personnel who work with prisoners are trained by the responsible physician or designee to recognize signs and symptoms of chemical dependency and emotional disturbance and/or developmental disability, particularly mental retardation. (ESSENTIAL)

144 Written policy and defined procedures require post-admission screening and referral for care of mentally ill or retarded prisoners whose adaptation to the correctional environment is significantly impaired.

The health authority provides a written list of specific referral resources.

E. MODEL POLICY AND PROCEDURE

VI.A.8 Policy:

Many persons committed to jail bring with them serious mental problems while others begin to experience such problems after being confined in jail. This necessitates close observation and appropriate referral and treatment.

Procedure:

1. Requests: A prisoner may request counseling or other psychological services. If the prisoner wishes to see the physician regarding

emotional problems, the procedure in VI.A.4, #2 will be followed. If the prisoner requests to simply see a counselor, the procedures set forth in VII.F. will be followed.

2. Referrals: If a jailer observes a prisoner exhibiting signs of emotional instability or psychological distress (see Appendix H), the prisoner will be placed in administrative segregation in accordance with procedure III.C., and the Jail Physician notified by telephone immediately.
3. Orders: The Jail Physician shall determine the appropriate medical action(s) to be taken and the Jail Administrator shall determine what security precautions must be followed.
4. Suicidal Precautions: Any prisoner who is administratively segregated due to suicidal tendencies shall have the following items removed from his cell:
  - a. items with which he could hang himself, i.e., belts, shoe laces;
  - b. matches and flammable materials (prisoner may smoke out of the cell under supervision);
  - c. all sharp objects (i.e., pens, pencils) as well as any glass items such as glasses, mirrors, etc. (locked razor to be issued for shaving under observation).

**CONTINUED**

**2 OF 4**

WORKSHEETA. OPERATIONAL AREA

Medical Services - Miscellaneous Services: Personal Physician, Prosthetic Devices, Body Cavity Searches, and Detoxification

B. STATE STANDARDS

5120:1-8-01

- (I) (5) Lower body cavity searches are to be conducted only by medical personnel and when reasonable cause exists to believe that a weapon or contraband is being concealed.

5.20:1-8-09

- (H) Prisoners shall be permitted to be treated by their personal physicians in the jail at their own expense provided the identity of the physician is verified and such attention is deemed necessary and advisable by the facility physician.

C. CASE LAW

Hurley v. Ward, 584 F. 2d 609 (2nd Cir. 1978)

A prohibition against anal and genital searches of the named plaintiff without a showing or probable cause is confirmed.

Bell v. Wolfish,

Body cavity searches must be reasonable based on the scope of the intrusion, the manner in which it is conducted, the justification for initiating it and the place where it occurs.

Falkenstein v. City of Bismarck, 268 N.W. 2d 787 (Sup. Ct. ND 1978)

The jail staff has a higher duty of supervision of individuals under the influence of drugs or alcohol in order to prevent these individuals from injuring themselves.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5175 As determined by the responsible physician, medical and dental prostheses are provided when the health of the prisoner-patient would otherwise be adversely affected. (Detention--Essential, Holding--Not Applicable)

5179 A special program exists for prisoners requiring close medical supervision. An individual treatment plan for each of these patients is developed by a physician which includes directions to medical and nonmedical personnel regarding their roles in the care and supervision of these patients. (Detention--Essential, Holding--Essential)

5180 When not provided in a community health facility, detoxification from alcohol, opiates, barbiturates and similar drugs is performed at the facility under medical supervision. (Detention--Essential, Holding--Essential)

5324 Written policy and procedure require that all newly admitted prisoners are thoroughly searched.

Discussion: Body cavity searches should be conducted only when there is probable cause to believe that the prisoner is carrying contraband there. They should be done by a medically-trained person other than another prisoner, and in a private location.

American Medical Association

130 Written policy requires that all correctional personnel who work with prisoners are trained by the responsible physician or designee to recognize signs and symptoms of chemical dependency and emotional disturbance and/or developmental disability, particularly mental retardation. (ESSENTIAL)

149 Written policy and defined procedures require that detoxification from alcohol, opioids, stimulants and sedative hypnotic drugs is effected as follows:

When performed at the facility it is under medical supervision; and,

When not performed in the facility it is conducted in a hospital or community detoxification center. (ESSENTIAL)

160 Written policy and defined procedures require that medical and dental prostheses are provided when the health of the prisoner-patient would otherwise be adversely affected as determined by the responsible physician or dentist.

166 Written policy and defined procedures regarding the transfer of health records and information require that:

Summaries or copies of the health record are routinely sent to the facility to which the prisoner is transferred;

Written authorization by the inmate is necessary for transfer of health record information unless otherwise provided by law or administrative regulation having the force and effect of law; and

Health record information is also transmitted to specific and designated physicians or medical facilities in the community upon the written authorization of the prisoner.

#### E. MODEL POLICY AND PROCEDURE

##### VI.D.9 Policy:

At times the medical staff must work closely with security staff to insure the prisoner's health and dignity and the security of the jail. Areas requiring this close coordination include: cavity searches, use of prosthetic devices, treatment by personal physician, and handling of detoxification.

##### Procedure:

1. Personal Physician: A prisoner may request to see his/her personal physician. The jailer who receives such a request will:

- a. Write a message to the Jail Physician for his approval (the message will be transmitted to the physician as specified in VI.A.4, #2).
- b. If the physician denies the request, the physician will specify in writing the reasons, and these will be transmitted to the prisoner.

- c. If the physician approves the request, verbally or in writing, the ranking jailer on duty at the time of the approval will telephone the prisoner's personal physician and make the necessary arrangements.
  - d. The ranking jailer will inform the central control officer and the housing jailer of arrangements made for the personal physician's visit and the housing jailer will note the arrangements in the Daily Log. If the physician is coming to the jail to see the prisoner, the visit will take place in the medical room. If the prisoner is being transported to the physician's office Procedure VI.A.5 will be followed.
  - e. If the personal physician wishes to consult with the Jail Physician regarding the prisoner's care, the ranking jailer on duty will provide the name and telephone number of the Jail Physician.
  - f. If the personal physician wishes to review the prisoner's medical file, the ranking jailer on duty will have the prisoner sign a release of information form.
2. Prosthetic Devices: Prisoners who are admitted wearing prosthetic devices (e.g., artificial limbs) will have those devices searched (see Appendix B). The Jail Administrator or ranking jailer on duty will be notified when a prisoner is admitted or is returned from the hospital with a prosthetic device, and the Administrator will take the following steps:

- a. Inspect the device and review the prisoner's file to determine whether or not the device itself or the prisoner's history and behavior with the device pose any security risk.
  - b. If so, consult with the Jail Physician to determine the prisoner's medical need for the device. If the physician orders that the device remain with the prisoner and/or the prisoner be placed in administrative segregation, that order will be followed. If the physician decides that the prisoner's health will not be jeopardized by the removal of the device during confinement, the device will be removed, tagged, and stored. The Jail Administrator will then determine if administrative segregation is necessary (III.C.).
3. Body Cavity Searches: Searches of prisoners' lower body cavities will only be performed by qualified medical personnel and only when there is reasonable cause to believe that a prisoner has concealed contraband in a lower body cavity. If at any time (e.g., during admission; on return from court, hospital or outside work; following a contact visit or interview) a jailer suspects that a prisoner may have concealed contraband in a lower body cavity, the jailer will:
- a. Strip search: escort the prisoner to the strip search room in the booking area and conduct or arrange for a visual strip search (see Appendix B).

- b. Request: if the jailer's suspicions remain, the jailer will order that the prisoner remove the hidden substance. Should the prisoner refuse, the jailer will;
    - (1) notify the ranking jailer on duty, and
    - (2) place the prisoner in an isolation cell under constant observation.
  - c. If the ranking jailer confirms the need to conduct a body cavity search, he will notify the Jail Physician. The physician will either:
    - (1) come to the jail immediately and examine the lower body cavity; or,
    - (2) order the prisoner transferred to the hospital (see Procedure VI.A.).
  - d. Report: the jailer initially requesting the body cavity search and the Jail Physician (if involved) will file incident reports within 24 hours of the examination.
4. Detoxification: Any prisoner who is drunk or has alcohol on his breath at the time of booking should be considered as a possible alcoholic. Get a drinking history and then check six to eight hours after the last drink for physical signs of withdrawal. Certain symptoms signify need for

immediate medical attention, because untreated withdrawal can cause numerous medical emergencies.

- a. Get receiving screening information as in regular booking. Note time of last drink (if possible), and description of condition, e.g. "shakes, DT's, or nervous."
- b. If possible, also ask how often he drinks and how often he gets drunk when he drinks. Record answers on the preliminary health screening form.
- c. If in doubt of a referral to detoxification, take the person's pulse. If it is over 100, call the Jail Physician - this is the most consistent symptom other than the breathalyzer itself.
- d. Do not accept people into the jail without performing the above and noting the results on the preliminary health screening form.
- e. If you do book someone into the jail under "border-line" conditions, assure that someone checks the above symptoms six to eight hours after booking.

NOTE: Be careful not to mistake a diabetic for an alcoholic. The diabetic often has a sweet smell on his/her breath.

f. Alcoholism Terms:

Blackout - memory loss, from few minutes to more than one day, early symptom.

Alcoholic - depends on alcohol in some way, varying degrees of loss of control over amount consumed, gradually progresses into having withdrawal symptoms when drinking stops.

"Chronic" alcoholic - long standing, with heavy daily or binge drinking, poor eating habits, withdrawal symptoms, may have history of seizures, DT's, liver disease, nerve damage.

"Cycle" drinking - end-product of above, body can't tolerate alcohol anymore, gets drunk on small amounts, passes out, wakes up, keeps repeating cycle, doesn't eat.

Withdrawal - nervous system reaction to absence of alcohol, with elevated vital signs and exaggerated nervous behavior, begins six to twelve hours after drinking stops, lasts one to five days or more, takes one to fifteen years to develop.

"Shakes" - withdrawal symptom, trembling of hands, can involve all the body.

Hallucinations - brain disorder complication of withdrawal, seeing, hearing, smelling things that aren't there, can progress into DT's.

DT's - three to fifteen days after drinking stops, extreme fright from hallucinations, tries to "escape"

from them, totally confused and out of contact with world.

Alcoholic Cirrhosis - long-standing liver disease with gradual decrease in function; if badly distended abdomen, swollen hands and feet, or jaundice (yellow whites or eyes, skin).

Alcoholic Hepatitis - inflammation of liver, happens after long, hard drinking bout; symptoms include elevated temp, jaundice, nausea/vomiting, or pain.

"Nerve Damage" - long-standing vitamin deficiency, starts in arms, legs, goes to trunk, brain; numbness, poor grip, difficulty walking, poor control over bowels/bladder, poor memory, judgment, unreasonable anger, paranoid behavior or confusion.

g. Detox in jail: The alcoholic can be managed in jail, if history of withdrawal is mildly "uptight" or "nervous," and there is no known medical problems, if:

- (1) Around-the-clock observation is possible.
- (2) Blood pressure and pulse can be taken periodically.
- (3) Eating meals and sleeping his usual amounts. GET CLEARANCE FROM THE JAIL PHYSICIAN.

h. Treatment:

- (1) Put in holding Cell #B1, after sleep-off, so he can move around at will (should not be alone or in small, confining space).

- (2) Allow no coffee or tea, give juice, milk or Sanka.
- (3) High-protein, low starch food.
- (4) Take pulse and blood pressure.
- (5) Watch for increased nervousness.
- (6) Watch for staying in bed all the time, or withdrawing from others. CALL JAIL PHYSICIAN.
- (9) See Jail Physician after each sick call for any special orders/medications

WORKSHEETA. OPERATIONAL AREA

Prisoner Services - Food Service

B. STATE STANDARDS

5120:1-8-10

- (A) Each facility shall develop written policies and procedures governing the food service operation including but not limited to:
- (1) All prisoners, including those in disciplinary confinement, shall be served a minimum of three meals at regularly scheduled intervals, no span to exceed fourteen (14) hours between meals.
  - (2) Menus shall be evaluated and approved by the local board of health, or a qualified dietician.
  - (3) Menus shall be planned at least thirty days in advance and maintained on file as a permanent record.
  - (4) Permanent records of meals served shall be maintained on file.
  - (5) Modified diets shall be prepared for prisoners when requested by medical staff or by a physician's order; and all reasonable efforts shall be made to accommodate dietary needs of a religion.
  - (6) Foods shall be served at optimum temperatures--hot foods hot--cold foods cold--fresh and in reasonable variety.
  - (7) Each jail shall provide adequate tables and seats and necessary eating utensils to accommodate the feeding of prisoners.
  - (8) All food preparation, serving areas, and methods shall meet sanitary standards--Sections 307.61 and 3709.26 of the Ohio Revised Code.
  - (9) All persons working in the preparation and serving of food shall first be examined and approved by medical staff.

- (10) Each jail shall appoint a person with experience or training in food service to be in charge of the preparation of food.

C. CASE LAWCunningham v. Jones, 567 F. 2d 653 (6th Cir. 1977)

A limited or restricted diet for inmates in segregation must be shown to be nutritionally adequate.

Brown v. State, through Dept. of Corrections, 354 So. 2d 633 (Ct. App. LA 1978)

\$75,000 awarded to plaintiff prisoners. Institution was aware of medical necessity for a bland diet, bland diet had been ordered by facility physician but not provided. Facility administration found liable.

Rutherford v. Pitchess, 457 F. Supp. 104 (C.D. CA 1978) and Steward v. Gates, 450 F. Supp. 583 (C.D. CA 1978)

Inmates must be allowed at least 15 minutes to eat.

Vest v. Lubbock Co. 444 F. Supp. 834 (N.D. TX 1977)

Food handlers subject to state codes. Inmates in solitary to be given three (3) meals per day.

Martin v. Knoch, No. C 74-284 (N.D. OH 1975)

Food services to be inspected by health department every six (6) months.

Parker v. Gladwell, No. C 74-391 (N.D. OH 1976)

Food facilities to be approved by Board of Health.

Smith v. Weyandt, No. C 73-888 (N.D. OH 1976)

Quarterly inspection by public health officials. Food must meet nutritional standards set by U.S. Bureau of Prisons.

D. SUGGESTED GUIDELINESCommission on Accreditation

5188 The facility can document that its food service meets or exceeds the dietary allowances as stated in the Recommended Dietary Allowances, National Academy of Sciences.



5189 Written policy and procedure specify that meal preparation considers food flavor, texture, temperature, appearance, and palatability.

5190 Written policy and procedure require advance menu preparation.

5191 Written policy and procedure provide for special diets as prescribed by appropriate medical personnel.

5192 Where inmates' religious beliefs require their adherence to dietary laws, provision is made for such special diets.

5193 Written policy and procedure require that accurate records are maintained of all meals served.

5194 Written policy provides for no more than 14 hours between the evening meal and breakfast, and a minimum of two (2) hot meals every 24 hours.

5195 Written policy precludes the use of food as a reward or disciplinary measure.

5196 Space is provided for group dining, except where security or safety considerations justify otherwise.

5197 Written policy and procedure require that all meals are served under direct supervision of staff members.

5198 Written policy and procedure provide that only carefully screened inmates are assigned food service work.

5199 The facility has sanitary, temperature-controlled storage facilities for the storage of all foods.

5200 The facilities food service operation is supervised by a designated staff member who is selected based on interest and demonstrated ability in food service.

5201 Written policy specifies that all food service personnel comply with applicable federal, state and local health laws and regulations.

5202 Written policy and procedure require daily inspection of all food service areas and equipment by administrative or dietary personnel.

#### E. MODEL POLICY AND PROCEDURE

##### VI.B. Policy:

To maintain the health of the prisoners, foods prepared at and served in the jail will be of the highest quality and greatest variety possible within budgetary constraints. Food shall not be withheld as punishments (except desserts or snacks).

##### Procedure:

1. Schedule: Three meals per day will be served to all prisoners, including those in disciplinary isolation and administrative segregation. The schedule is as follows:

Breakfast 7:30 a.m.

Lunch 11:30 p.m.

Dinner 5:30 p.m.

The schedule may be varied slightly but in no case will more than 14 hours elapse between dinner and breakfast.

2. Service: The admitting jailer(s) on duty at the above times will escort the two (2) kitchen trustees (appointed by the Jail Administrator) to the kitchen. The jailer will supervise loading of the food carts to be taken up the elevator to the housing areas. Prisoners in isolation and segregation will be served first, in their cells. A food cart will be taken to the entrance of the women's section, where the matron on duty will supervise the serving of food trays (male trustees cannot enter the women's section). The remaining carts will be taken

to the men's regular housing units, where the prisoners will eat in the day area. The housing jailer will supervise the serving of meals and the admitting jailer who has escorted the trustees will return to other duties.

- 3.. Refusal: Prisoners may accept or decline any food offered them. The housing jailer will record in the Daily Log and on the prisoner's file the fact that a prisoner has refused a meal. All prisoners must receive an equal portion of food.
4. Tray Return: When the meal has been completed, prisoners will return their trays to the food cart. As each tray is returned to the cart, the admitting jailer or housing jailer will be sure that all plates and utensils are accounted for. The trustees will, under the admitting jailer's supervision, return the carts to the kitchen. The trays of prisoners in isolation and segregation will be picked up by the admitting jailer when all other trays have been returned to the kitchen.
5. Record: The kitchen staff will make a count of the number of meals served and add this to the permanent record.
6. Special Diets:
  - a. Medical: If a prisoner requests a special diet, the jailer or employee who receives such a request will notify the ranking jailer on duty to call the Jail Physician as soon as practical (but in all cases within 48 hours of the request) and note the request in the prisoner's

file. The Jail Physician will review the prisoner's medical records and file, and, if necessary, examine the prisoner. If the physician finds that a modified diet is appropriate, the physician will notify the Jail Administrator and prepare a written order. The Administrator will ensure that food service personnel receive the physician's order and that the order is attached to the prisoner's booking card (kept in Central Control).

- b. Religious: Requests for special diets for religious reasons shall be forwarded to the Jail Administrator who shall consult with the probate judge regarding appropriate action.
7. Planning: The Jail Administrator will review menus with the Chief Cook each month and help plan the menu for the coming month. Each month the dietician from the County Health Department will review the next month's menu and any suggestions made for improving the variety and nutritional value of the menus shall be incorporated.
8. Approval: All menus must receive the written approval of the dietician who reviews the menu.
9. Inspection: The County Health Department may conduct an inspection of the food service program at any time. No jailer or employee will impede any such inspection.

The Jail Administrator will also conduct a walk-through inspection at various times on a weekly basis.

10. Request: The Jail Administrator shall make a written request to the health department on an annual basis to inspect the entire jail, including the kitchen. The health department shall provide a written report of its findings.
11. Complaints: Complaints from prisoners about jail food are common, but persistent complaints from more than one prisoner will be described in writing by the jailer(s) who receives the complaints and forward them to the Jail Administrator for the Administrator's disposition. Prisoners may also use the grievance mechanism outlined in Procedure IX.A.

WORKSHEETA. OPERATIONAL AREA

Prisoner Services - Prisoner Hygiene

B. STATE STANDARDS

5120:1-8-01

- (N) Suitable shaving equipment shall be made available on a regular basis.

5120:1-8-04

- (F) Cells shall be equipped with a sanitary, working flush toilet and lavatory if used to confine prisoners not having access to such facilities on a 24 hour basis.
- (G) In multiple cells and dormitories, there shall be at least one (1) flush toilet and one (1) wash basin for every twelve (12) prisoners.
- (H) Each prisoner shall be provided access to a shower in the housing area on a daily basis.

5120:1-8-05

- (A) Each jail shall develop written policies and procedures for insuring the safe and sanitary condition of the jail.
- (J) Bed linens and towels shall be changed at least once every week.
- (1) Blankets shall be laundered as necessary.
- (2) Mattresses shall be cleaned regularly in a manner which is approved by local or state health officials.
- (L) Garbage and trash receptacles shall be emptied and cleaned daily.
- (P) Issued clothing shall be laundered at least twice weekly.
- (Q) Facilities shall be available or arrangements made to exchange and launder personal clothing (i.e., undergarments) at least twice weekly.

- (R) Bathing facilities shall be provided for all prisoners with an adequate supply of hot (regulated to prevent scalding) and cold water and soap.
- (S) Arrangements for prisoner haircuts shall be made as needed.

C. CASE LAW

Lock v. Jenkins, 464 F. Supp. 541 (N.D. IN 1978)

Provision of three showers per week not shown to create a health hazard.

Preston v. Thompson, 589 F. 2d 300 (7th Cir. 1978)

Court finds that it was legitimate for administration to discontinue showers in emergency situation.

D. SUGGESTED GUIDELINESCommission on Accreditation

5146 Written policy specifies accountability for prisoner clothing and bedding.

5147 Laundry services are sufficient to permit regular exchange of all prisoner clothing, bedding, linen and towels.

5150 There are hair care services available to prisoners.

5151 The facility provides articles necessary for maintaining personal hygiene.

E. MODEL POLICY AND PROCEDUREVI.C. Policy:

All prisoners of the Ohio County Jail will be encouraged to maintain their personal hygiene and will be provided all necessary opportunities and supplies to do so.

Procedure:

1. Shower schedule: The shower stalls located in each regular housing unit will be available for prisoner use daily from 7:00 a.m. to 11:00 p.m. For prisoners in disciplinary isolation, the Booking area shower will be used as follows:
  - a. Prisoners in administrative segregation will be removed from their cells (two at a time) by a housing jailer of the same sex. The jailer will escort the prisoners to and from the booking area shower remaining with them for supervision.
  - b. Prisoners in disciplinary isolation will be removed (one at a time) from their cells by a housing jailer of the same sex. The housing jailer will escort each prisoner individually to and from the booking room shower, remaining in the area to supervise the prisoner during the shower.
2. Hygiene item replacement: The housing jailer(s) will replace those items issued at admission whenever a prisoner gives the officer the empty container (e.g., toothpaste tube) or the worn item (e.g., toothbrush).
3. Shaving: Shaving equipment is stored in a locked cabinet in each housing area (except isolation) and will be issued after breakfast on a daily basis by the housing jailer(s) for prisoner use. Fifteen (15) minutes after issue, the housing jailer will collect and re-count the shaving equipment. Prisoners in isolation may shave as part of their shower routine, under the supervision of the jailer.

4. Haircuts:

- a. Schedule: The barber comes to the jail once a week on Mondays between the hours of 6:00 p.m. and 8:00 p.m. The housing jailer will escort the barber to each housing unit in succession.
- b. Supervision: The haircutting will be supervised in person by the housing jailer(s) in each unit. For prisoners in disciplinary isolation, the barber will use the booking room and each prisoner wishing a haircut will be brought individually to and from the room by the housing jailer.

5. Linens and uniform exchange: Each Sunday evening between 9:00 p.m. and 11:00 p.m., the central control officer will designate an officer to supervise trusties in the exchange of linens. Each prisoner will strip his or her own bunk, removing the sheets and the pillow case. The housing jailer will account for each prisoner's linen. Trusties will bring and distribute fresh linens. (For isolation and female prisoners, the jailer supervising the trusties will remove the soiled linen to the hallways outside those two units and distribute the fresh linens.) The bags of soiled linens will be carried to the booking room and stored in one of the storage areas adjacent to the strip search room. The contracted laundry service will pick up the soiled linens sometime Monday morning. Jail uniforms will be exchanged at this time as well as Thursday evenings between 9:00 p.m. and 11:00 p.m. by the housing jailer.

WORKSHEETA. OPERATIONAL AREA

Prisoner Programs - Work Assignments

B. STATE STANDARDS

5120:1-8-02

- (E) All prisoners being considered for trusty status shall be evaluated and selected on criteria including but not limited to:
- (1) The nature of the prisoner's offense and sentence.
  - (2) Previous attempts to escape by the prisoner.
  - (3) The prisoner's ability to understand directions.
  - (4) The quality and quantity of his work, if known.
  - (5) The prisoner's day-to-day behavior.
- (O) (1) Tools, supplies, and equipment which are hazardous shall be used by prisoners only under direct supervision.
- (P) At no time shall any prisoner be assigned to a position of authority over any other prisoner or be in charge of providing prisoner services such as commissary, telephone calls, or delivery of meals.
- (1) Prisoners shall never be permitted to perform or assist in any security duties.
- (Q) Jail Administrators choosing to assign prisoners to trusty status shall establish procedures which regulate their movement and activity inside and, if applicable, outside the facility.
- (R) Facilities with work release programs shall establish special control procedures to minimize contact between prisoners with work release privileges and other prisoners.
- (S) Prisoners shall be thoroughly searched whenever entering or leaving the security perimeter.

5120:1-8-05

- (K) Prisoners shall be required to keep their persons and quarters clean and in proper order.
- (M) Toilets, urinals, sinks, and bathing facilities shall be cleaned daily.

5120:1-8-10

- (A) (9) All persons working in the preparation and serving of food shall first be examined and approved by medical staff.

C. CASE LAWAltizer v. Paderick, 569 F. 2d. 812 (4th Cir. 1978)

Inmates have no due process right to any particular job in an institution; no procedural due process needed to transfer inmate from one job to another.

Bijeol v. Nelson, 579 F. 2d. 423 (7th Cir. 1978)

Pre-trial detainees may be required to perform general house-keeping tasks.

D. SUGGESTED GUIDELINESCommission on Accreditation

5343 The facility maintains a written work assignment plan that provides for inmate employment, subject to the number of work opportunities available and the maintenance of facility security.

5344 Written policy provides that unsentenced detainees are not required to work except for personal housekeeping.

5345 The inmate work plan includes provision for inmate employment in facility maintenance and operation.

5346 The inmate work plan provides for inmate employment on public works projects.

5347 Where statute permits, the inmate work plan includes provision for inmates to work in various community projects.

5350 Inmates are paid for work performed.

5351 Where statute permits, the work plan includes provision for earning credits toward a reduction in sentence.

E. MODEL POLICY AND PROCEDUREVII.A. Policy:

In order to reduce idleness, vandalism, and to encourage individual responsibility, prisoners in the Ohio County Jail will be provided every opportunity to engage in meaningful work.

Procedure:

1. Inspection: All prisoners are expected to keep their own quarters in clean and sanitary order. Each day, the housing jailer visually inspects the prisoner living areas at 9:00 a.m. to be sure that:
  - a. floors have been swept;
  - b. books and magazines are stored on the shelves provided;
  - c. the cell fronts are clear of blankets, paper, or other materials;
  - d. the plumbing fixtures are clean;
  - e. personal articles (games, writing materials, hygiene items) are properly stored; and
  - f. bedding (sheets, blankets, pillows) is properly placed on the bunks.
2. Non-Compliance: The housing jailer will first issue a specific verbal request to correct any problems and note in the Daily Log. If after the verbal warning(s) the occupant(s) of the cell has not rectified the deficiency, the housing

jailer will inform the prisoner(s) that privileges for that day may be suspended if the problems are not corrected (see Procedure IX.B., #2.).

3. Trusties: Sentenced prisoners may be designated as "trusty" prisoners by the Judge of the Court of Common Pleas or the Judge of Municipal Court upon the written recommendation of the Jail Administrator.

Any jailer who wishes to recommend a prisoner for trusty status will make a verbal or written report to the Jail Administrator.

The following factors will be considered by the Jail Administrator before recommending a prisoner for trusty status:

- a. the prisoner must have been in custody for at least two weeks;
- b. the prisoner has never attempted or been convicted of escape;
- c. no prisoner convicted of a capitol crime may be designated a trusty;
- d. no prisoner who is awaiting transportation to the Ohio Department of Rehabilitation and Corrections may be designated a trusty;
- e. no prisoner serving a sentence in the jail as a result of having been convicted of the sale of narcotics or dangerous drugs may be designated a trusty;

- f. preference will be given to those prisoners serving a jail sentence longer than 30 days; and
  - g. the Administrator will have interviewed the prisoner and reviewed the prisoner's record to determine the prisoner's willingness and ability to perform work as assigned.
4. Duties of Trusties: Trusties may be assigned duties both in and outside the secure perimeter of the jail. Duties may include:
- a. cleaning of the building (except offices);
  - b. preparation of meals (NOTE: any prisoner used in the preparation or serving of meals will first obtain a food handler's permit from the Ohio County Health Dept.);
  - c. cleaning of Sheriff's Department vehicles;
  - d. maintenance or repair of recreational equipment;
  - e. maintenance of grounds outside the jail building.

Under no circumstances will a trusty or any other prisoner be allowed to possess keys or to exert any degree of supervision over any other prisoner.

5. Supervision of Trusties:

- a. When trusties are performing duties within housing units or in close physical proximity to non-trusty prisoners, the jailer assigned to the housing unit will be within sight and hearing distance of the trusties.

- b. When trustees are performing duties within the jail but outside the housing areas or otherwise not in close physical proximity to non-trusty prisoners, the jailer assigned to the nearest post will visually and verbally contact the trusty(s) at least every 15 minutes.
- c. When trustees are performing duties outside the building, an officer or jailer (designated by the central control officer) will accompany the trusty(s) at all times, never allowing the trusty to be out of sight.

6. Work Release:

- a. Assignment. The Judges of the Ohio County Common Pleas Court or Municipal Court may sentence a convicted prisoner to the jail on work release status, allowing the prisoner to maintain regular employment while in custody. (ORC 5147.28)
- b. Release: The admitting jailer will follow the orders of the Court in releasing work releasees on workdays. Each work releasee will be moved by the admitting jailer from cell area (F1-F4) to the strip search room, where the work releasee(s) will change into working clothes (stored in each prisoner's locker in the property room). Once changed, the prisoners will be released from the front entrance of the jail.

The admitting jailer will note the prisoner's name and time out on the Daily Log.

- c. Supervision while out: The Ohio County Adult Probation Department will be responsible for any field checks which might be made to assure that the work releasee is reporting to work and abiding by any other conditions of sentence imposed on the work releasee by the sentencing court.
- d. Return: When work releasees return after each period outside the jail, the admitting jailer will:
- (1) escort the work releasee to the strip search room;
  - (2) direct that the work releasee remove all personal clothing;
  - (3) allow the work releasee to shower (or order the work releasee to do so if the work releasee appears to require it);
  - (4) inspect the clothing before returning it to the work releasee's locker (NOTE: work releasees are responsible for cleaning personal clothing or arranging for its replacement);



- (5) give the work releasee a jail uniform and shoes;
- (6) escort the work releasee back to the housing area, where the housing jailer will escort the work releasee to the cell.

e. Non-return: If a work releasee fails to return to the jail from work within thirty (30) minutes of established time, the admitting jailer will:

- (1) notify the central control officer, who shall notify the Patrol Division.
- (2) prepare a written incident report; and
- (3) if the work releasee should return or be returned, place the work releasee in an isolation cell and prepare a supplement to the incident report.

f. Non-cooperation: If the work releasee fails to cooperate in any way with the work release program (e.g., refusing to go to work, refusing to remove clothing on return from work, attempting to smuggle contraband into the jail), the jailer who first witnesses the incident will:

- (1) place the prisoner in an isolation cell;
- (2) prepare an incident report.

- g. Notification of Court:  
If the work releasee fails to return from work or fails to cooperate with jail personnel in executing the work release sentence, the Jail Administrator, after having received the incident report, will call or visit the sentencing judge (or in the sentencing judge's absence, the judge pro tempore) on the next business day and inform the judge of the nature and circumstances of the incident. The Judge may wish to hold a hearing, modify the sentence or take some other action. Whatever action is taken by the Judge, the Jail Administrator will inform the appropriate jail staff, update the prisoner's records (Booking Card, file, etc.), and reassign the prisoner to a new housing area in accordance with his new classification status (see Procedures III.A. and B.).

WORKSHEETA. OPERATIONAL AREA

Prisoner Programs - Recreation and Leisure Activities

B. STATE STANDARDS

5120:1-8-11

- (A) Each jail shall develop written policies and procedures for the development and implementation of correctional services and recreation programs including but not limited to:
- (1) All jails shall provide for an ongoing recreational program to include: physical exercise not less than five (5) hours per week for those prisoners who are physically able, those who desire exercise, and those whose stay will exceed seventy-two (72) hours.
  - (2) Facilities permitting inside and outside exercise shall be utilized (See Rule 5120:1-8-12 of the Administrative Code for prisoners in isolation).
  - (3) A program for leisure time activities shall be developed to include table games and television.

C. CASE LAWJones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Court ordered establishment or expansion of educational, vocational, recreational and religious programs

Graham v. Skidmore, No. C2 74-135 (S.D. OH)

Inmates to be allowed one (1) hour daily exercise. Space for passive recreation ordered.

Adams v. Mathis, 458 F. Supp. 302 (N.D. AL 1978)

Lack of outdoor recreation a denial of equal protection.

Campbell v. McGruder, 580 F. 2d 521 (D.C. Cir. 1978)

Jail must provide prisoners recreation, including prisoners in maximum security.

Johnson v. O'Brien, 445 F. Supp. 122 (E.D. MO 1977)

Jail prisoners to have at least three one-hour exercise periods each week.

O'Bryan v. Saginaw, 446 F. Supp. 436 (E.D. MI 1978)

At least two (2) hours exercise each week.

Stewart v. Gates, 450 F. Supp. 583 (C.D. CA 1978)

Prisoners in segregation to receive two (2) hours exercise per week.

Vest v. Lubbock Co., 444 F. Supp. 824 (N.D. TX 1977)

Three (3) hours per week of out-of-cell exercise required.

D. SUGGESTED GUIDELINESCommission on Accreditation

5267 Written policy and procedure grant inmates access to recreational opportunities and equipment, including, when the climate permits, outdoor exercise.

5352 There is a written plan to provide inmates an array of programs that include, at a minimum, social services, religious services, recreation and leisure-time activities, library services, vocational counseling, and education courses.

5356 The plan for prisoner programs provides for opportunities for all prisoners to participate in leisure-time activities, including one (1) hour of physical exercise per day outside the cell block.

National Sheriff's Association Manual on Jail Administration

To eliminate the dull monotony of jail life, to prevent disciplinary problems, to teach prisoners the constructive use of leisure time...planned recreational activities and privileges are mandatory.

E. MODEL POLICY AND PROCEDUREVII.B. Policy:

Inasmuch as idleness produces stress and unrest among prisoners and given that physical exercise is essential to the maintenance of health, the Ohio County Jail will provide every opportunity for prisoners to engage in recreational activities to the extent that facilities and personnel will allow.

Procedure:1. Schedules:

- a. Male prisoners: regular population (Cells C1-C8), Mon., Wed., Thurs., Fri. 2:00-3:00 p.m. and Tues. 7:00-8:00 p.m.
- b. Male prisoners: regular population (Cells D1-D6 and E1-E6). Mon. through Fri. 3:30-4:30 p.m.
- c. Male prisoners: administrative segregation/other. Mon., Wed., Thur., Fri. 12:45-2:00 p.m.
- d. Female prisoners: regular and administrative segregation, flexible schedule to total five (5) hours per week at times other than those listed above.
- e. Disciplinary prisoners: flexible schedule to total at least two (2) hours per week.
- f. Weekenders and work release prisoners: as time permits.

2. Outdoor Recreation.

- a. When the temperature exceeds 60° F. and the pavement is dry, prisoners shall be permitted outdoor exercise in accordance with the above daytime schedules (see VII.B., #3b).
- b. Participating prisoners may choose to play either basketball or volleyball.
- c. The fenced-in area adjacent to the south wall of the jail is the recreation yard.

3. Indoor Recreation.

- a. Anytime weather does not permit outdoor recreation (see VII.B., #2a), recreational activities shall take place in the multi-purpose room.
  - b. All recreation taking place after 5:00 p.m. shall be indoors.
  - c. Indoor activities may include use of the exercise machine, punching bag, and ping-pong tables.
4. Call Out: The program jailer will at scheduled times, conduct a "call out" by entering the appropriate housing unit and announcing that those interested in recreation should step forward and those choosing not to participate should remain seated in the dayroom/cells.

5. Notification: The program jailer will then count the number of participating prisoners and notify Central Control that the group is ready to proceed to the recreation area (multi-purpose room or exercise yard) and request assistance from the housing jailer on duty.
6. Escort: When the housing jailer arrives, the prisoners will be released from the cell block and escorted to the appropriate recreation area.
7. Supervision: During the recreation period, the program jailer will remain in the recreation area to issue equipment and supervise prisoner activities.
8. Equipment Usage: It is the responsibility of the program jailer to see that each prisoner has equal access and time to use the more popular items.
9. Return: When the recreation period ends, the program jailer will:
  - a. see that all equipment is returned to the storage cabinet;
  - b. notify Central Control that the group is ready to return to the housing area and request the assistance of the housing jailer on duty; and
  - c. upon arrival of the housing jailer, escort prisoners back to their cells.

10. Leisure-time activity supplies: The jail has the following leisure time supplies available for prisoner use:
  - a. playing cards (1 deck per prisoner);
  - b. checkers and checkerboards (1 set for every two regular cells);
  - c. chessmen (1 set for every two regular cells);
  - d. television (1 portable set for each regular cell block);
  - e. assorted board games.
11. Supervision of Leisure Activities: The housing jailer will be responsible for the supervision of leisure activities by prisoners in the dayroom areas and in the cells.
  - a. Televisions will be set-up in the cell block dayrooms and will be permitted on between the hours of 9:30 a.m. to 11:00 p.m. daily.
  - b. The housing jailer will be responsible for selection of the TV channel after determining the wishes of the majority of the prisoners.
  - c. Exceptions to the television times listed above may be made on a case-by-case basis by the housing jailer on duty (e.g., if a televised sports event unexpectedly exceeds the normal time, a particularly significant event is being televised at a time other than those listed in 11.a. above).

- d. Prisoners who abuse the privileges of leisure activities will be subject to disciplinary sanction(s). (See Procedure IX.B.)
12. Supplies purchased by prisoners or brought to jail by prisoner's friends or relatives:
- a. Prisoners will be allowed to purchase or receive leisure equipment such as cards, games, puzzles, and kits so long as each equipment is inspected and approved by the admitting jailer on duty. No games, crafts, or other leisure pastime equipment will be permitted which contain hazardous chemicals, metal parts or other materials which may constitute a threat to the safety or security of the jail.
- b. When the admitting jailer inspects and refuses any such leisure equipment or supplies, that fact will be noted in the Daily Log and the prisoner concerned will be informed verbally or in writing by the jailer of the decision.

WORKSHEETA. OPERATIONAL AREA

Prisoner Programs - Reading Material

B. STATE STANDARDS

5120:1-8-11

- (A) (6) All jails shall provide prisoners access to a variety of reading materials to include: Legal References, when prisoners are not represented by counsel; local newspapers; and, other printed materials approved by the facility administrator.

C. CASE LAWCotton v. Lockhart, 476 F. Supp. 956 (E.D. AR 1979)

The "publishers only" rule is found to be valid as a protection of institutional security.

Bell v. Wolfish, \_\_\_ U.S. \_\_\_, 47 U.S.L.W. 3761 (1979)

The "publishers only" rule applied to hardback books does not violate First Amendment

Taylor v. Perini, 477 F. Supp. 1289 (N.D. OH 1979)

The exclusion of a magazine detailing the fabrication of a weapon as "inflammatory" is found to be reasonable.

Goodson v. United States, 472 F. Supp. 1211 (E.D. MI 1979)

Court finds the National Socialist Bulletin racist and may cause violence between races. Its exclusion is proper as it constitutes a threat to security.

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Arrangements must be made for library services. No censorship of books or periodicals unless they are considered "pornographic."

Martin v. Knoch, No. C 74-284 (N.D. OH 1975)

The jail must supply current newspapers for each cell block. Prisoners to be allowed to possess periodicals and books which are legally purchaseable in the county.

D. SUGGESTED GUIDELINESCommission on Accreditation

5359 Library services are available to all prisoners.

5360 The facility has a staff member or trained volunteer who coordinates and supervises library services.

E. MODEL POLICY AND PROCEDUREVII.C. Policy:

To reduce idleness and to allow prisoners to pursue personal interests, reading matter will be provided so long as the reading matter is consistent with the need for order and safety in the jail.

Procedure:

1. Library service: The Buckeye consolidated library system sends a representative to the jail on the first Friday of each month at 10:00 a.m. When the library representative arrives, the central control officer will notify a housing jailer, who will escort the library representative to the recreation room and assist the representative in carrying books to and from the recreation room. The new books will be exchanged for books brought the previous month (NOTE: the library books will be shelved separately from those books owned by the Jail).

2. Inventory: The library representative will provide an inventory sheet, listing the titles of all books delivered. The inventory sheet will be retained on the clipboard in the recreation room. Each time a book is checked out (see #3), the name of the prisoner and date will be recorded next to the title by the program jailer.
3. Prisoner access: During the regularly scheduled library periods (Tuesdays and Thursdays, 6:00-7:00 p.m. and Saturdays 2:00-3:00 p.m.) prisoners will be allowed to browse through the library books and those books owned by the jail. The program jailer will check each cell-block to determine which prisoners wish to visit the library. He will escort three (3) prisoners at a time. Prisoners are limited to ten (10) minutes for selection of books. One book may be checked out at a time. When a library book is returned, the program jailer will cross out the prisoner's name. There is no time limit on how long a prisoner may keep library or jail books, but the library representative may request that a book be returned at any time.
4. Donated books: Persons or groups from the community may from time to time wish to donate books to the jail for the benefit of the prisoners. Any jailer who receives an inquiry regarding the donation of books will refer the persons making the inquiry to the Jail Administrator. Prior to being shelved in the recreation room, the donated books will be inspected by a jailer or jailers designated by the Jail Administrator.

5. Books purchased by prisoners: Prisoners may purchase books by filling out the publisher's order form and requesting the program jailer to arrange for the acquisition of a money order during the next commissary run. (see also Procedures VII.G. and VIII.A.) The order form, envelope and money order will be mailed by the program jailer. When a book is received from the publisher, it will be subject to inspection by the central control officer or the admitting jailer prior to being delivered to the prisoner.
6. Books from friends or relatives: Friends or relatives of a prisoner may bring books to the jail for a particular prisoner. Those books will be subject to inspection for contraband and to limited censorship (see Appendix J). No prisoner will be allowed to keep more than one (1) such book (in addition to the one (1) library or jail book and the one (1) book from a publisher) in his or her cell at one time.
7. Newspapers: The jail will provide one daily edition of the "Buckeye Post" local newspaper for each cell block. The program jailer will see that the newspapers are distributed to the cell blocks. The housing jailer who goes off duty from the 7:00 a.m. to 3:00 p.m. shift will see that the previous day's papers are removed.

8. Other newspapers and magazines: Prisoners may subscribe to or may have newspapers and magazines delivered by friends or relatives, so long as the magazines and newspapers are not allowed to accumulate to an unsafe or unsanitary level in the cell.
9. Inspection and censorship: Any book, magazine or newspaper, whether brought to the jail by a prisoner's relatives and friends or arriving via the mails, will be subject to inspection for contraband by the central control officer or the admitting jailer. The inspection and censorship will be carried out within twenty-four hours of the receipt of the item. Censorship will be limited in accordance with the established guidelines (see Appendix J).

WORKSHEETA. OPERATIONAL AREA

Prisoner Programs - Legal References

B. STATE STANDARDS

(See standard for VII.C. "Reading Material")

C. CASE LAW:

Hollis v. State, \_\_\_\_\_ P.2d \_\_\_\_\_, 26 Crim L. Rptr, 2217  
(Sup. Ct. NV 1979)

Where a prisoner elects to proceed as his own counsel, he does not automatically gain the right of access to a full legal library, so long as prison authorities provide him with "reasonable" amount of appropriate reference material.

State v. Williams, 595 P.2d 1104 (Sup. Ct. KS 1979)

Where counsel was appointed to assist a prisoner, the prisoner did not have the right of access to a law library.

Jones v. Diamond, 594 F. 2d 997 (5th Circuit 1979)

The availability of public defenders and the ability of prisoners to "page" books from the county law library provided adequate access to the courts for pre-trial detainees. Where convicted prisoners were provided neither public defender assistance nor access to the law library, they were denied access to the courts and their claims for relief could be heard.

D. SUGGESTED GUIDELINESCommission on Accreditation

5261 Written policy and procedure grant prisoners access to legal assistance from individuals with legal training or from law library facilities, and to supplies and services related to legal matters.

E. MODEL POLICY AND PROCEDUREVII.D. Policy:

The right of access to the courts is a fundamental right of all United States citizens. The Ohio County Jail will take no action which interferes with this right or discourages any prisoner from exercising this right, except such limitations as are necessary for legitimate security and operational considerations.

Procedure:Prisoners Represented by Counsel:

1. Requests: The jail has established procedures (see in particular V.A. "Mail" and V.C. "Visitation") designed to provide ample access to attorneys who represent prisoners. Thus any prisoner who is represented by counsel will make requests, verbal or written, for any legal reference material directly to his attorney.
2. Delivery: If an attorney brings or mails to the jail any legal reference material, the admitting jailer will be responsible for inspecting such materials for contraband within twenty-four (24) hours of its receipt and having it delivered to the prisoner (see Procedure V.A., #7).
3. Denial: No jailer or other staff member of the jail will be allowed to refuse the delivery of legal reference material from counsel to a prisoner. If a housing jailer reports that the legal references in a prisoner's cell are accumulating to an unsafe level or are making cell inspections difficult, the housing jailer



will notify the Jail Administrator in writing via a standard memorandum.

4. Consultation: The Jail Administrator will then contact the attorney and consult with the attorney to determine the most equitable solution. Should the situation become unmanageable for the jail, the Administrator will consult with the Judge of the Court of Common Pleas and attempt to resolve the matter.

Prisoners Not Represented by Counsel:

5. Requests: Prisoners not represented by counsel may make written requests (on a plain sheet of paper) to any jailer for legal reference material. The request should include:
- the prisoner's name,
  - the date of the request, and
  - a description of the requested materials, as specific as possible.

(NOTE: Jailers may, but are under no obligation to, assist prisoners in preparing a request.)

6. Response: The jailer who receives the request for legal reference materials will:
- date and initial the request; and
  - transmit the request to the Jail Administrator.

The Jail Administrator will transmit the request to the County Bar Association Law Library. The law librarian may:

- return the request to seek clarification from the prisoner (if this occurs, the Administrator will discuss, or designate someone to discuss with the prisoner the nature of the request. If it is evident that the prisoner is unwilling or unable to be more specific, the Administrator or his designee will advise the prisoner that the jail cannot act as a legal researcher and that the prisoner may express a grievance (see Procedure IX.A.) to the Sheriff or to the courts if the prisoner desires;
  - use discretion in interpreting the request;
  - fill the request as stated or as interpreted by making photocopies of the appropriate materials and transmitting them to the jail.
7. Limitations: Prisoners not represented by counsel will be permitted to make no more than two requests per week for legal reference material.

WORKSHEETA. OPERATIONAL AREA

Prisoner Programs - Religious Services

B. STATE STANDARDS

5120:1-8-11

- (B) All jails shall develop written policies and procedures to permit prisoners to practice their religion, subject only to the limitations necessary to maintain security and order.

C. CASE LAW

Loney v. Scurr, 474 F. Supp. 1186 (S.D. IA 1979)

Court finds that the "Church of the New Song" is a bona fide religion and its adherents must be given opportunity to worship with no more restrictions than any other religion.

Chapman v. Pickett, 586 F. 2d 22 (7th Circuit 1978)

It is improper for prison authorities to force a Muslim prisoner to handle pork.

(NOTE: First Amendment to United States Constitution prohibits government from making any law "prohibiting the free exercise of religion".

D. SUGGESTED GUIDELINES

National Advisory Commission (1972)

2.16 Each correctional agency immediately develop and implement policies and procedures that will fulfill the right of offenders to exercise their own religious beliefs.

National Sheriffs' Association Manual on Jail Administration

Prisoners have the right to freedom of religious affiliation and voluntary religious worship, providing that exercise of these rights does not directly interfere with the security and discipline of the jail.

Ohio Common Pleas Court Judges Conference

Prisoners to be provided with Bibles on request. Each jail shall secure the services of a "Jail Chaplain" who will be available for religious services and individual counseling.

Commission on Accreditation

5355 The plan for prisoner programs provides for prisoners to participate in religious services and counseling on a voluntary basis.

E. MODEL POLICY AND PROCEDUREVII.E. Policy:

Every reasonable attempt shall be made by the jail staff to facilitate the free exercise of religious beliefs by prisoners. The exercise of religious beliefs shall be limited only by legitimate security and operational considerations.

Procedure:Regular Services

1. Schedule: The Ohio County of Churches will conduct regular ecumenical services on each Sunday from 7:00 p.m. to 8:00 p.m.
2. Call-out: When the representative(s) of the Council has been identified by the admitting jailer and escorted to the multi-purpose room, the admitting jailer will go to each male housing unit (except isolation and segregation) and announce that the service will be held. Prisoners who wish to participate will be escorted one housing unit at a time, to the multi-purpose room.

VII.E.

3. Supervision: The admitting jailer will stay in the multi-purpose room during the service (if the admitting jailer is called to process a new prisoner, the central control officer will arrange a housing jailer to relieve the admitting jailer in the multi-purpose room).
4. Return: When the service is completed, the admitting jailer will escort the prisoners to the housing units, one unit at a time.
5. Female prisoners: If any female prisoner has so requested, the Council of Churches representative will be asked to conduct a service in the female housing unit dayroom immediately following the service in the multi-purpose room.

Individual Services: If a prisoner wishes to meet with his or her own pastor or with a representative of a religion for purposes of confession, pastoral counseling or worship, the jailer who receives such a request will relay that request to the central control officer. If the prisoner has arranged a visit, the procedures set forth in Procedure V.C., #2 will be observed. If the prisoner cannot make his or her own arrangements (e.g., does not know who to contact), the housing jailer who first receives the request will contact the Council of Churches for assistance. When arrangements have been made for the appropriate representative to visit, the prisoner will be informed and the Central Control Officer will be informed so that the visit can take place. (See Appendix D for more information.)

VII.F.

WORKSHEET

A. OPERATIONAL AREA

Prisoner Programs - Other Services

B. STATE STANDARDS

5120:1-8-11

- (A) (5) All jails shall arrange for professional intervention when appropriate, in the areas of: alcoholism, drug abuse, academic/vocational, psychological/social services, and other community services.

C. CASE LAW

Norris v. Frame, 585 F. 2d 1183 (3rd Circuit 1978)

A prisoner awaiting trial who is presently on a methadone maintenance program has a protected liberty interest in the continuation of the program while in confinement, the arbitrary removal of the prisoner from the methadone maintenance program constitutes deliberate indifference to known medical needs.

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. OH 1971)

Court orders establishment of counseling, education, and other programs in the jail.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5352 There is a written plan to provide prisoners an array of programs that include, at a minimum, social services, religious services, recreation and leisure-time activities, library services, vocational counseling, and education courses.

5353 Where facility staff do not provide social services, arrangements are made to secure this service from the community.

5354 The plan for prisoner programs provides counseling and program services for prisoners with drug or alcohol addiction problems.

5358 The plan for prisoner programs includes provision for academic education courses.

5364 The plan for prisoner programs emphasizes the use of community resources.

E. MODEL POLICY AND PROCEDURE

VII.F. Policy:

In an effort to bring about self-improvement and assist prisoners with problems, the jail will attempt to secure all needed and available community resources.

Procedure:

1. Community services: The Jail Administrator will contact all community agencies for the purpose of determining which services each agency provides that may be appropriately utilized by the jail.
2. Contracts/agreements: The Jail Administrator shall formalize agreements, in writing if possible, with all agencies which can provide appropriate services. These contracts/agreements shall be reviewed and updated on an annual basis.
3. Community agencies: At the present time, the following agencies have agreed to provide services for the Ohio County Jail prisoners:
  - a. Ohio County Alcoholism Council.
  - b. The Cardinal Drug Abuse Screening and Treatment Center
  - c. The Ohio County Mental Health Center

d. The Buckeye Adult Education Center, and

e. The Buckeye Library

For phone numbers, addresses, and contact persons, refer to Appendix D.

4. Referrals: Any jailer who believes that a prisoner's past or present behavior warrants the attention of a community agency, he shall make a written referral to the program jailer stating the prisoner's name, the behavior which warrants attention, and the suggested community agency.
5. Specific Referrals:
  - a. Any prisoner admitted under the influence of alcohol shall be referred to the Ohio Alcoholism Council.
  - b. Any prisoner suspected of being under the influence of drugs shall be referred to the Cardinal Drug Abuse Screening and Treatment Center.
  - c. Referrals to these agencies (a and b) shall be made by the admitting jailer if the prisoner is received between 8:00 a.m. and 4:00 p.m. If the prisoner is admitted between 4:00 p.m. and 8:00 a.m., the admitting jailer shall make a written referral to the program officer.
  - d. Any prisoner who appears to have mental health problems, suicidal tendencies, signs of severe depression or anxiety shall be referred immediately to the Ohio County Mental Health Center by the jailer responsible for the prisoner.

6. Requests: If a jailer receives a request from a prisoner for treatment or services from a community agency, the jailer shall:

- a. ask the prisoner to make a written request on a blank sheet of paper, stating his name and service requested;
- b. immediately forward the written request to the program jailer's office.

7. Program jailer: It is the responsibility of the program jailer to contact the appropriate community agency(s) within 48 hours of receiving the request, arrange for treatment/services, and monitor all ongoing services.

WORKSHEETA. OPERATIONAL AREA

Routine Procedures - Commissary

B. STATE STANDARDS

5120:1-8-11

- (A) (4) All jails shall provide prisoners with commissary privileges either through in-house or other arrangements.

C. CASE LAW

United States ex rel. Wolfish v. Levi, 439 F. Supp. 114  
(S.D. NY 1977) (Manhattan M.C.C.)

The inmate's commissary requests are to be taken at least every other day and the inmate is to be permitted to indicate his second choice of selections.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5365 There is an inmate commissary or canteen where inmates can purchase an approved list of items not furnished by the facility; in small jails, provision is made for the purchase of these items from nearby stores.

5366 Strict controls are maintained over operation of the inmate commissary or canteen and regular accounting procedures are followed.

E. MODEL POLICY AND PROCEDURE

VII.G. Policy:

All prisoners will have the opportunity to make purchases of personal items through the commissary service of the jail, but the jail retains the right to limit the nature and amount of such purchases for operational and security reasons.

Procedure:

1. List: A list of available commissary items will be given to each prisoner as part of the Prisoner Handbook. The list currently in use is found in Appendix E of this manual. No prisoner may purchase more than \$5.00 worth of items with any single order.
2. Request: Prisoners' requests for commissary items will be taken by the housing jailer on duty between 8:00 a.m. and 9:00 a.m. on Mondays, Wednesdays and Fridays. The jailer will go to each cell block in his or her housing area and make a separate list of those items requested by each prisoner, dating each list. The housing jailer(s) will place the list(s) on the clipboard designated for this purpose in the Central Control Room.
3. Review: The central control officer working the 7:00 a.m. to 3:00 p.m. shift will review the lists, comparing the amounts to the funds remaining in each prisoner's account. See #9, re: indigent prisoners.
4. Purchase: The same central control officer will telephone the Village Pharmacy and Variety Store with the order(s) sometime prior to 11:00 a.m.
5. Pick-up: The central control officer will designate an officer to pick-up the order before 2:00 p.m. on the day of the order.
6. Delivery: The housing jailer(s) will deliver the items to the prisoners during the afternoon or evening on the day of pick-up.

7. Signature: As each prisoner receives the items, the prisoner will sign and date the original written order (see #2) adjacent to his name.
8. Recording: The written order, signed and dated by the prisoner at the time of delivery, will be placed in the prisoner's money envelope for payment upon release. On the back of the envelope, the balance should be reduced to reflect the most recent purchase.
9. Indigent Prisoners: Those prisoners who have insufficient cash in their money envelopes may also request certain commissary items (see below). When the central control officer reviews the requests and accounts prior to placing the orders, the officer will note on the prisoner's request that there are not sufficient funds. Those items noted in #10 will still be purchased if requested. The request slip will be signed by the prisoner and placed in the prisoner's money envelope, as per steps #6-8. During the release process, any negative balance incurred by the indigent prisoner for these items will be deducted from any deposits made to the prisoner's account subsequent to the purchases. If, after reconciling the deficit with whatever funds are in the prisoner's account at release, a negative balance remains, the amount of the negative balance will be circled in red and the money envelope sent to the Jail Administrator, who will transmit it to the Sheriff's Department's Bookkeeper.

WORKSHEET

10. Items to be purchased for indigent prisoners: Those items marked with an asterisk in Appendix E.

A. OPERATIONAL AREA

Other Routine Procedures - Control of Prisoner Funds

B. STATE STANDARDS

5120:1-8-01

(R) No prisoner shall be permitted to possess any form of money while in confinement.

5120:1-8-06

(F) Each jail shall have a procedure for recording all deposits and disbursements of prisoner funds in accordance with the Auditor of State, Bureau of Inspection and Supervision of Public Offices, Circular No. 77-5.

(1) A receipt shall be made of all such deposits with a copy given to the prisoner.

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5034 Written policy and procedure address at least the following fiscal matters:.....inmate funds.

E. MODEL POLICY AND PROCEDURE

VIII.A. Policy:

No prisoner will be permitted to keep cash on his person or in his cell while in confinement. All prisoner funds will be controlled by jail personnel in a fair, ethical and honest manner.

Procedure:

1. Storage. Prisoner funds are to be stored in the prisoner's money envelope in the Central Control Room and locked in the appropriate cabinet.
2. Deposits: If a deposit is made on behalf of a prisoner, the central control officer will:
  - a. prepare a receipt (Appendix N.4.e) for the person depositing the money;
  - b. place the money in the prisoner's money envelope noting the amount and date on the envelope;
  - c. enter the amount deposited, date, and prisoner's name in the general account book; and,
  - d. prepare a receipt to be delivered to the prisoner by the housing jailer on his next round.
3. Expenditures: Prisoners may release money to third parties (see Procedure VIII.B.) and spend money through the commissary services (see Procedure VII.G.).

WORKSHEETA. OPERATIONAL AREA

Other Routine Procedures - Release of Prisoner Property to Third Parties

B. STATE STANDARDS

None directly applicable. See those generally related to prisoner property.

C. CASE LAW

McKeever v. Israel, 476 F. Supp. 1370 (E.D. WI 1979)

A prisoner seeking damages for loss of personal property must exhaust the institutional grievance mechanisms before seeking relief in the courts.

Velarde v. Ricketts, \_\_\_\_ F. Supp. \_\_\_\_, 26 Crim. Law Rptr. 2252 (D. CO 1979)

A prison rule which prohibits one prisoner from transferring property (in this case a television set) to another prisoner is valid. Such a rule is intended to prevent the use of legitimate institutional procedures by prisoners to pay gambling debts, bribes, or other illegal prisoner activities.

D. SUGGESTED GUIDELINES

None directly applicable. See generally those related to jails' responsibility of protecting prisoner property and to the keeping of accurate records.

E. MODEL POLICY AND PROCEDUREVIII.B. Policy:

Prisoners may be allowed certain control over personal property, but may not transfer any personal property item held by the jail to any other prisoner in the jail. Jail staff shall exercise due care in recording the release or transfer of prisoner property.



Procedure:

1. Request: The prisoner must submit a written request on plain paper to the housing jailer on duty. The request will specify:
  - a. the particular items to be released;
  - b. the name, address, telephone number and relationship of the person to whom the items are to be transferred;
  - c. the prisoner's signature; and
  - d. the date of the request.
2. Response: Upon receipt of the request, the housing jailer will:
  - a. contact the person designated and advise them of the date and time the items may be picked up. Only the person designated by the prisoner will be allowed to pick up the items; and
  - b. notify the central control officer and give that officer the prisoner's request.
3. Pick-up: When the person designated by the prisoner appears to pick up the items, the central control officer on duty will:
  - a. verify the identity of the person;
  - b. obtain the items to be released from the prisoner's property envelope or other place of storage;

- c. require the person receiving the property to sign the property transfer request below the written statement "I certify that the property listed on this request was given to me on (date)." The officer shall also sign his or her name and unit number as a witness.
4. Recording: The central control officer will then place the signed request in the prisoner's property envelope, reseal and return the envelope to storage, noting the transaction in the Daily Log.

WORKSHEETA. OPERATIONAL AREA

Other Routine Procedures - Preparing Prisoners for Court

B. STATE STANDARDS

5120:1-8-03

- (T) Written procedures shall be developed for transporting prisoners outside the facility.
- (V) Each Jail Administrator shall develop written policies and procedures governing the use of physical restraints.
  - (1) No prisoner placed in physical restraints shall be left unattended.
- (X) Restraining devices shall only be employed during transportation or pending the approval of the Jail Physician for the following:
  - (1) To prevent the prisoner from harming himself;
  - (2) Protection of another person from a prisoner attack; and
  - (3) Self defense of staff.

C. CASE LAW

None directly applicable. Refer to local rules of court for policy on prisoner court attire and use of physical restraining devices for court appearances.

D. SUGGESTED GUIDELINESCommission on Accreditation

5234 Written policy and procedure govern the use of restraint equipment.

5236 Written policy and procedure govern the transportation of prisoners outside the facility.

E. MODEL POLICY AND PROCEDUREVIII.C. Policy:

Prisoners will be prepared for and transported to court-appearances in a timely fashion and in strict accordance to the orders of the court.

Procedure:

1. Court list: Each morning of a regular court day, the central control officer on duty will review Booking Cards for all prisoners and make a list of those who are to appear in court.
2. Call-out: The central control officer will notify the housing jailer(s) of those prisoners to be escorted, and the housing jailer(s) will conduct a call-out. When the prisoners have been assembled, they will be escorted by the housing jailer(s) to the booking area to await transport (NOTE: female prisoners will be escorted separately by the matron on duty and will await transport in a section of the booking area apart from male prisoners). As the prisoners pass the booking area, the admitting jailer will check the prisoners against the photographs on the Booking Cards to verify their identity and then place each card in the "out of area" file in the Central Control room.
3. Supervision: The admitting jailer on duty in the booking room will supervise the prisoners while they await transport (if there are more than 15 prisoners, a housing jailer will remain to assist).

4. Court escort: The admitting jailer will turn over the prisoners to the escorting officer(s) who will take the prisoners to court and remain with them for supervision. (NOTE: Court escort duty and court security is a rotating assignment for officers of the Sheriff's Patrol Division.)
5. Restraints:
- a. Prisoners transported to the Ohio County Court of Common Pleas, through the fenced walkway connecting the jail with the courthouse, will not be handcuffed unless they meet the criteria noted #6 "Potential Escapee."
  - b. Prisoners transported outside the jail to any other courtroom shall be handcuffed. If such a prisoner meets the criteria noted in #6, "Potential Escapee," the transportation officer shall discuss the use of additional restraints or officer(s) with the Jail Administrator or ranking jailer on duty.  
  
(NOTE: The Judges of the Ohio County Court of Common Pleas and Municipal Court have requested that no prisoner appear in the courtroom wearing restraints.)
6. Potential Escapee: If any of the following factors apply to a prisoner, he is to be considered a potential escape risk:
- a. history of escape or attempted escape;
  - b. history or other indication of violence during transportation; or

- c. refusal to cooperate with a jailer during call-out or other procedures associated with court appearances.
7. Records: All prisoner movement to court and use of additional restraints will be noted in the Daily Log. The escorting officer will sign the Release Log for receipt of the prisoner and upon his return.
8. Clothing: If a prisoner requests special clothing for a court appearance, the prisoner will be allowed to make his or her own arrangements for the timely delivery of the clothing. The items will be subject to inspection by the admitting jailer before being given to the prisoner in the booking area.
9. Information: The admitting jailer will provide the escort officer(s) with the court list, showing the courts and times of appearance for each prisoner.
10. Return: Upon return to the jail, the escorting officer will provide documents and information necessary to update jail records. The central control officer will update the Booking Cards and the prisoner files, noting where applicable:
- a. future court dates and times;
  - b. name(s) of newly appointed counsel;
  - c. bond set;
  - d. sentence imposed; and

e. any other information which affects the prisoner's status (see Procedure III.A., #5, on Review of Classification).

11. Alert: The escorting officers will also inform the admitting jailer of any events which occurred during the court appearance which may negatively affect the behavior of a prisoner (e.g., especially a severe sentence, denial of bond, unexpected verdict, etc.). The admitting jailer will alert the housing jailer(s) who will in turn note these circumstances in the Daily Log

WORKSHEETA. OPERATIONAL AREA

Grievances and Discipline - Prisoner Grievances

B. STATE STANDARDS

5120:1-8-16

- (A) Each facility shall establish a procedure whereby a prisoner may express his grievance to the facility administrator. All prisoners shall be notified in writing of this procedure.

C. CASE LAW

None reported in 1979

D. SUGGESTED GUIDELINESNational Sheriffs' Association

The Sheriff or Jail Administrator should have a method for impartial investigation and resolution of complaints.

National Advisory Commission, Corrections Report

2.14 Each correctional agency should develop and implement a grievance procedure.

Commission on Accreditation

5277 There is a written prisoner grievance procedure, which is made available to all prisoners.

E. MODEL POLICY AND PROCEDUREIX.A. Policy:

Any prisoner shall be allowed to file a grievance at such time as the prisoner believes he or she has been subject to abuse, harrassment, abridgement of civil rights, or denied privileges specified in the Prisoner Handbook. (Grievances must be restricted to incidents which occur while the prisoner is in custody of the Ohio County Sheriff's Department.)

Procedure:

1. Transmittal: A grievance shall be made in the form of a written statement by the prisoner promptly following the incident, sealed in an unstamped envelope and addressed to the Jail Administrator. Such a letter will be transmitted promptly and without interference to the Jail Administrator by any jailer or staff member to whom the grievance is given.
2. Contents: The grievance shall state fully the time, date, names of those jailers and/or staff members involved, and pertinent details of the incident including the names of any witnesses.
3. Review: Upon receipt of a grievance by the Jail Administrator, the Administrator shall review the grievance, and determine:
  - a. if the grievance constitutes a proscribed act by a jailer or staff member,
  - b. violation of the prisoner's civil rights,
  - c. a criminal act, or
  - d. an abridgement of prisoner privilege as cited in the Prisoner Handbook.
4. Sheriff's Review: If the grievance constitutes a proscribed act by a jailer or staff member, a criminal act, or a violation of the prisoner's civil rights, the Jail Administrator may forward the grievance to the Sheriff for prompt investigation.

5. Investigation: If the grievance constitutes an abridgement of the prisoner's privileges as specified in the Prisoner Handbook, the Jail Administrator may appoint an impartial member of the County Sheriff's Department staff to investigate the grievance and report his findings and recommendation(s) to the Jail Administrator.

(NOTE: Any jailer or staff member who subjects a prisoner to harassment, curtailment of privileges or any type of punishment because of a grievance, or attempts to prevent or interfere with the reporting of a grievance, shall be subject to immediate dismissal from employment.)

6. Response: Any prisoner who submits a grievance to the Jail Administrator shall promptly receive a response from the Sheriff following investigation of the grievance, to include findings and actions taken by the Jail Administrator.
7. Appeal: If not satisfied with the disposition of the grievance by the Jail Administrator, the prisoner shall be furnished paper, pencil, and an envelope in order to set forth his grievance in writing and his objection to the disposition of the grievance. The Sheriff shall immediately deliver the sealed envelope to the Court of Common Pleas for consideration.
8. Records: The Jail Administrator shall maintain a file of all grievances and their disposition, and ensure that all orders of the court are followed should the judge's decision overturn that of the Administrator's.

WORKSHEETA. OPERATIONAL AREA

Grievances and Discipline - Discipline: Definitions and Offenses

B. STATE STANDARDS

5120:1-8-12

- (A) Each facility shall develop written policies and procedures governing all disciplinary and administrative actions.
- (B) Jail rules governing prisoner conduct shall clearly define violations and classify them as being either minor, major, or serious in nature.
- (1) The rules shall also list penalties which may be imposed on prisoners found guilty of rule violation(s).
- (2) The rules shall be posted in a conspicuous place in the confinement area if not issued to prisoners in printed form.
- (F) Prisoners whose misconduct constitutes a crime shall be informed that anything they say in a disciplinary hearing may be used against them in a court of law.
- (1) The criminal misconduct shall be referred to the prosecuting attorney.

5120:1-8-13

Rules shall be divided into three distinct categories according to the nature of the violation and the maximum penalty which may be imposed.

(A) MINOR VIOLATIONS

- (1) Minor violations shall include acts which do not constitute a present and immediate threat to the security of the facility, its staff, prisoners, visitors, or the prisoner who committed the violation (e.g., "horseplaying, excessive noise, dirty clothing or living quarters, poor personal hygiene).
- (2) Minor violations may be penalized by no more than a verbal reprimand unless authorized by the Jail Administrator. In no event shall the penalty exceed restriction of privileges such as commissary and entertainment for a period greater than 48 hours.

(B) MAJOR VIOLATIONS

- (1) Major violations shall include persistent minor rule infractions, cases where a determination is made that the remedy for a minor violation serves no deterrent effect, and violations which cannot be considered minor but do not constitute a violation of statutory law or a present and immediate threat to the security of the jail, its staff, prisoners, visitors, or the prisoner committing the violation (e.g., carelessness with tools and equipment, obscene gestures, lying).

C. CASE LAW

Wolff v. McDonnell, 418 U.S. 539 (Supreme Court 1974)

Minimum due process requirements apply to disciplinary proceedings, including 24-hour notice to prisoner; written reasons for actions taken against prisoner; assistance (short of paid counsel) in preparing and presenting defense.

Baxter v. Palmigiano, 425 U.S. 308 (Supreme Court 1974)

No right to counsel in disciplinary proceedings. Rights to present evidence and to cross-examine may be limited by institution's need for security and order.

Sykes v. Kreiger, No. C 71-1183 (N.D. OH 1975)

Wolff-type procedural requirements apply to county jails.

Owens-El v. Robinson, 442 F. Supp. 1368 (W.D. PA 1978)

Use of restraints as a disciplinary measure violates Eighth Amendment.

D. SUGGESTED GUIDELINES

Commission on Accreditation

Standards are virtually identical to state standards, all based on Wolff v. McDonnell and Baxter v. Palmigiano.

E. MODEL POLICY AND PROCEDURE

IX.B. Policy:

Every prisoner of the Ohio County Jail has the right to know what behavior is expected and the

penalties for misbehavior. The disciplinary process must be fair and systematic so that no person, staff or prisoner may plead ignorance of the rules or bias in the procedure. Hasty, arbitrary and/or corporal punishment will not be allowed.

Definitions and Classes of Disciplinary Offenses:

1. Violations: A prisoner shall only be subject to discipline for those violations described in the Prisoner Handbook, or those which have been, or may be proscribed by state law. If the offense committed constitutes a crime, the Jail Administrator shall refer the case to the appropriate prosecuting attorney for possible charges. Whether or not the offense constitutes a crime, the prisoner shall be subject to disciplinary action.
2. Violation Classification: Violations shall be classified as Minor, Major, or Serious according to the following descriptions:
  - a. Minor violations shall include acts which do not constitute a present and immediate threat to the security of the facility, its staff, prisoners, visitors, or the prisoner who committed the violation. Such violations shall include but not be limited to:

- (1) Failure to comply with any jailer's orders.
  - (2) Profanity, derogatory remarks or gestures to any member of the staff, visitors, or fellow prisoners.
  - (3) Unnecessary noise such as arguing, shouting, whistling, rattling or pounding on doors or windows.
  - (4) Loud talking or unnecessary noise after lights out.
  - (5) Talking through windows to person(s) on the exterior of the jail.
  - (6) Failure to perform routine duties such as cleaning housing areas and making beds during prescribed hours.
  - (7) "Horseplaying," teasing or verbally harassing another prisoner.
- b. Major offenses shall include persistent minor rule infractions, cases where a determination is made that the remedy for a minor violation serves no deterrent effect, and rule violations which cannot be considered minor but do not constitute a present and immediate threat to the security of the jail, its staff, prisoners, visitors, or the prisoner committing the offense. Such violations shall include but not be limited to:

- (1) Repeated minor violations
- (2) Disobeying a jailer
- (3) Lying to a jailer
- (4) Fighting, molesting
- (5) Minor damage of jail property (less than \$50)
- (6) Abusing commissary, visiting, telephone and/or recreation privileges
- (7) Abusing food services
- (8) Attempting to control the behavior of other prisoners through coercion, force, or threat. Assigning work to other prisoners
- (9) Disrupting religious, medical or food services, or any other jail activity or program
- (10) Smoking in bed, or any other prohibited area
- (11) Stoppage or placement of foreign matter into toilets or sinks
- (12) Retention of any medication issued at this facility or from any other source.
- (13) Writing on the walls
- (14) Possession of anything not on the list of "Permitted Items" or authorized by the jail staff.

c. Serious violations shall include acts which constitute violation of statutory law and/or a present and immediate threat to the security of the jail, its staff, prisoners, visitors, or the prisoner committing the violation. Such acts shall include but not be limited to:

- (1) Repeated major violations
- (2) Assault on another prisoner or staff member
- (3) Escape, attempted escape, or aiding another in escape
- (4) Possession of alcoholic beverages or unauthorized drugs
- (5) Theft
- (6) Damage of jail property (in excess of \$50)
- (7) Interfering with security operations of the jail
- (8) Arson
- (9) Possession of a weapon or chemical agent or any object which has been modified so that it may be used as a weapon
- (10) Creating or inciting to riot
- (11) Malicious destruction, alteration or misuse of property.



WORKSHEETA. OPERATIONAL AREA

Grievances and Discipline - Due Process

B. STATE STANDARDS

5120:1-8-12

- (C) Maximum levels for disciplinary isolation or loss of privileges and certain rights shall be for a specified number of hours or days.
- (D) Corporal punishment shall be prohibited.
- (E) Under no circumstances shall discipline be administered to prisoners through the use of proceedings or enforces commonly referred to as "kangaroo court," "tank judge," "barn boss," "sanitation committee," or other such devices.

5120:1-8-13

- (B) (2) Privileges which may be suspended:
  - (a) Entertainment (i.e., radio, TV, movies, games).
  - (b) Commissary (except personal hygiene items).
  - (c) Visits by friends.
  - (d) Phone calls to friends and family.
  - (e) Desserts, snacks.
  - (f) Major rule violations shall be subject to restriction or suspension of privileges for a period up to 120 hours.
- (B) (3) Rights which may be suspended:
  - (a) Minimum of one visit per week by family. (Review weekly for reinstatement.)
  - (b) Two hours exercise per week. (Review weekly for reinstatement.)
  - (c) Clothing, bed, bedding, use of toilet, lavatory, and shower. (Review daily for reinstatement.)

- (d) The qualified rights mentioned in (1), (2), and (3) of this standard may be suspended only (a) when the practice in a particular case poses a serious threat to security or (b) when the jail or jail property issued is seriously abused.
  - (e) The incident(s) leading to the qualified rights of a prisoner being suspended shall be thoroughly documented.
  - (f) The decision by the facility administrator or his designee to deny a prisoner a provision(s) listed in (1), (2), or (3) of this standard shall be reviewed for the purpose of reinstating the provision(s) at the earliest possible time.
- (4) Fundamental rights which cannot be suspended:
    - (a) Visits by attorneys.
    - (b) Visits by clergy as approved by probate court.
    - (c) Phone calls to attorneys or clergy.
    - (d) Adequate food (nutritional diet).
    - (e) Adequate light, ventilation, temperature control, and sanitation.
    - (f) Medical care.
  - (5) An offense report must be filed with the facility administrator and the offender notified of the alleged major rule violation(s), at which time the prisoner may request an impartial review by a hearing officer. The facility administrator or his designee shall review this request and determine if a hearing is warranted.
  - (6) The facility administrator or his designee must approve the penalty.
- (C) SERIOUS VIOLATIONS
- (1) Serious violations shall include acts which constitute violation of statutory law and/or violations which constitute a present and immediate threat to the security of the facility, its staff, prisoners, visitors, or the prisoner who committed the violation (e.g., fighting; possession of drugs, intoxicants, weapons and contraband; gambling; threats; creating a disturbance; malicious destruction; alteration or misuse of property).

- (2) Serious rule violations may be penalized by disciplinary isolation for a period up to ten (10) days, the loss of "good time" where applicable, and/or suspension of privileges.
- (3) When a member of the facility staff suspects that a prisoner has committed a serious rule violation, he may place the prisoner in isolation upon receiving the approval of his immediate supervisor. Such action should be taken in cases where there is a substantial reason to believe that the prisoner's presence in the general population poses a threat to security or the well being of the prisoner or others.

5120:1-8-14

- (A) A neutral officer, designated by the Jail Administrator shall make a complete investigation within twenty-four (24) hours of an accusation against a prisoner to determine if probable cause exists and if it is a serious violation.
- (B) A charged prisoner shall be informed in writing within twenty-four (24) hours (after being placed in a disciplinary isolation) of the following:
- (1) The specific rule(s) broken.
  - (2) The accuser, unless deemed unadvisable by the investigation.
  - (3) The time.
  - (4) The date and place of the violation and the facts on which the charge is based.
- (c) A written summary of the rights of prisoners at the disciplinary hearing shall be provided to the prisoner.
- (D) The prisoner may receive assistance in preparing his case from a member of the jail staff, treatment staff, or another prisoner as determined by the hearing officer.
- (E) The prisoner shall have a minimum period of twenty-four (24) hours between the time he receives the written information to be provided him under Rule 5120:1-08-14(B) of the Administrative Code, and the time he must appear before the hearing officer.
- (1) The prisoner may waive the twenty-four (24) hour period but such waiver shall be in writing and signed by the prisoner.

- (2) The prisoner must be given a hearing within forty-eight (48) hours, excluding holidays, weekends, and emergencies, after receiving the written information to be provided under Rule 5120:1-08-14(B) of the Administrative Code.
- (F) The hearing officer shall be of supervisory rank, provided he is not the charging officer or a witness. The hearing officer exercises control over the hearings.
- (G) The prisoner has the right to be heard, present evidence, and cross-examine witnesses, subject to limitations imposed by the hearing officer.
- (1) The reasons for any limitations placed on testimony or witnesses shall be stated in writing by the hearing officer.
- (H) The hearing officer shall be required to find substantial evidence of guilt before imposing sanctions and provide to the prisoner a written statement of facts relied upon and reasons for the action.
- (I) If the decision finds the offender did not commit the violation, the facility shall maintain a record of the incident; however, it shall not be used against the prisoner in any future disciplinary hearings.
- (J) A procedure shall be established wherein prisoners are afforded an opportunity to appeal disciplinary actions to the facility administrator.

C. CASE LAW

See those cited for IX.B. and those under II.F., "Issuance of Prisoner Handbook."

D. SUGGESTED GUIDELINESCommission on Accreditation

Standards support state standards re: due process - see Commission Standards 5287 through 5304.

## E. MODEL POLICY AND PROCEDURE

## IX.C. Policy:

Due process procedures are initiated to insure that observable behavior which has an adverse effect on another person or the order of the jail is corrected in a way which prevents the arbitrary application of discipline. A prisoner's right to due process is guaranteed by the Fifth and Fourteenth Amendments.

At no time will a prisoner be punished, harassed, neglected, or ignored in his/her pursuit of the right to due process during disciplinary proceedings.

Procedure:

When a jailer witnesses a violation of rules by a prisoner, or when a violation of rules is reported by another prisoner or staff member, the jailer who sees the violation or receives the report shall initiate procedures as follows:

1. Violent prisoner: If the prisoner offender is violent, or there is immediate and reasonable cause to believe the prisoner offender will continue to inflict

injury on another person, himself, or to facility property, then the prisoner offender shall be promptly confined in an isolation cell. When such action may be necessary, the ranking jailer on duty shall be notified immediately for approval. Placement in isolation may not exceed 48 hours (excluding weekends, holidays and emergencies) without a hearing.

2. Preliminary determination: The jailer will make a preliminary determination as to the nature of the violation: minor, major, or serious.
3. Minor violations: If the violation appears minor in nature, the jailer shall either:
  - a. Verbally reprimand the prisoner offender and inform him that continued violation of the rule may result in loss of privileges or,
  - b. Inform the prisoner of his wrong doings and tell him that his behavior is being reported to the Jail Administrator or ranking jailer and note the incident in the Daily Log.
4. Major or serious violations: If the violation is major or serious, the jailer will promptly prepare the Rule Violation Report (Appendix N3a) stating fully and accurately all facts pertaining to the rule(s) violated. All information specified in the report shall be completed by the jailer who initiates the

report. The report shall be delivered to the Jail Administrator or ranking jailer immediately upon its completion.

5. Violation review: Upon receipt of a verbal or written report of a rule violation, the Jail Administrator or ranking jailer shall review the facts and decide if the jailer's determination as to the seriousness of the violation is accurate and then, formally classify the violation.
6. Informing the prisoner:
  - a. If the jail administrator (ranking jailer) classifies the violation as minor, he shall assess the appropriate penalty(s) (see #17 a. and b.) and inform the housing jailer of his decision. The housing jailer will inform the prisoner of the penalty(s), record it in the Daily Log, and notify Central Control of the change in the prisoner's status.
  - b. If the Jail Administrator classifies the violation as major or serious, he shall provide the prisoner with written notification of the charges on the appropriate form (Appendix N3.b.), inform him that he has a right to request a hearing, and that such a request must be made in writing.
7. Hearing request: If a prisoner accused of a major violation requests a disciplinary hearing, the Jail Administrator shall review the request and determine if a hearing is warranted.

- a. If the Jail Administrator determines a hearing is warranted, he shall follow the procedures described in #9.
- b. If the Jail Administrator determines a hearing is not warranted, he shall:
  - (1) assess the appropriate penalty (see #17 a. and b.),
  - (2) inform the prisoner in writing (Appendix N3.c) of the reason for not granting the hearing, the penalty imposed, and the facts relied upon,
  - (3) inform the housing jailer who will note it in the Daily Log, inform Central Control of changes in the prisoner's status and take appropriate disciplinary action.
8. Waiver:
  - a. Prisoners accused of serious violations shall be informed that they may waive their right to a disciplinary hearing. Such a waiver shall be secured using the form in Appendix N3.d.
  - b. Upon a prisoner's waiving of rights for a hearing, the Jail Administrator shall follow the steps outlined above in 7 a. and b.
9. Investigation and hearing officer: If the violation warrants a hearing, the Jail Administrator shall appoint an impartial officer to investigate the incident and designate an impartial hearing officer. The hearing officer must be of supervisory rank. The Jail Administrator may designate himself if he was neither a witness nor a charging jailer.

10. Investigation report: The investigating officer shall make a complete investigation within 24 hours of the accusation including interviewing witnesses, parties involved, etc. He shall prepare a complete report in memo form and submit it to the designated hearing officer.
11. Notice of charges and rights: After the investigation is completed, the investigating officer shall inform the prisoner in writing of the specific rule broken, the accuser, the time, date and place of the violation and the facts upon which the charge is based. (Appendix N3.e). The prisoner shall also be informed of his rights at the hearing (Appendix K). The above facts must be presented to the prisoner within:
- a. twenty-four (24) hours if the prisoner has been placed in isolation (from time of isolation),
  - b. Forty-eight (48) hours after the accusation if the prisoner was not placed in isolation.
12. Schedule and notice: The designated hearing officer shall schedule a hearing and notify the prisoner of the date and time of such hearing. Such hearing shall take place within:
- a. Forty-eight (48) hours from time of placement, if the prisoner is in isolation,

- b. Seventy-two (72) hours from time of accusation if the prisoner is not in isolation.

NOTE: Said hours shall exclude holidays, weekends and emergencies.

13. Assistance: If the prisoner requests assistance in preparing the case, the hearing officer shall interview the prisoner to determine the prisoner's ability to understand the hearing process. If the hearing officer determines the prisoner needs assistance, he shall appoint the program jailer, a counselor or another prisoner to provide the assistance.
14. Hearing instructions: The hearing officer shall provide the following information to the prisoner and the accusing jailer or staff member:
- a. The prisoner has the right to be given a written notice of the charges against him/her.
  - b. The prisoner may request assistance in preparing for the hearing.
  - c. The prisoner has the right to testify or remain silent regarding the alleged violations.
  - d. Each side shall have the right to present witnesses in its own behalf and to question the opposing witnesses.
  - e. Each side has the right to present any letters or documents and to examine or review any and all documents introduced as evidence.

15. Hearing Procedures: The hearing officer shall:

- a. Ask prisoner if he understands the purpose of the hearing and if he has any questions.
- b. Determine if a neutral investigation of the incident in question was conducted within 24 hours.
- c. Determine if the prisoner was placed in isolation prior to receiving written notice of charges, or before the hearing took place. (NOTE: The prisoner shall receive the necessary notice of charges within 24 hours after being placed in isolation, and the hearing must be given within 48 hours after the prisoner was placed in isolation. If the prisoner was not placed in isolation prior to the hearing, the prisoner must receive notice of the charges within 48 hours of the incident and must be given a hearing within a reasonable time (3 days) of the incident.)
- d. Examine written notice of charges, notice shall include:
  - (1) name of jailer or employee who observed and reported the violation,
  - (2) specific rule broken,
  - (3) time, date and place of violation,
  - (4) description of the conduct constituting the violation.

- e. Read violation charges: pursue each violation separately.
- f. Call witnesses to testify separately:
  - (1) Jailer reporting violation.
  - (2) Jailer's witnesses or documents and evidence.
  - (3) Cross examine.
  - (4) Prisoner's statements.
  - (5) Prisoner's witnesses, documents or evidence: (reasons for any limitations placed on testimony or witnesses shall be stated in writing by the hearing officer).
  - (6) Cross examine.
  - (7) Continue this procedure for each violation and until all evidence and witnesses have been concluded.
  - (8) The jailer may summarize what he believes the evidence has shown.

16. Conclusion:

- a. Hearing officer shall find either probable cause or no probable cause on each charge, and announce the decision at the conclusion of the hearing. Substantial evidence of guilt must be found before assessing penalties.
- b. Imposition of penalty;

- (1) Specific disciplinary action to be taken (there must be a time limit set on every penalty imposed).
- (2) See the list of penalties which may be imposed in #17.

c. Provide prisoner with a written statement of facts relied upon and reasons for action, also include the specific disciplinary action to be taken and the time limit on the penalty. (Appendix N3.f).

d. Inform the prisoner that he may appeal this decision by submitting a written statement to the facility administrator requesting a review of the hearing findings.

17. Penalties. Penalties assessed for violations shall be limited to placement in isolation and/or denial of privileges. Placement in isolation and denial of privileges shall be for a specified length of time (i.e., hours or days).

a. Maximum time limits for which penalties may be imposed for each classification of offense (see IX.B.) are as follows:

- (1) Minor offenses - denial of privileges - up to 48 hours (2 days)
- (2) Major offenses - denial of privileges and/or isolation - up to 120 hours (5 days)
- (3) Serious offenses - denial of privileges and/or isolation - up to 240 hours (10 days).

b. Privileges which may be denied:

- (1) Entertainment (radio, TV, movies, games, etc.)
- (2) Commissary (except necessary hygiene items)
- (3) Visits by friends
- (4) Phone calls to friends and family
- (5) Deserts, snacks, etc.

c. Rights which MAY NOT be denied:

- (1) Visits by attorneys
- (2) Visits by clergy as approved by Probate Court
- (3) Phone calls to attorneys and clergy
- (4) Minimum of one visit per week by family (unless this practice is abused or where such a visit poses a serious threat to security)
- (5) Two hours of exercise per week (unless such a practice poses a serious threat to security)
- (6) Adequate food (nutritional diet)
- (7) Adequate light, ventilation, temperature control, and sanitation
- (8) Medical care
- (9) Proper clothing, bed and bedding, use of toilets, lavatory and showers, unless the practice is abused and thoroughly documented.

18. Records: All records from the disciplinary hearing shall be stapled together and placed in the prisoner's file in the Central Control Room. If the prisoner is found not guilty of the violation charged, the records of such hearing shall not be used against him in any future disciplinary action.

19. Appeal: If the prisoner desires to appeal the decision, he shall be furnished with paper, pencil, and an envelope with which to file a written appeal. The appeal shall be addressed to the hearing officer and **MUST BE FILED WITHIN 24 HOURS OF THE CLOSE OF THE HEARING.** The hearing officer shall transmit the request for an appeal hearing to the Sheriff immediately.

a. The Sheriff, upon receipt of a request for an appeal hearing, shall set a date and time for the hearing, conduct such additional investigation as he deems necessary, review the record of the previous hearing and conduct the appeal hearing. If the Sheriff was a witness to the incident, a party to the previous hearing, or involved in the original investigation, he shall not serve as the appeal hearing officer, but shall appoint some other impartial person to serve.

WORKSHEETA. OPERATIONAL AREA

Transfer and Release - General Procedures

B. STATE STANDARDS

5120:1-8-01

- (A) Each jail shall develop policies and procedures governing the...release of prisoners.
- (T) Proper and written legal authorization shall be required prior to the release or removal of any prisoner from confinement.
- (U) When a prisoner is released to the custody of another jurisdiction, the identity of the escorting officer shall be verified.
- (V) The escorting officer shall sign a release authorization for the prisoner.
- (W) A true record shall be made of the time and date of release from confinement, the authority by which released, and into whose custody the prisoner is released.
- (X) All prisoners being released or removed from confinement shall be positively identified by a photograph or I.D. bracelet.
- (Y) All prisoners shall sign a receipt for property, valuables and cash returned to them at the time of release.
- (Z) Any complaint regarding property returned must be made in writing, with specific details of the complaint.
- (AA) Prisoners shall be visually observed while changing into street clothes upon release in order to detect contraband, physical injury, illness or any other abnormality which may have occurred during confinement.
  - (1) A written record shall be made of any significant findings.



C. CASE LAW

Shakur v. Bell, 447 F. Supp. 958 (S.D. NY 1978)

The transfer of an individual to another state where there is a detainer for trial is within the sound discretion of prison officials and the officials need not provide procedural due process in such a transfer.

U.S. v. Rannazzisi, 434 F. Supp. 619 (S.D. NY 1977)

The sentencing judge may order that a prisoner be permitted a furlough to attend the wedding of the prisoner's daughter and officials have no formal recourse but to comply with the order.

Mingo v. Patterson, 455 F. Supp. 1358 (D. CO 1978) Arapahoe & Denver County Jails)

Transfer between jails did not deny the prisoner the right to see his attorney or require due process.

United States ex rel. Wolfish v. Levi, 439 F. Supp. 114 (S.D. NY 1977) (Manhattan M.C.C.)

The recently announced policy of the defendants requiring that prisoners be notified of transfers 24 hours in advance except in emergency situations is sufficient and meets all constitutional objections.

D. SUGGESTED GUIDELINESCommission on Accreditation

5333 Written policy and procedure require that, before an inmate is released, positive identification is made of the releasee and authority for release is verified. (Detention--Essential, Holding--Essential)

5334 Written procedure governs the return of inmate's personal property upon release. (Detention--Essential, Holding--Essential)

5367 A program of release preparation is available to all inmates to prepare them for release from the facility. (Detention--Important, Holding--Not Applicable)

E. MODEL POLICY AND PROCEDUREX.A. Policy:

No prisoner of the Ohio County Jail will be released or transferred unless the legality of the action is clearly established and the identity of the prisoner is certain. The procedures specified for release will be followed in the prescribed sequence.

Procedure:

General procedures applicable to all non-emergency transfers and releases:

1. Authority to Release: All documents providing for the release of a prisoner shall be forwarded immediately to Central Control by the recipient jailer or staff member.
2. Examination of Document: Before the central control officer begins the formal release processing, the officer must verify the legality of the action. The determination may be made in ways specified for each type of release or transfer as outlined in Procedure X.B. If the central control officer has reason to question the validity of the documents presented for transfer or release, the Jail Administrator will be called or, in the Administrator's absence, the ranking jailer.
3. Booking Card: The central control officer will remove the booking card, noting on it the date and time of the scheduled release or transfer.

4. Detainer Check: The central control officer will then make certain that no detainers, holders or warrants are pending which might prevent the release or transfer by:

- a. checking the prisoner's booking card,
- b. checking the prisoner's file,
- c. checking N.C.I.C.

If on a transfer, additional detainers, holders or warrants are discovered (other than those on which the instant transfer is being made) and, if there is no indication of the priority of those detainers, holders or warrants, the Jail Administrator will be called (or, in the Administrator's absence, the ranking jailer) in order to resolve the conflict. The prisoner will be temporarily placed in a holding cell.

If any release detainers, holders or warrants are discovered, the central control officer will notify by the most rapid means possible (teletype, telephone, telegram) the agency from which the detainer, holder or warrant was issued. If the agency wishes to take custody, the prisoner will be returned to his or her cell for 48 hours (excluding weekends and holidays) to await pickup.

5. Prisoner Notification: If all records are in order, the central control officer will notify the housing jailer 24 hours in advance (if possible) of the prisoner's date of release or transfer. The housing jailer will in turn notify the prisoner of the scheduled date and time of release or transfer.

6. Processing: An hour before the prisoner's scheduled release or transfer time, the housing jailer will inform the prisoner he is to get ready to be released or transferred. If no specific release time is noted on the authorizing document, the prisoner shall be released at 8:30 a.m.

7. Verification of Prisoner's Identity: The housing jailer shall request the prisoner to step forward to the front of the cell. The jailer will compare the prisoner's profile with the picture on his cell assignment card and review other identifying information on the card to confirm proper identity.

8. Cell Belongings: The prisoner will be told to gather his personal belongings from the cell (e.g., books, letters, commissary items) and his issued bedding and linens.

9. Escort: The housing jailer will escort the prisoner to the booking area. NOTE: The cell assignment card will be removed for placement in the prisoner's file.

10. Clothing/Laundry: The admitting jailer will take custody of the prisoner from the housing jailer to begin the release process. The admitting jailer will:

- a. Observe the prisoner changing into street clothes in order to detect contraband, physical injury, illness or any other abnormality which may have occurred during confinement. If anything unusual is observed, the jailer shall summon the jail administrator or ranking jailer immediately.

**CONTINUED**

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- b. Check the prisoner's bedding and linens. If any are missing or damaged, the release process shall stop and the prisoner placed in a holding cell. The jailer will notify the Jail Administrator who will determine the next course of action.
  - c. Place accounted for bedding, linens and issued clothing in the appropriate bins for laundry pick-up.
11. Prisoner Property: All prisoners being released shall be issued their personal property in the following manner:
- a. The admitting jailer will secure the prisoner's property envelope and tagged property from the prisoner's locker in the property room and inventory the items.
  - b. The prisoner will sign the property envelopes to acknowledge receipt of all property.
  - c. The admitting jailer will secure the prisoner's money envelope, count the money in the prisoner's presence, and compare the total with the account sheet.
  - d. The prisoner will sign to verify he has received his money.
- EXCEPTIONS:
- e. If the prisoner is being released or transferred to another agency for a period in excess of 24 hours, steps (a)-(d) shall be

- followed, however, the prisoner shall not take actual possession of his property. The escorting officer shall also sign the inventory acknowledging receipt of the property.
- f. If the prisoner is being released or transferred to another agency and will be returned to the jail within 24 hours, he will be dressed out, but shall not be given his personal property. His cell will be held open until his return. Upon return, his classification status will be reviewed as set forth in Procedure III.A. and B.
12. Refusal to Sign: In the event a prisoner refuses to sign to verify receipt of his property/money, the admitting jailer will summon another jailer to sign and date the form(s) witnessing the return of the listed items.
13. Prisoner Complaints: If the prisoner wishes to complain in any way about allegedly missing or damaged property/money, he shall be informed that the complaint must be made in writing within 48 hours and addressed to the Jail Administrator. He shall be provided paper, pencil, and an envelope and requested to write the complaint immediately.
14. Identity of Escorting Officer or Agent: In transfer of custody, the identity of the person into whose custody the prisoner is being transferred must be verified by the admitting jailer.

15. Escort Release Authorization: When a prisoner is being released or transferred to another agency, the escorting officer must sign a statement accepting custody of the prisoner (see Form N.1.i).
16. Release: When the prisoner is ready to be released, the admitting jailer shall inform the central control officer and escort the prisoner to the entry/exit security vestibule.
17. Update Jail Records:
  - a. When a prisoner is released or transferred to another agency for a period in excess of 24 hours, such action shall be noted on the booking card by the central control officer and placed in the "out of area" file.
  - b. When a prisoner is released from custody, such action shall be noted on the booking card and in the prisoner's file. All empty prisoner property envelopes, tags, and receipts shall be placed in the prisoner's file and forwarded to the Sheriff's secretary by the central control officer. The booking card shall be filed alphabetically in the "past commitment" file in the central control room. Then, the prisoner's name shall be removed from the cell-block roster board.

18. Cell and Mattresses Cleaning: The housing jailer shall arrange for the prisoner's cell to be cleaned by a trusty and the mattress cleaned and stored for reissuance.
19. Notification of Court: When a prisoner is transferred (even temporarily) or released, the appropriate court will be notified of the action by the central control officer telephoning the Clerk of that Court at the earliest possible time, informing the clerk of the date, time and nature of the action.

WORKSHEETA. OPERATIONAL AREA

Transfer and Release - Authority to Transfer or Release

B. STATE STANDARDS

5120:1-8-01

- (T) Proper and written legal authorization shall be required prior to the release or removal of any prisoner from confinement.
- (V) The escorting officer shall sign a release authorization for the prisoner.

C. CASE LAW

None directly applicable (see those cited under X.A.).

D. SUGGESTED GUIDELINES

See those cited under X.A.

E. MODEL POLICY AND PROCEDUREX.B. Policy:

The proper authority for release or transfer of a prisoner is critical to the protection of the public and the maintenance of security. No prisoner will be released without such authority.

Procedure:1. Pre-trial Release:

- a. Bail-bond (via bondsmen, cash, property or other surety): All bail bonds will have been posted with the Clerk of Courts and the prisoner or his representative will present to the central control officer a signed bail bond notarized by the Clerk.

- b. Bond release by court (on recognizance, conditional release): The court will have made an order and the clerk will have prepared a bond, which will be signed, notarized, and presented to the central control officer.
  - c. Dismissal of charges: The prosecutor will have notified the court of the dismissal and the court will have entered the dismissal onto the docket. A copy of the docket entry will be accepted by the central control officer as proof of the dismissal.
2. Post-Trial Release:
- a. Acquittal: The court will have entered the finding of not guilty on the docket and the central control officer will accept a copy of the docket entry as authorization for release. (In circumstances where the prisoner is returned to the jail by an Ohio County Sheriff's Deputy and the Deputy reports a finding of not guilty, the finding shall be verified by the central control officer by calling the Clerk of Courts or the Prosecutor's office. The release process may begin on such verbal confirmation, but actual release must await a true copy of the docket entry.)

- b. Placed on probation: The same authorization as that described above will be required to release those prisoners placed on probation after conviction.
  - c. Payment of fine: Where the prisoner has paid a fine as specified by the Court upon conviction, the Clerk will have made an entry on the court docket and will have issued a receipt. The docket entry or the receipt will be accepted by the central control officer as authority for release.
  - d. Completed sentence: Each day, the central control officer will review booking cards for all sentenced prisoners and will list all those to be released on the following day. The list will be used as authorization for release. (If any questions by jailers or prisoners arise as to the proper date of release, confirmation will be sought from the Clerk of the Court from which the prisoner was sentenced.)
3. Transfer:
- a. To another county or state (as witness, defendant or suspect): A detainer, holder or warrant will have been lodged and the detainer, holder or warrant (if not expired) will be used as the authority for transfer.

- b. To the Ohio Department of Rehabilitation and Correction (to serve sentence or return after testifying): The court which sentenced the prisoner will have entered the sentence on the docket and will have prepared orders to the Sheriff to convey the prisoner. If a Sheriff's Deputy or attorney known to the central control officer returns with the prisoner from court after sentencing and verbally confirms the state sentence, the central control officer may verify the sentence with the Clerk of the Court and begin the transfer process, but a docket entry or orders to convey will be necessary for final transfer.
- c. To Lima State Hospital (for competency evaluation or after finding of incompetency or after finding of insanity): The court will have prepared orders to convey or the probate judge will have issued orders to commit and the documents will be used by the central control officer as authority for the transfer.
- d. To Military authorities: The military authorities will have issued a "DD-363" form specifying the dates and reasons for transfer and this form will be used as authority for transfer.

NOTE: In all above instances, the central control officer will retain a copy of the appropriate document and will place that copy in the prisoner's file.

WORKSHEETA. OPERATIONAL AREA

Emergency Procedures - Riot or Disorder

B. STATE STANDARDS

5120:1-8-03

(BB) All jails shall have available written procedures for emergency situations including but not limited to:

- (1) Escapes.
- (2) Taking of hostages.
- (3) Fires.
- (4) Riots.
- (5) Food poisoning.
- (6) Civil disturbances in the community.
- (7) Natural disasters.
- (8) Suicides.
- (9) Other deaths and disorder.

C. CASE LAW

None directly applicable - see generally Attica, Pontiac, McAlester, New Mexico.

D. SUGGESTED GUIDELINESCommission on Accreditation

5227 Written plans specify procedures to be followed in emergency situations, e.g., fire, disturbance, taking of hostages; these plans are made available to all personnel and reviewed and updated annually.

E. MODEL POLICY AND PROCEDUREXI.A. Policy:

It is the policy of the Ohio County Jail to attempt to quell prisoner disturbances as quickly as possible and with the minimum amount of force necessary to bring the situation under control.

Procedure:1. Definitions:

- a. Disorder - A disturbance involving any number of prisoners but limited to acts of passive resistance without engaging in property destruction, assault and/or attempts to escape, i.e., hunger strikes, refusal to work, sitdown strikes, or refusal to obey orders.
- b. Riot - A violent disturbance involving three (3) or more prisoners accompanied by the commission of acts of property destruction, arson, assaults, civil disobedience to lawful orders, and/or attempted escape from the jail in conjunction with any or all of the above offenses.
- c. Hostage - Any person seized against his will by prisoners for the purpose of effecting their escape from detention, and/or dictating or extorting terms, conditions relating to their treatment, sentence, release, privileges, or other reasons will be classified as a hostage. Any official, regardless of his rank or position, seized, or a hostage, will from the moment of seizure, cease to



exercise the authority vested in his office or rank and any orders issued by him while a hostage will be disregarded by other jail personnel.

2. Warning Signs: Prior to any organized outbreak or disturbance, certain warning signs may be detected by experienced jail personnel. A few of the signals are, prisoners:

- a. become uncommunicative,
- b. cease talking upon the approach of an employee,
- c. complain about treatment, food, racial disputes, or conditions in general,
- d. are tense and nervous.

When any combination of these symptoms are observed in the jail, the jailer/staff member shall immediately report the problem areas to the ranking jailer on duty and all jail staff must be especially alert while handling, moving, and controlling prisoners until the situation is resolved.

3. Responsibilities:

- a. All jail staff are responsible for assisting in the suppression or prevention of a disorder or riot and will immediately report such an incident to the central control officer. Prior knowledge/information of an impending disorder/riot will be personally reported to the Jail Administrator without delay.

- b. The Jail Administrator and/or ranking jailer on duty are responsible for the control and/or quelling of riots or disorders and for the issuance and/or use of chemical agents/ firearms in any suppression attempt(s).

- c. The central control officer is responsible for notification of personnel and/or agencies as outlined in #4.b. when so ordered by the ranking jailer on duty. In the event the ranking jailer has been taken hostage or incapacitated in any manner, the admitting jailer will assume temporary command.

4. Notification:

- a. Any jailer/employee discovering a riot in progress or a riot about to start will immediately notify the central control officer by the most rapid means, stating the location of the riot, approximate number of prisoners involved, the weapon (if any) being used and/or if any jailer or other person has been trapped among the rioting prisoners.

- b. The central control officer upon receipt of a report of a riot, will take the following immediate actions:

- (1) Notify the ranking jailer on duty of the existence of the riot, number of prisoners involved, location, weapons being used by the prisoners and the status of the employees at the riot scene.

(2) Notify the Jail Administrator of the riot, requesting assistance when it appears that jail personnel on duty will be unable to cope with the situation. In addition, the following persons or agencies will be notified by the central control officer in the following order:

- Ohio County Road Patrol Units
- Buckeye Police Department
- Sheriff
- Buckeye Fire Department (when fire is reported the BFD will be notified first)

5. Prisoner Control:

- a. The jailer/employee discovering a riot in progress will not attempt to subdue or quell the rioters alone prior to the arrival of additional staff in order to avoid seizure as a hostage and loss of keys in his possession. He will secure all doors, gates, or exits through which prisoners may effect passage.
- b. The central control officer will secure all electrically controlled doors, denying passage to all prisoners unless escorted by jail personnel or enforcement officers and have staff members establish the identity of escort personnel to insure himself that the escort is not being forced into accompanying the prisoners in an escape attempt. No door will be opened until the central control officer is satisfied that it is safe to do so. He will record all information pertaining to the riot, i.e., time reported, by whom, names

of persons notified, etc., and will not, under any circumstances, relinquish the central control center to any prisoner under threat of force or threats of bodily harm to a hostage, nor unlock the security door to the jail until he has assured himself that it is safe to do so.

6. Hostage: In the event it appears that an employee is about to be seized as a hostage by the rioters and/or subject to assault, he will attempt to dispose of any keys in his possession by throwing them into an inaccessible area (locked safety vestibule and/or area which is controlled by other jail personnel). Any employee who is isolated among rioting prisoners will take such action necessary to report the incident and take advantage of any protective cover immediately available to him pending the arrival of reinforcements. During this period, he will mentally note the identity of ringleaders and agitators.
7. Riot Measures: The ranking jailer on duty will be responsible for the following actions until such time as he is relieved by the physical presence of the Jail Administrator or Sheriff:
  - a. Cause the prisoners not actively participating in the riot to return to their cells. Announcement will be made over the intercom system to all prisoners to cease rioting, and to return to their cells. Prisoners will be instructed to approach jail personnel or law enforcement officers in single file with their hands clasped on top of their heads for search. All prisoners not participating

in the riot will be evacuated first if this is necessary. Corridor doors may be locked at the discretion of the officer in charge.

- b. Terminate all trusty work details in the jail and return them to their living units. Prior to departing from work areas, all dangerous implements, tools, or knives will be removed to a safe area and secured.
- c. Terminate all visits, regular or professional. Any prisoner occupying the visiting area will remain locked therein or the prisoner will be locked in a cell remote from the riot scene.
- d. Check to determine whether all perimeter doors are secure.
- e. Assemble all available jail personnel in an area safe from the riot scene and organize immediate defensive measures to contain or restrict the rioters and/or prevent their escape.

In the event the jail personnel is insufficient in numbers to effect an assault upon the rioting prisoners, and at the same time secure non-rioting prisoners and exits, the use of passive measures, i.e., securing gates, doors, maintenance of communications, evacuation of visitors, etc., will be effected pending the arrival of reinforcements.

- f. Upon arrival, reinforcements will be requested to initially surround the perimeter of the jail to prevent the escape of prisoners.
- g. An assault force, when so directed by the Sheriff, or Jail Administrator shall employ such riot control means as necessary to regain control. In no case will this be attempted until overwhelming forces are available.

8. Follow-Up Measures:

- a. Once subdued, the rioters will be required to line up facing walls, hands extended over their heads and be strip searched. They will be removed in small groups, for control purposes to secure cells for lock-up. Only that force required to overcome resistance will be used. (See Procedure IV.H.)
- b. In the event chemical agents were utilized, windows will be opened and exhaust fans activated to ventilate the area and the prisoners will be permitted to bathe at the earliest possible time. Clean clothing should be issued without delay.
- c. A roll call head count will be taken to verify the presence or absence of any prisoners who may have escaped during the course of the riot. A roll call of jail employees and law enforcement officers participating or present when the riot commenced will be taken to ensure that no jailer/officer who may have been injured or incapacitated remains undetected.

- d. First aid and medical treatment will be rendered to any person who might have been injured.
- e. Agitators and ringleaders who provoked the riot will be segregated, isolated, and secured in Cells B1-B4.
- f. A thorough shakedown of all cells, and those areas where the riot occurred, will be conducted to detect abandoned or concealed weapons or contraband.
- g. Damage assessment and security survey will be conducted and a list of damages prepared. Maintenance personnel will be directed to begin making repairs as soon as photographs have been taken.
- h. An immediate investigation at the direction of the Sheriff will be started to fix responsibility in preparation for the filing of charges against participants. In the event of serious injury or death, a formal investigation surrounding the death or injury will be conducted by the Detective Division. In all cases of death, an investigation will be conducted by the County Coroner.

- 9. Reports: Upon conclusion of any riot or disorder, the ranking jailer on duty and jailers/officers involved will submit, in writing, a report of the incident.

Disorder

- 10. Notification/Observation: Any jailer/employee having knowledge of and/or

discovering the existence of a disorder will immediately report the incident to the central control officer. He will remain at the scene and watch such openings, then existing, which would afford passage to prisoners and then, attempt to quell the disorder. In the event the disorder is beyond his ability to control, he will defer action to quell the disorder pending the arrival of reinforcements. Jailer(s) will exercise caution in approaching prisoners participating in a disorder to prevent the seizure of keys or himself as a hostage. In any case, a single jailer will not enter a cellblock to quell a disorder.

- 11. Reinforcements: The ranking jailer on duty, upon report of a disorder, will proceed to the scene with such additional jailers/officers who are available to assist the quelling of the disorder. Upon arrival at the scene, he will assess the extent of the disorder and, depending upon the situation, will quell the disorder provided sufficient personnel are present to effectively control the prisoners without endangering the security of the jail. Lacking sufficient force to quell the disorder, the ranking jailer on duty will detail jailers/officers as observers to identify agitators or ringleaders, notify the central control officer and request assistance. The central control officer will notify those persons and agencies listed under "Notification" (riots) 4.b.

WORKSHEET

A. OPERATIONAL AREA

Emergency Procedures - Fire

B. STATE STANDARDS

5120:1-8-03

- (T) The Jail Administrator shall request that the jail be inspected by a local or State Fire Safety Inspector at least annually.
- (U) There shall be a fire evacuation plan which shall include provisions for adequate firefighting equipment.

(See also XI.A.)

C. CASE LAW

None directly applicable

D. SUGGESTED GUIDELINES

Commission on Accreditation

(See 5227 at XI.A.)

E. MODEL POLICY AND PROCEDURE

XI.B. Policy:

Jail personnel shall make every effort to prevent the occurrence of fires in the jail through proper supervision of prisoners and control of flammable materials in all cell areas of the jail, particularly prisoner occupied sections. In the event of fire, the primary objective shall be the protection of lives of prisoners, staff, and visitors. No rule or set of rules can completely cover procedures to be utilized in the event of fire, but the following steps should be taken.

Procedure:

1. Prevention: The housing jailer shall be responsible for enforcing the following rules:
  - a. There will be no smoking in bed.
  - b. Trash will be disposed of on at least a daily basis.
  - c. There will be no hoarding or storing of paper products or other flammable materials (i.e., toilet paper, magazines, etc.).

The Jail Administrator shall be responsible for:

- d. ensuring that the jail is inspected by the Buckeye Fire Department on an annual basis;
- e. ensuring that all fire fighting, detection, and alarm equipment is inspected and/or tested on a weekly basis (see Procedure IV.C.#2);
- f. ensuring that a floor plan outlining evacuation routes and location of fire fighting equipment is kept current and available (see Appendix M-3).

2. Fire Zones: For ease in pinpointing a fire and simplifying evacuation, the jail has been divided into six (6) fire zones:

Zone 1: Prisoner Entry, Cell A1, Booking, Central Control, Sheriff's Office, Public Entry, Visiting, and Kitchen.

Zone 2: Cellblocks "B" and "C"

Zone 3: Cellblocks "F", "G",  
and "H", Medical Exam,  
and Cell A2

Zone 4: Cellblocks "D" and "E"

Zone 5: Multipurpose Room

Zone 6: Basement

3. Discovery:

- a. When a jail employee discovers a fire he shall inform the central control room via the intercom immediately, stating the zone the fire is in, its exact location, and the nature of the fire.
- b. When a jail employee is informed by a prisoner or visitor that there is a fire, he shall alert central control via intercom that he is investigating the possibility of a fire and then following the preceding step (3a) if a fire is discovered.
- c. When the fire alarm(s) activates, the central control officer shall notify the housing jailer(s) as to which area(s) is signaled by the alarm. He shall request the housing jailer(s) to investigate the fire(s) and report back the exact location and nature of the fire.

4. Notification: Upon being informed of a fire, the central control officer shall:

- a. Notify all jail personnel that there is a fire and state the fire zone.
- b. Call the Buckeye City Fire Department at 852-3209.

- c. Call the Buckeye City Police Department at 852-3201 and request that they bring the emergency keys to the jail and provide back-up assistance.
- d. Notify all county road patrol units to respond to the jail.
- e. Notify the Sheriff and Jail Administrator if not on duty.

5. Response:

- a. The housing jailer shall remove all prisoners located within the affected fire zone(s) (see #2) to the appropriate evacuation area(s) noted in Appendix M-3.
- b. All other jailers shall secure prisoners in their cells in unaffected areas, escort visitors out of the building, and then proceed to the affected fire zone to provide assistance.
- c. The admitting jailer shall obtain the two (2) self contained breathing masks from the central control room, proceed to the affected fire zone, and assist the housing jailer in evacuating the prisoners.
- d. The ranking jailer shall be responsible for directing and coordinating the efforts of the jailers, road patrol, city police, and fire fighters until the Jail Administrator or Sheriff arrives at the scene. He shall assign an employee to be stationed at the jail entrance to admit the fire-fighters and escort them to the scene of the fire.

- e. When county patrol units and city police arrive, they shall be responsible for securing the perimeter of the jail, and supervising the prisoners in the evacuation area(s). City police shall hold the emergency jail keys until firefighters arrive, unless needed first by jail staff.
- f. All non-security jail personnel shall assist jailers in escorting visitors outside and shall then remain outside themselves.
- g. The central control officer shall assign one (1) road patrol unit to pick up the city/county emergency evacuation bus from the city school bus lot at 717 Race Street and proceed to the jail.

6. Defend in Place:

- a. The ranking jailer, after all prisoners are secured, shall determine if jail staff shall attempt to extinguish the fire prior to the arrival of the fire department.
- b. If jail staff attempt to extinguish the fire, they shall utilize the breathing masks and appropriate fire fighting equipment.

NOTE: At no time shall prisoners be permitted to assist in fighting the fire.

- c. If at any time the ranking jailer determines the smoke may affect those prisoners who have not been evacuated, or that jail staff are not

capable of controlling the fire, he shall order the immediate evacuation of all prisoners and staff.

7. Fire Department Arrival:

- a. When the fire department arrives, they shall be escorted to the fire zone(s) by the jailer stationed at the jail entrance (see #5.d.)
- b. The ranking firefighter shall assume authority at this time. He may order further evacuation of prisoners and shall direct the jailers in assisting in fire fighting and evacuation efforts.

- 8. Prisoner Evacuation: The primary evacuation area is the multipurpose room (see Appendix M-3). If it becomes necessary to evacuate this area, prisoners shall be moved into the outside recreation yard. If the fire chief determines further evacuation is needed, prisoners shall be loaded into the evacuation bus (see #5.g.) and transported to the National Guard Armory at 213 State Street.

- 9. Prisoner Count: When the building is being completely evacuated, the central control officer shall be responsible for securing the prisoner housing chart. He will conduct an immediate headcount in the evacuation area. If any prisoner is missing, the fire department shall be informed of the cell area of the missing prisoner. While the fire department is attempting to locate the prisoner, jail staff shall begin to implement procedure XI.C., "Escape" where feasible.

XI.B. (cont'd.)

10. Investigation: The Sheriff shall order an investigation of the incident in cooperation with the Buckeye City Fire Department and the State Fire Marshall. All jail staff involved in the initial discovery of the fire shall complete an incident report.

XI.C.

WORKSHEET

A. OPERATIONAL AREA

Emergency Procedures - Escape

B. STATE STANDARDS

(Same as XI.A.)

C. CASE LAW

Reid v. State Department of Corrections, 376 So. 2d 977  
(Louisiana Court of Appeals 1979)

D. SUGGESTED GUIDELINES

Commission on Accreditation

5210 The facility has a comprehensive emergency alarm system that is linked to the control center; signal devices are located throughout the facility.

5226 Written procedures govern the handling of escapes; these are reviewed at least annually and updated as necessary.

E. MODEL POLICY AND PROCEDURE

XI.C. Policy:

Since the custody of the prisoners is the primary mission of the jail, whenever such custody is breached, the officers and personnel shall give the highest priority to the apprehension of the escapee.



Procedure:

1. Discovery: The jailer who first discovers an escape or apparent escape will:
  - a. immediately advise the central control officer,
  - b. secure the area from which the escape was made,
  - c. lock up all prisoners in the vicinity of the escape area,
  - d. place a freeze on all prisoner movement and conduct a count,
  - e. relay the following information to the central control officer:
    - (1) the name(s) of the escapee(s)
    - (2) the mode of transportation of the escapee(s)
    - (3) the time of the escape.

NOTE: If the name of the escapee is not know, identify the escapee by matching physical characteristics of present prisoners to the Booking Cards/Cell Assignment Cards.

2. Notification: The central control officer, immediately upon being notified of an escape will:
  - a. broadcast the description and other pertinent information from prisoner's Booking Card to Sheriff's patrol units, Buckeye City Police, State Highway Patrol, and enter the description into LEEDS.

- b. notify, by radio or telephone, the Jail Administrator or the Sheriff in the Jail Administrator's absence.
3. Investigation: The Jail Administrator will initiate an immediate investigation and order that all personnel involved file written reports as soon as possible.

## WORKSHEET

A. OPERATIONAL AREA

Emergency Procedures - Attempted Suicide, Suicide or Death of a Prisoner in Confinement

B. STATE STANDARDS

(See XI.A.)

C. CASE LAW

None directly applicable.

D. SUGGESTED GUIDELINES

Commission on Accreditation

5227 Cited in XI.A.

5229 All facility personnel are trained in the execution of written emergency plans.

E. MODEL POLICY AND PROCEDUREXI.D. Policy:

In the event of the attempted suicide, suicide, or death of any prisoner, the officers and personnel of the jail will take all actions necessary to provide necessary medical assistance and to preserve the scene cooperating with all medical and investigative authorities.

Procedure:

1. Discovery: The jailer who first witnesses, or otherwise discovers, a prisoner who appears dead or had made a physical attempt at suicide, will:

- a. First use the emergency medical procedures as specified in Procedure VI. A.3, with one exception, the central control officer will contact the Emergency Squad instead of the Jail Physician.
  - b. Jailers will not enter housing areas until the other prisoners have been secured and/or back-up assistance arrives.
  - c. While awaiting back-up, the jailer may request the assistance of prisoners, i.e., if the victim is hanging, the jailer may instruct the prisoners to elevate the victim to remove pressure from his throat or, in some case untie the noose and place the victim on the floor.
  - d. Prisoners who have attempted suicide will be referred as outlined in Procedure VI.A.8,#2.
2. Identification and Investigation:
- a. Seal off the scene in order to preserve it. This will require removing any prisoners present from the area.
  - b. Summon the Jail Administrator and the Jail Physician.
  - c. Upon verification of death by the Jail Physician, the Jail Administrator will:
    - (1) notify the County Coroner that a death has occurred and request that he proceed to the scene;
    - (2) notify the detective division and request that an investigation be commenced;

(3) arrange for a qualified officer to proceed to the scene to lift fingerprints from the corpse (such prints will be used to positively identify the deceased, and a set of these prints will be attached to the prisoner's I.D. file to ensure that the file is subsequently removed from the active jail records);

(4) determine the status of the deceased (county, federal, military or other prisoner).

3. Follow-Up: The Jail Administrator will assign staff to complete the following tasks:

- a. if the deceased is a federal, immigration or military prisoner, notify the appropriate agency immediately to advise them of the death;
- b. if the deceased is being held on a warrant from another jurisdiction, notify that jurisdiction;
- c. obtain the name, address and telephone number of the relative(s) shown in the prisoner's file (if a relative is not shown on any form in the file, check the visitor's book to determine names of appropriate persons to notify);
- d. notify the appropriate relative or other person and tell them whether or not the prisoner's property may be released (as instructed by the Coroner or Detective Division);

- e. notify the court(s) to which the prisoner's case(s) is assigned;
  - f. implement routine "book-out" procedures in order to complete jail records;
  - g. collect all property of the deceased if it is to be released to relatives.
4. Reports: All jail personnel involved will file an incident report.

WORKSHEET

A. OPERATIONAL AREA

Emergency Procedures - Hostage-taking

B. STATE STANDARDS

(see XI.A.)

C. CASE LAW

Numerous courts have said that any promises of amnesty or non-prosecution made during hostage negotiations are made under duress and are invalid, thus do not prevent later prosecution of the hostage taker(s).

D. SUGGESTED GUIDELINES

(see Commission Standard 5227 cited at XI.A.)

E. MODEL POLICY AND PROCEDURE

XI.E. Policy:

The first priority in a hostage situation is to preserve the life of the hostage(s). The personnel of the jail who may be involved will never attempt to interfere in the negotiation process.

Procedure:

The following steps shall be taken in the event that a prisoner(s) take and hold a hostage(s) within the jail:

1. Discovery: The staff member who first becomes aware of the situation will:
  - a. notify the central control officer and the ranking jailer on duty;

- b. see that the area in which the hostage(s) has been placed is sealed;

- c. place a freeze on all prisoner movement outside the hostage area.

2. Notification: The ranking jailer will:

- a. notify the Jail Administrator and Sheriff;

- b. notify the pre-designated hostage negotiator;

- c. determine, to the degree possible, the identity of the hostage taker(s) and the hostage(s) and gather all pertinent information (files, etc.) on those person(s) for use in negotiations.

The central control officer will:

- d. alert the City Police Department and Sheriff's patrol but request that they remain clear of the scene until directed otherwise by the Jail Administrator;

- e. alert the Buckeye City emergency medical squad to stand by.

3. Negotiations: The Sheriff shall direct the procedure or shall designate a director to make all decisions concerning negotiations. The following general policies apply to hostage-taking situations:

- a. at no time will any prisoner(s) be permitted release from the jail;

SUPPLEMENTAL WORKSHEET

A. OPERATIONAL AREA

Admissions and Security - Frisk Search

B. MODEL POLICY AND PROCEDURE

Appendix A. Frisk Search

Before conducting a frisk search, the jailer shall instruct the prisoner to empty all pockets in his clothing, place the items on the floor, and move out of reach of the items.

When groups of prisoners are to be frisk searched, all such prisoners shall be lined up, spaced apart, and faced with their palms extended at arms length against a wall.

Under no circumstances shall a jailer frisk search a prisoner of the opposite sex.

1. Instruct the prisoner to stand erect, feet apart, with arms extended outwards.
2. Move behind the prisoner, then:
  - a. Carefully examine the shirt collar.
  - b. Run hands over the prisoner's shoulders, down the outside of his arms to the shirt cuffs, and carefully examine the shirt cuffs.
  - c. Move hands up the insides of the arms to the armpits.
  - d. Run hands down the prisoner's shirt front, carefully checking the pockets.
  - e. Move fingers around the inside of the waistband, feeling for any objects which may be concealed there or behind the belt.
  - f. From the waistline, move hands down the prisoner's buttocks.
  - g. Put both hands on one leg at a time, and run them carefully down each leg, being certain to check each trouser cuff.

b. the pre-designated negotiator will not be empowered to make final decisions on negotiable items, but will check with the Sheriff or his designee before making any promises of concessions to the hostage-taker(s);

c. any orders or commands given by the hostage, even if the hostage may be a ranking jailer, will not be honored to allow the hostage-taker(s) to effect an escape;

d. no person except the negotiator shall be in contact with the hostage-taker(s) unless specifically directed by the Sheriff or his designee.

4. Investigation: At the conclusion of any hostage-taking event, a full investigation will be conducted by the Detective Division and Sheriff's employees will cooperate fully in that investigation.

APPENDIX A (cont'd.)

- h. Move hands over the prisoner's lower abdomen and crotch carefully, to inspect for contraband that may be hidden or taped to those areas.
  - i. Instruct the prisoner to extend one foot at a time, backward, then inspect each sock and shoe for concealed articles.
3. When the frisk is completed, instruct the prisoner to face the wall with palms extended at arms length against the wall, then carefully check each item that the prisoner removed from his pockets.
  4. Items that a prisoner is allowed to have in his possession shall then be returned to him.

APPENDIX B.

SUPPLEMENTAL WORKSHEET

A. OPERATIONAL AREA

Admissions and Security Strip Search

B. MODEL POLICY AND PROCEDURE

Under no circumstances is a jailer permitted to conduct or witness a strip search of a prisoner of the opposite sex.

The following actions shall be observed:

1. Instruct the prisoner to remove his clothing, place clothing on the floor, and to move out of reach of the clothing.
2. Instruct the prisoner to stand erect, feet apart, with arms extended outward, then visually inspect for contraband in his:
  - a. hair,
  - b. ears, mouth and nose,
  - c. arms, armpits, and hands,
  - d. groin,
  - e. soles and toes of feet,
  - f. rectum (instruct the prisoner to turn around, bend over, and spread his buttocks), and
  - g. remove any bandages, inspect, and replace with new ones.
3. Instruct the prisoner to remove any artificial devices (such as false teeth and artificial limbs) and notify the Jail Administrator (see Procedure VI.A.9., #2).
4. If the prisoner may be wearing a plaster cast, and the officer may believe contraband is concealed in the cast, the cast may only be removed and inspected by medical personnel.

5. When the body search is completed, instruct the prisoner to stand erect, feet apart, hands on top of head, and move out of his reach to inspect his clothing.
6. Check for presence of contraband in clothing. Extreme caution should be exercised by the officer, to avoid being cut by concealed sharp instruments, when inspecting:
  - a. pockets,
  - b. linings,
  - c. fly, waistband, cuffs, seams, collars, hatband,
  - d. inside of all garments,
  - e. soles, heels, and insides of shoes,
  - f. socks (inside and outside).

SUPPLEMENTAL WORKSHEETA. OPERATIONAL AREA

Security and Emergency Cell Searches

B. MODEL POLICY AND PROCEDUREAppendix C. Cell Search

Before initiating a cell search, the prisoner(s) shall first be removed from the cell. The jailer who inspects the cell shall leave it as neat as it was before the search.

The following actions shall be observed:

1. Remove all blankets, sheets and covers from the bed and inspect them carefully. After inspection fold such items and place them aside.
2. Closely and carefully examine:
  - a. mattress,
  - b. all furniture which may be in the cell,
  - c. lavatory and toilet (including the bottom of those fixtures,
  - d. floor drain,
  - e. ventilation grill,
  - f. faucets, drains and any openings in cell door tracks,
  - g. light sockets,
  - h. books,\*
  - i. personal letters and papers (letters and papers may be removed from envelopes and inspected, but not read, by the jailer.)\*
  - j. all containers,\*
  - k. small articles (such as spools of thread, etc.)\*

\*These items shall be returned to their same place and condition as prior to inspection.

APPENDIX C. (cont'd.)

3. Examine each bar in the cell to determine if it has been cut or loosened.
4. Examine all locking lugs to determine if they have been jammed.
5. Examine any panels and protective screens to determine if they have been loosened in preparation for removal.
6. Following the cell search, no cell shall be left unlocked by the jailer.

APPENDIX D

SUPPLEMENTAL WORKSHEET

A. OPERATIONAL AREA

Prisoner Programs - Other Services: Sources

B. MODEL POLICY AND PROCEDURE

Appendix D: Prisoner Services Sources

Arrangements have been made with the agencies listed below to provide services on a case-by-case basis to prisoners confined in the Ohio County Jail. See Procedure VII.F., "Other Services."

1. Alcohol and Drug Abuse Services:

- a. Ohio County Alcoholism Council  
Buckeye Valley Chapter  
1336 E. Aluminum Parkway  
Buckeye, OH 43433  
Phone: 848-4833 days, 855-9910 evenings  
Contact Person: Harold Pinter

Services: individual counseling, educational materials, work with families of alcoholics.

- b. The Cardinal Drug Abuse Screening and Treatment Center  
46 Normal Avenue  
Buckeye, OH 43433  
Phone: 855-9293 days and evenings  
Contact Person(s): Dr. Renee Bojan  
Dr. John Johnson

Services: diagnostic testing, individual counseling, drug and alcohol abuse information.

2. Educational/Vocational Services:

- a. Buckeye Adult Education Center  
995 N. VanBuren  
Buckeye, OH 43433  
Phone: 858-9792  
Contact Person: Jerry Brown



Services: counseling in job seeking skills, vocational aptitude and interest testing, some remedial education tutoring, GED preparation, correspondence courses.

(NOTE: Certain BAEC services are provided to prisoners on a fee basis. Be sure to check prisoner accounts prior to making final arrangements.)

3. Mental Health/Psychiatric Service:

- a. The Ohio County Mental Health Center  
46 Trim Avenue  
Buckeye, OH 43446  
Phone: 855-9294 days and evenings  
Contact Person(s): Dr. Milton Lowenstein  
Dr. Mary Hilton

Services: individual counseling, diagnostic testing, group therapy, self-help literature.

4. Other Services:

- a. The Buckeye Library  
787 Mortarboard Circle  
Buckeye, OH 43433  
Phone: 877-9792  
Contact Person: Ed Vennewicz
- Services: reading materials, some research.
- b. Ohio County Council of Churches  
7876 N. Platte Avenue  
Buckeye, OH 43433  
Phone: 848-7763  
Contact Person: Mary Forsythe

Services: Sunday services, pastoral counseling, emergency financial assistance to families, transportation for visitors, visitation to prisoners without families, referral to various other programs.

SUPPLEMENTAL WORKSHEET

A. OPERATIONAL AREA

Prisoner Programs - Commissary: Items

B. MODEL POLICY AND PROCEDURE

Appendix E. Commissary Items

On the attached form are listed the items which any prisoner may order. Those with asterisks are items which the jail will purchase for indigent prisoners. Please note: personal hygiene items may be purchased by prisoners, but prisoners will be provided such articles by the jail from supplies purchased in bulk.



## APPENDIX G.

## MEDICAL EMERGENCY CARE PLAN

1. BE AWARE THAT AN EMERGENCY CAN OCCUR AT ANY TIME.
2. BE READY TO OBSERVE OR BE NOTIFIED OF THE EMERGENCY.
3. FIRST AID MUST BE GIVEN IMMEDIATELY.
4. TELEPHONE THE JAIL PHYSICIAN FOR INSTRUCTIONS.
5. CALL FOR ASSISTANCE FROM OTHER JAILERS.

JAIL PHYSICIAN

Dr. R. Vasquez	333-9999
Emergency Room Buckeye Memorial Hospital	333-7777
Emergency Squad	333-8888

## APPENDIX H.

SYMPTOMS OF MENTAL ILLNESS OR ANXIETY

Any prisoner suspected of being mentally ill or of being a potential suicide victim must be isolated and observed closely by the jail staff. It may become necessary to remove certain items from the cell, such as toothbrush, matches or any other item with a potential for self-inflicted harm, or any item capable of being used as a weapon.

Any prisoner who exhibits any of the following symptoms must be referred to the Jail Physician as soon as possible:

- A. Hallucinations - e.g., hearing voices, seeing visions, perceiving something that is not there.
- B. Illusions - misperceiving something that is there - e.g., thinking he is someone else, seeing an object as something it is not.
- C. Delusions - strange beliefs or ideas, often overly religious or grandiose. May believe people are out to get him, or that thoughts can control others.
- D. Extreme Hyperactivity - constant moving, talking, inability to sleep for long periods of time.
- E. Withdrawal - very little activity, refusal to eat, speak or get out of bed.
- F. Obsessions - persistent thoughts that the person feels he cannot get out of his mind, e.g., thoughts of suicide, harming someone, etc.
- G. Compulsions - repeated actions (persons feel forced to act in a certain way), e.g., washing hands over and over.
- H. Phobias - severe, unrealistic fears - person may have increased pulse rate, hyperventilation, sweating, etc. in the face of a situation not normally frightening.
- I. Catatonia - unusual, rigid posturing; e.g., person stands with arms and legs in a particular position for hours at a time.
- J. Flight of ideas - strange speech, stringing together unrelated topics and thoughts without apparent order.

In any of this type, explore the recent and past history of drug and alcohol use and abuse. Alcohol, drugs and withdrawal from either can cause many of the same symptoms.

Prisoners known to be mentally ill shall be kept isolated for their own protection from the other prisoners.

APPENDIX I.

FIRST AID EQUIPMENT

1. Adhesive tape rolls
2. 2 x 3" sterile dressings
3. 8 x 7½" surgipads, sterile
4. Box of cling or gauze bandages
5. Slings
6. Sanitized receptacle for ice
7. Blanket
8. Resuscitation aid
9. Antiseptic liquid
10. Local dental anesthetics
11. Gauze for dental hemorrhages
12. Elastic bandage

APPENDIX J.

CENSORSHIP GUIDELINES

1. Photographs or explicit drawings of nude persons whose sexual organs are fully exposed;
2. Illustrations and/or text which show or describe the manufacture or fabrication of weapons such as guns, bombs, incendiary devices; and
3. Other items which can categorically be expected to encourage violent or disruptive behavior by the particular prisoner or among the prisoners generally.

NOTE: A review committee consisting of the Jail Administrator, Probate Judge, a clergy, and a lawyer (as appointed by the Probate Judge) shall approve/disapprove all questionable materials.

## PRISONER RIGHTS

The prisoner is afforded certain rights in disciplinary hearings while others are limited (References: Ohio Jail Standards 14.01-14.11, Wolff vs. McDonnell, 418 U.S. 539 (1974), Baxter vs. Palmigiano, 425 U.S. 308 (1974)).

1. The prisoner has a right to a written notice of charges.
2. The prisoner has a right to an impartial hearing.
3. The prisoner has a right to receive written findings of the hearing including reasons for action taken.
4. The prisoner has a right to an appeal to another impartial hearing.
5. The prisoner has a right to written findings from the appeal hearing.
6. The prisoner has the right to refuse to answer questions, but shall be informed that such refusal may be inferred as an admission of guilt.

MASTER SCHEDULE

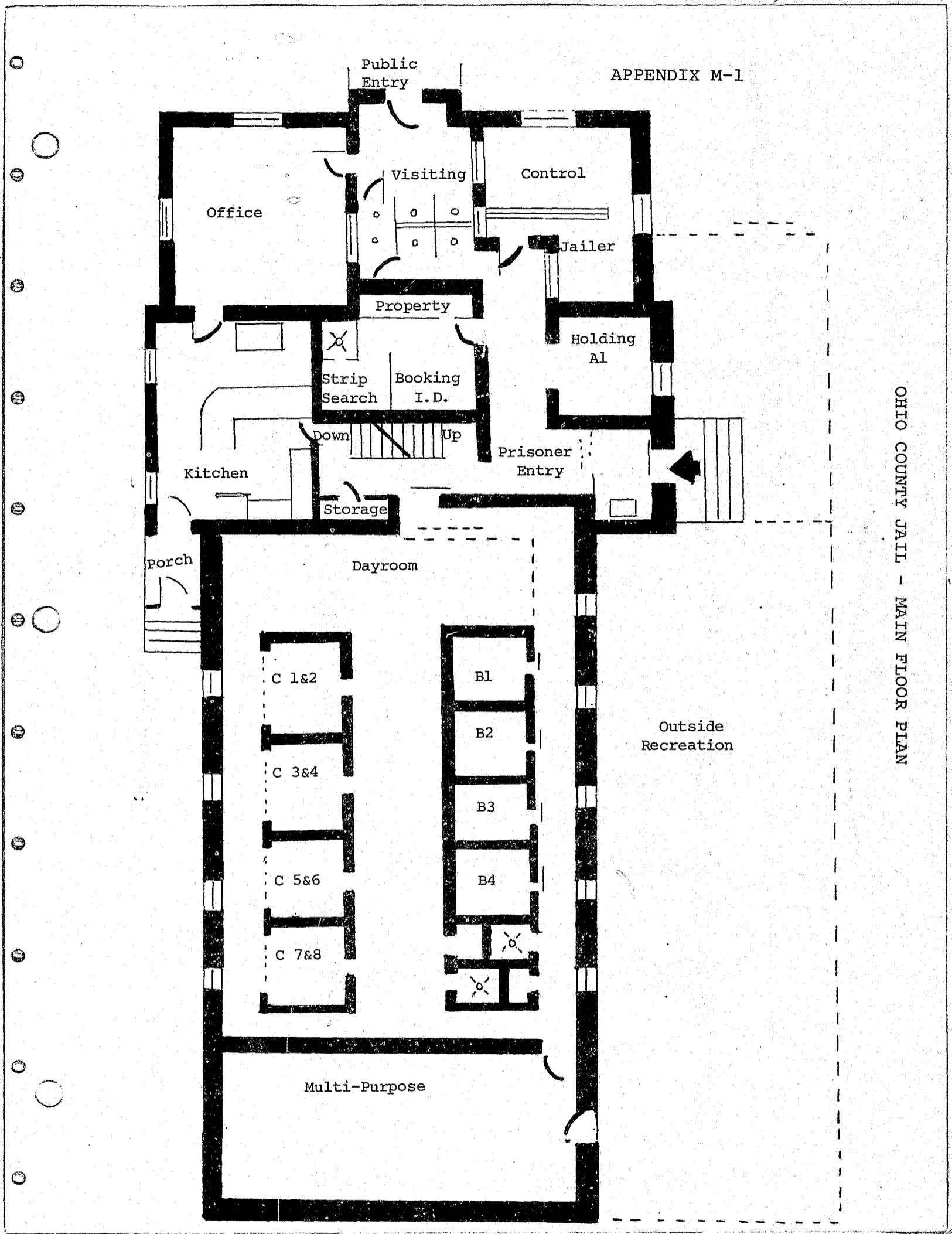
TIME	SUN	MON	TUES	WED	THURS	FRI	SAT
7:00 a.m. to 8:00 a.m.	Daily Sick Call —————→						
8:00 a.m. to 9:00 a.m.	Breakfast —————→						
9:00 a.m. to 10:00 a.m.			Physician Sick Call				
10:00 a.m. to 11:00 a.m.						Library Representative	Telephone
11:00 a.m. to NOON	Lunch —————→						
NOON to 1:00 p.m.	Lunch —————→						
1:00 p.m. to 2:00 p.m.	↑ Visit	12:45 p.m. Recreation ↓	↑ Visit	12:45 p.m. Recreation ↓	12:45 p.m. Recreation ↓	12:45 p.m. Recreation ↓	
2:00 p.m. to 3:00 p.m.							Library
3:00 p.m. to 4:00 p.m.	Shift Change —————→						
4:00 p.m. to 5:00 p.m.		Recreation	↕	↕	↕	↕	
5:00 p.m. to 6:00 p.m.		Mail					
	Dinner —————→						

APPENDIX I.

MASTER SCHEDULE (cont'd.)

TIME	SUN	MON	TUES	WED	THURS	FRI	SAT
6:00 p.m. to 7:00 p.m.		Commissary	Library	Commissary	Library	Commissary	
7:00 p.m. to 8:00 p.m.	Church Services	Telephone	Recreation Indoors	Telephone	Visit		
8:00 p.m. to 9:00 p.m.		↑ ↓	↑ ↓	↑ ↓	↑ ↓		
9:00 p.m. to 10:00 p.m.							
10:00 p.m. to 11:00 p.m.							
11:00 p.m. to MIDNIGHT	↑ Lockup						→
MIDNIGHT to 7:00 a.m.	↓ Lockup						→

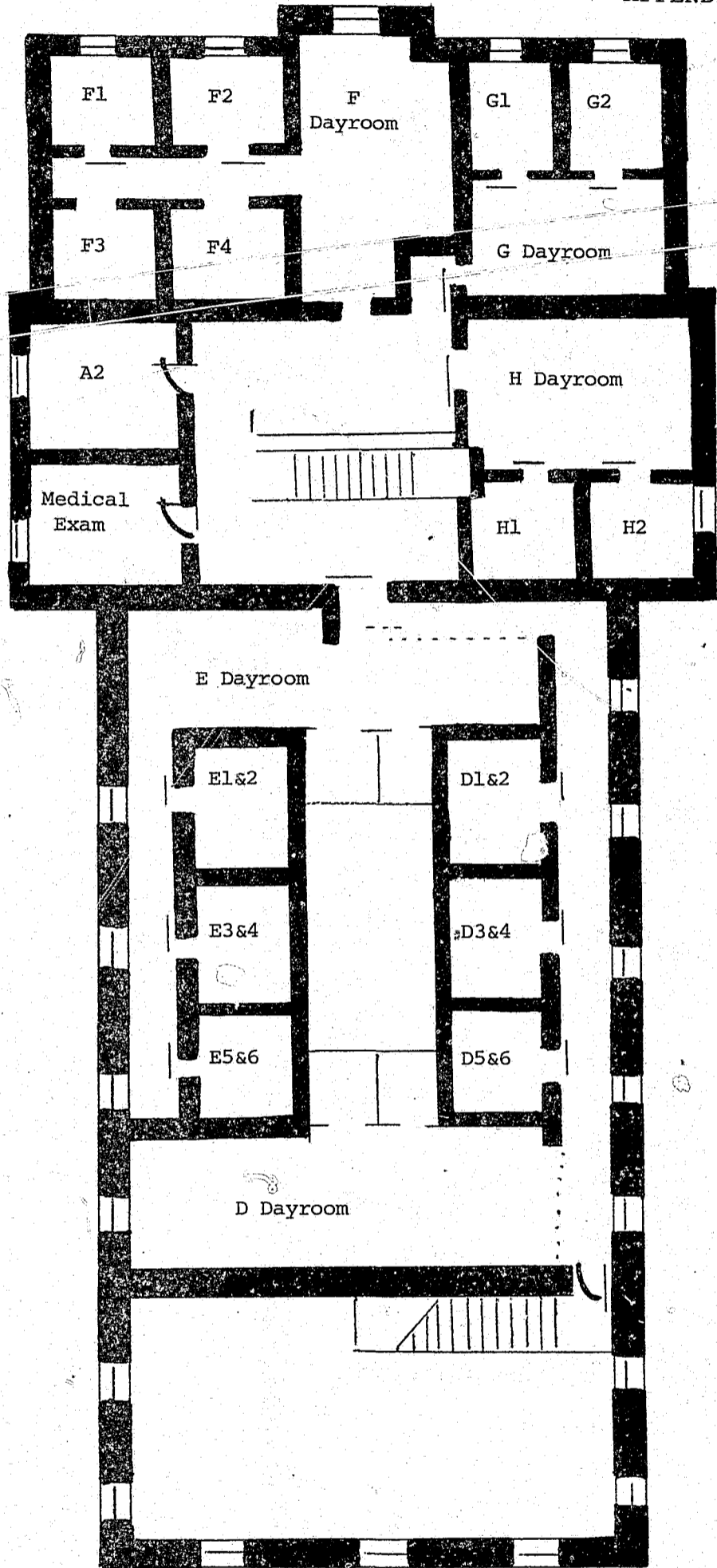
APPENDIX I. (cont'd.)



OHIO COUNTY JAIL - MAIN FLOOR PLAN

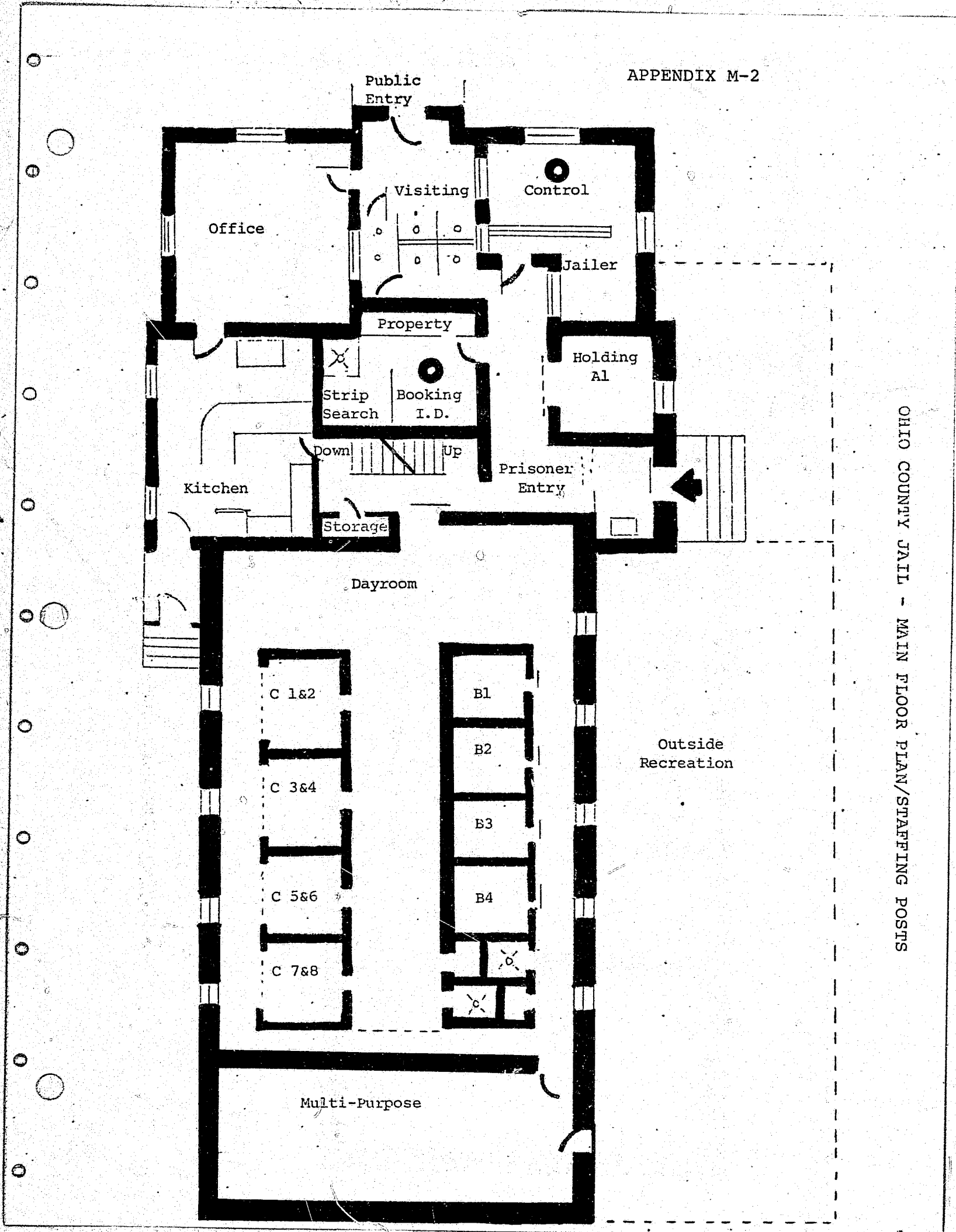


APPENDIX M-1 (cont'd.)

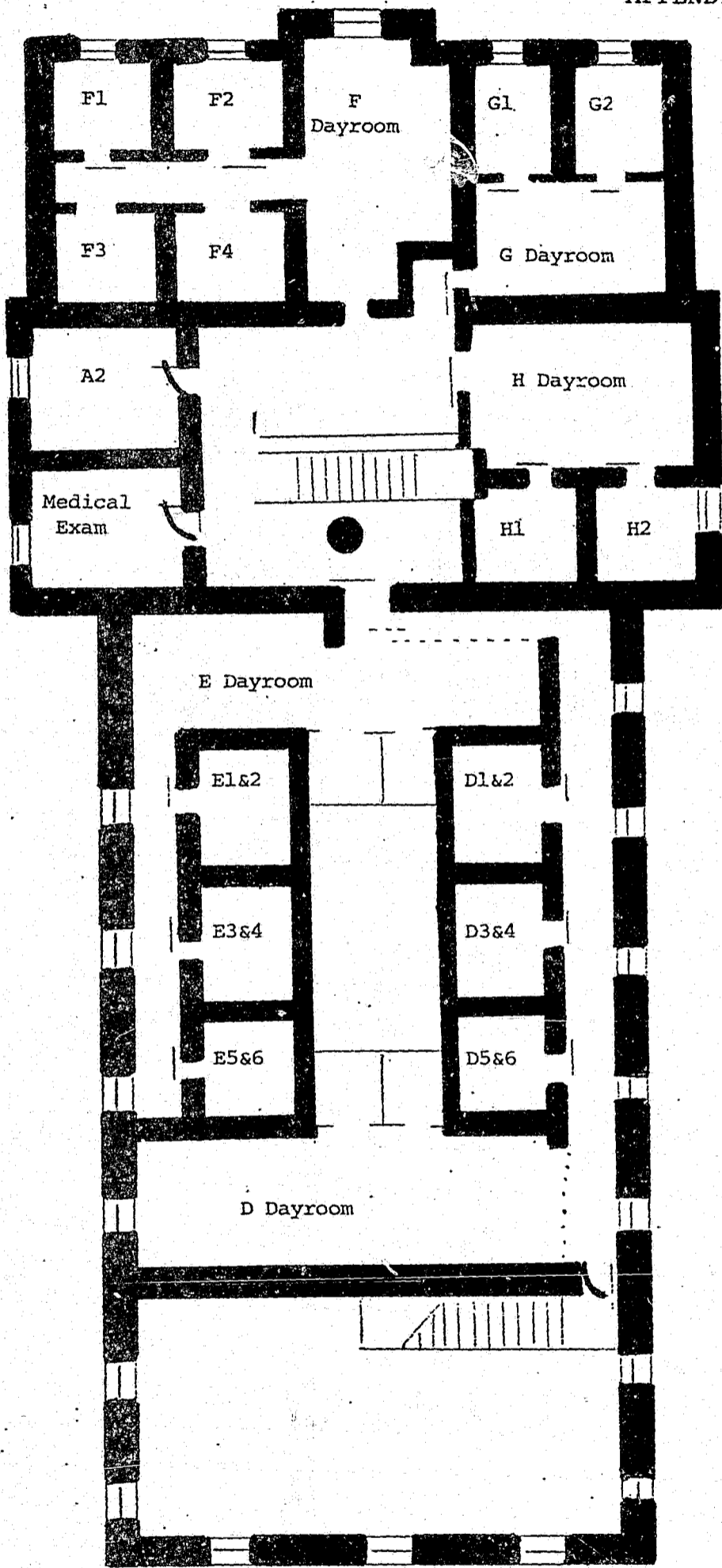


OHIO COUNTY JAIL - SECOND FLOOR PLAN

APPENDIX M-2



OHIO COUNTY JAIL - MAIN FLOOR PLAN/STAFFING POSTS



OHIO COUNTY JAIL - SECOND FLOOR PLAN/STAFFING POSTS

SECURITY POSTS

KEY:






● Staffed at all times on all shifts.

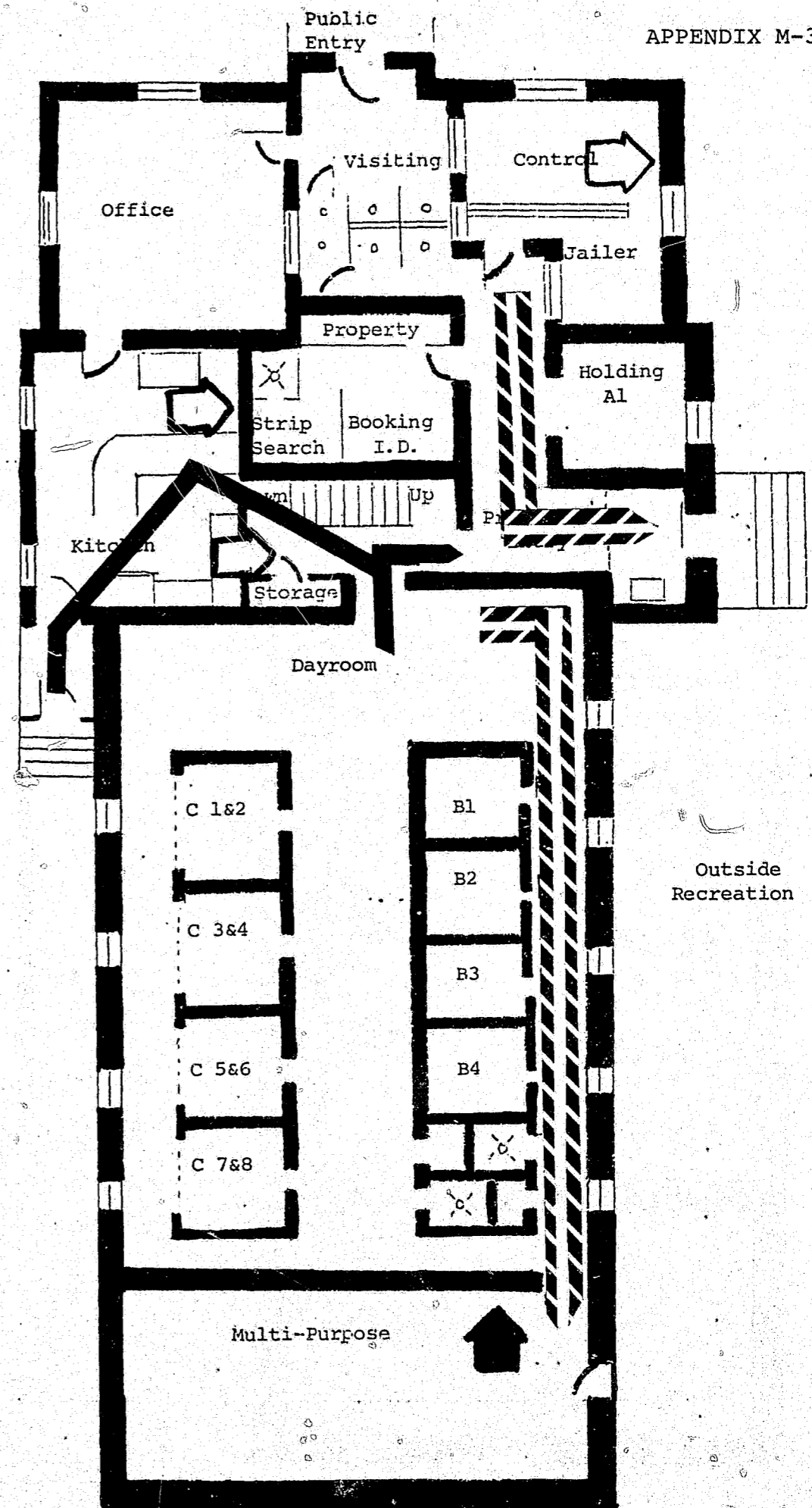
● Staffed on the 7:00 a.m. to 3:30 p.m. and on the 3:30 p.m. to 11:30 p.m. shift everyday.

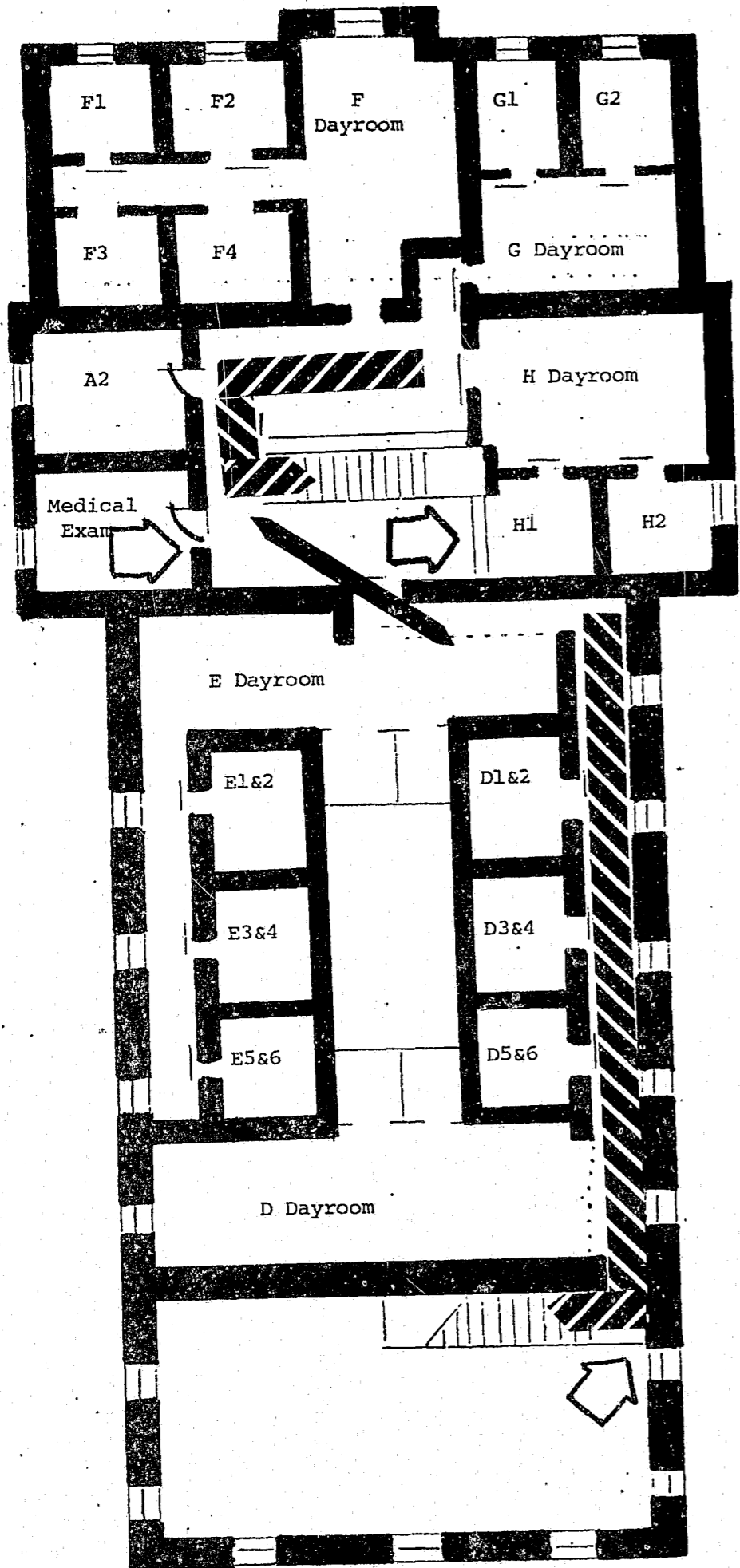
NOTE: The Central Control Room will be staffed by female personnel who are responsible for admitting and supervising female prisoners. The admitting jailer will perform control room functions in the absence of the central control officer.

FIRE EVACUATION ROUTES,  
EXTINGUISHER AND HOSE LOCATIONS

KEY:

-  = Extinguisher
-  = Hose
-  = First Floor Primary Route
-  = Second Floor Primary Route
-  = Secondary Routes





OHIO COUNTY JAIL - SECOND FLOOR PLAN/FIRE PLAN

BOOKING CARD

(FRONT)

OHIO COUNTY JAIL

Comp. # \_\_\_\_\_ Photo # \_\_\_\_\_  
 Name \_\_\_\_\_ SSN \_\_\_\_\_  
 Address \_\_\_\_\_ Phone # \_\_\_\_\_  
 DOB \_\_\_\_\_ Place of Birth \_\_\_\_\_  
 Race \_\_\_\_\_ Sex \_\_\_\_\_ Hgt. \_\_\_\_\_ Wgt. \_\_\_\_\_ Comp. # \_\_\_\_\_ Nat'l \_\_\_\_\_  
 Hair \_\_\_\_\_ Eyes \_\_\_\_\_ Mental/Phys. Eval. \_\_\_\_\_  
 Marks/Scars \_\_\_\_\_ Spec. Med. Problems \_\_\_\_\_  
 Physician \_\_\_\_\_ Marital Status \_\_\_\_\_ Spouse \_\_\_\_\_  
 Emergency Notification \_\_\_\_\_ Phone # \_\_\_\_\_  
 Occupation \_\_\_\_\_ Employer \_\_\_\_\_ Phone # \_\_\_\_\_  
 Charge \_\_\_\_\_ Arresting Officer \_\_\_\_\_  
 Date of Crime \_\_\_\_\_ Date of Arrest \_\_\_\_\_ Cell # \_\_\_\_\_  
 FBI \_\_\_\_\_ BCI \_\_\_\_\_ Alias \_\_\_\_\_  
 Associates \_\_\_\_\_  
 Veh. \_\_\_\_\_ Year \_\_\_\_\_ Body Style \_\_\_\_\_ Lic. # \_\_\_\_\_  
 Oper. Lic. # \_\_\_\_\_ Exp. Date \_\_\_\_\_ State \_\_\_\_\_  
 Disposition \_\_\_\_\_

(BACK)

BOOKING CARD

Property \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I have received a copy of the Jail Rules and understand them. The above is a complete list of my property taken by the Ohio County Jail.

Name: \_\_\_\_\_ Date \_\_\_\_\_

Time Entered \_\_\_\_\_ Date: \_\_\_\_\_ Jailer \_\_\_\_\_

I acknowledge the receipt of my property from the Ohio County Jail.

Name: \_\_\_\_\_ Date \_\_\_\_\_

Time Released \_\_\_\_\_ Date: \_\_\_\_\_ Jailer \_\_\_\_\_

Remarks \_\_\_\_\_

TOT/Department \_\_\_\_\_ Jailer \_\_\_\_\_

PRELIMINARY HEALTH EVALUATION  
 RECEIVING SCREENING FORM

DATE \_\_\_\_\_

NAME: \_\_\_\_\_ SEX \_\_\_\_\_ D.O.B. \_\_\_\_\_ TIME \_\_\_\_\_

PRISONER NO \_\_\_\_\_ JAILER OR PHYSICIAN \_\_\_\_\_

ADMITTING JAILER'S VISUAL OPINION

1. Is the prisoner conscious? YES NO
2. Does the new prisoner have obvious pain or bleeding or other symptoms suggesting need for Emergency Service? YES NO
3. Are there visible signs of trauma or illness requiring immediate Emergency or Doctor's care? YES NO
4. Is there obvious fever, swollen lymph nodes, jaundice or other evidence of infection which might spread through the jail? YES NO
5. Is the skin in good condition and free of vermin? YES NO
6. Does the prisoner appear to be under the influence of alcohol? YES NO
7. Does the prisoner appear to be under the influence of barbiturates, heroin or any other drug? YES NO
8. Are there any visible signs of Alcohol/Drug withdrawal symptoms? YES NO
9. Does the prisoner's behavior suggest the risk of suicide? YES NO
10. Does the prisoner's behavior suggest the risk of assault to staff or other prisoners? YES NO
11. Is the prisoner carrying medication or does the prisoner report being on medication which should be continuously administered or available? YES NO

JAILER-PRISONER QUESTIONNAIRE

12. Are you presently taking medication for diabetes, heart disease, seizures, arthritis, asthma, ulcers, high blood pressure, or psychiatric disorder? Circle Condition. YES NO
13. Do you have a special diet prescribed by a physician? YES NO  
 Type \_\_\_\_\_
14. Do you have history of venereal disease or abnormal discharge? YES NO

APPENDIX N.1.b. (cont'd.)

- |   |     |    |
|---|-----|----|
| 15. Have you recently been hospitalized or recently seen a medical or psychiatric doctor for any illness? | YES | NO |
| 16. Are you allergic to any medication?   | YES | NO |
| 17. Have you fainted recently or had a recent head injury?  | YES | NO |
| 18. Do you have epilepsy?   | YES | NO |
| 19. Do you have a history of tuberculosis?  | YES | NO |
| 20. Do you have diabetes?   | YES | NO |
| 21. Do you have hepatitis?  | YES | NO |
| 22. If female, are you pregnant?  | YES | NO |
| 23. Are you currently on birth control pills?   | YES | NO |
| 24. Have you recently delivered?  | YES | NO |
| 25. Do you have a painful dental condition?   | YES | NO |
| 26. Do you have any other medical problem we should know about?   | YES | NO |

REMARKS:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

(A copy of this form is included in the prisoner's medical record)

Appendix N.1.c.

OHIO COUNTY JAIL  
PROPERTY ENVELOPE

Prisoner Name \_\_\_\_\_

Date of Admission \_\_\_\_\_

Admitting Jailer \_\_\_\_\_

DESCRIPTION OF ITEMS	Tagged: ( )
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	

I certify that the above is a correct list of items, removed from my possession at the time I was placed in jail.

Signature of Prisoner \_\_\_\_\_ Date \_\_\_\_\_

Release: I certify that the items listed above were returned to me on \_\_\_\_\_ in the condition and quantity specified above.  
(date of release)

Signature of Prisoner \_\_\_\_\_ Date \_\_\_\_\_





APPENDIX N.2.a.

OHIO COUNTY JAIL  
REQUEST SLIP FOR MEDICAL CARE

Date \_\_\_\_\_ Time \_\_\_\_\_

Name \_\_\_\_\_

Cell \_\_\_\_\_

Complaint \_\_\_\_\_  
\_\_\_\_\_

For how long \_\_\_\_\_

TO BE FILLED OUT BY RANKING JAILER

Disposition and Instructions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Initials \_\_\_\_\_

APPENDIX N.2.b.

DOCTORS ORDERS TO THE JAILER

Patient's Name \_\_\_\_\_ I.D.# \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Treatment Prescribed \_\_\_\_\_  
\_\_\_\_\_

Medication Prescribed  
& medication administration  
instructions \_\_\_\_\_

Special Instructions \_\_\_\_\_  
(restrictions of diet  
activity, work assign-  
ment, observation  
orders, etc.)  
Referral/Return appointment  
\_\_\_\_\_

\_\_\_\_\_  
Physician/Dentist

\_\_\_\_\_  
Date



HAVE YOU EVER HAD OR HAVE YOU NOW?	YES	NO	DON'T KNOW
Night Sweats			
Tumors, Cysts, or Growths			
Cramps in your Legs			
Rupture or Hernia			
Recent Gain or Loss of Weight			
Frequent Indigestion			
Stomach Trouble or Ulcer			
Hepatitis or Jaundice			
Gall Bladder Trouble			
Hemorrhoids or Rectal Trouble			
Head Injuries			
Epilepsy or Seizures			
Frequent or Severe Headaches			
Loss of Memory or Amnesia			
Periods of Unconsciousness			
Paralysis, Numbness, Weakness			
Dizziness, Fainting Spells			
Nervous Problem of Any Type			
Alcoholism			
Syphilis, Gonorrhea			
Drug Allergies			
Lumps, Pain, Discharge on Breast			
Change in Menstrual Pattern			
Pregnancy/Abortion/Miscarriage			
Treated for Female Disorder			
Thyroid Trouble			
YOUR PRESENT DOCTOR'S NAME (Address, Phone)			
Have you ever been treated for a mental condition? (If yes, state reason and give details).			
Highest level of education (years)			
Have you ever been incarcerated in this jail before? (If so, when?)			
Have you ever been a patient or received treatment in a hospital? (surgery/injuries); state where, when, why and address			
Have you ever taken narcotics? (If yes, state what kind, when you last took it, and if you are in a treatment program.)			
Additional Remarks: (use reverse side if necessary)			

Medical Confidential

PHYSICAL EXAMINATION

Name & Number \_\_\_\_\_ Date \_\_\_\_\_

PARTS OF THE BODY	Blood Pressure:	Pulse Rate:	Pulse Rhythm:	Respir. Rate:	Respr. Rhythm
	Height:	Weight:	Temp:	Visual Acuity:	Ocular Tension
OBSERVATION					
1. Head, face, scalp					
2. Skin (a) lesions, ulcers, jaundice (b) lacerations, tracks					
3. Eyes (a) pupils (b) conjunctiva, sclera					
4. Ears (a) pinnae, canals, drums (b) gross hearing					
5. Nose					
6. Mouth (a) teeth/dentures (b) throat					
7. Neck (a) lymph nodes (b) masses					
8. Chest Wall					
9. Breasts					
10. Lungs					
11. Heart (a) rate (b) murmurs					
12. Abdomen (appearance)					
13. Liver (a) size (cm) (b) tenderness (c) edge					
14. Spleen					
15. Groin (a) nodes (b) lesions (c) hernias					

PHYSICAL EXAMINATION (cont'd.)

16. Back	(a) pain (b) range of motion		
17. Extremities	(a) clubbing (b) tracks		
18. Flanks			
19. Joints	(a) deformity (b) range of motion		
20. Neurologic	(a) reflexes (b) gross touch (c) gait (d) oriented (e) speech		
21. Rectal			
22. MALES: Penis, scrotum, testes			
23. FEMALES:	(a) vulva, vagina (b) cervix (c) uterus, adnexae		
Laboratory Results:	PPD or tine	RPR or VDRL	SGPT
Disposition/Referral			U.A.

Signature of Examiner \_\_\_\_\_

OHIO COUNTY JAIL  
RULE VIOLATION REPORT

Date \_\_\_\_\_

Prisoner(s) involved: \_\_\_\_\_

Rule Violation(s) # \_\_\_\_\_ Major \_\_\_\_\_ Serious \_\_\_\_\_

Witness(es): \_\_\_\_\_

DETAILS OF OFFENSE:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

WHO did it? \_\_\_\_\_

WHAT did he do? To whom or to what? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WHEN? What activity was prisoner involved in immediately prior to violation? \_\_\_\_\_

WHERE? (be specific) \_\_\_\_\_

HOW? \_\_\_\_\_

WHY? \_\_\_\_\_

Degree of personal injury: \_\_\_\_\_

Degree of property damage: \_\_\_\_\_

Immediate action taken: \_\_\_\_\_

REPORTING JAILER \_\_\_\_\_

OHIO COUNTY JAIL  
NOTIFICATION OF CHARGES

Date \_\_\_\_\_

Dear Mr(s): \_\_\_\_\_

You are hereby notified that it is alleged that you have committed the following rule violation(s):

Rule(s) # \_\_\_\_\_

Time: \_\_\_\_\_

Date: \_\_\_\_\_

Place: \_\_\_\_\_

Accuser: \_\_\_\_\_

Facts on which charge is based: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Maximum penalty for the violation(s) is: \_\_\_\_\_

You have a right to request a disciplinary hearing on the above charge(s). Such request must be made in writing to the Jail Administrator within 24 hours.

OHIO COUNTY JAIL  
NOTIFICATION OF DENIAL OF HEARING

Date \_\_\_\_\_

Dear Mr(s). \_\_\_\_\_

You are hereby notified that your request for a disciplinary hearing has been denied for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following facts were relied upon in making a determination that you have violated rule(s) # \_\_\_\_\_: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following penalty is imposed: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
JAIL ADMINISTRATOR

OHIO COUNTY JAIL

WAIVER OF RULE VIOLATION HEARING

DATE \_\_\_\_\_

I, \_\_\_\_\_, have been notified of my right to a Rule Violation Hearing and the minimum due process which provides that during this Hearing I have the right to be heard, and present evidence and witnesses. Furthermore, I understand I may request assistance in preparing my case from a member of the correctional staff, treatment staff, or another prisoner as determined by the hearing officer.

If the hearing officer determines that there is substantial evidence of guilt, I may receive up to ten (10) days in disciplinary isolation or the loss of "good time" where applicable. I am entitled to appeal any disciplinary actions to the facility manager. I understand that should I elect to waive said Hearing, the alleged violations and evidence against me will be administratively reviewed. Such review may result in a finding of probable cause and the imposition of disciplinary action.

Being fully advised of these rights and conditions, and having been given notice of my alleged rule violation(s), I do hereby agree to waive my right to such Hearing without promise or threat of any kind having been made.

If prisoner is unable to read, the above language was read in his presence and explained to him.

\_\_\_\_\_ PRISONER DATE \_\_\_\_\_

WITNESSED:

\_\_\_\_\_  
SIGNATURE DATE

OHIO COUNTY JAIL

NOTIFICATION OF DISCIPLINARY HEARING AND CHARGES

DATE \_\_\_\_\_

Dear Mr. \_\_\_\_\_:

You are hereby notified that a disciplinary hearing to determine whether there is substantial evidence of guilt to believe that you have committed a serious rule violation will be held on \_\_\_\_\_ at \_\_\_\_\_  
(date) (time)

During this hearing you have the right to be heard, and present evidence and witnesses. Reasons for any limitations placed on testimony or witnesses shall be stated in writing by the hearing officer. You may request assistance in preparing your case from a member of the correctional staff, treatment staff, or another prisoner as determined by the hearing officer. If the hearing officer determines that there is substantial evidence of guilt, you may receive up to ten (10) days in disciplinary isolation or loss of "good time" where applicable. You are entitled to appeal disciplinary actions to the facility manager.

You are alleged to have committed the following violation(s), (to include the time, date, place and facts on which the charge is based, the accuser and the specific rule broken): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The maximum penalty for this violation is: \_\_\_\_\_  
\_\_\_\_\_

Signed,

\_\_\_\_\_  
HEARING OFFICER

OHIO COUNTY JAIL

NOTIFICATION OF DISCIPLINARY HEARING FINDING

Date \_\_\_\_\_

Dear Mr. \_\_\_\_\_

This is to advise you that substantial evidence of guilt has been established on the following rule violation(s), to wit:

\_\_\_\_\_  
\_\_\_\_\_

Summary or digest of evidence used in determining rule violation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The following sanction has been imposed: \_\_\_\_\_

\_\_\_\_\_

The reason for this sanction is: \_\_\_\_\_

\_\_\_\_\_

Daily Log (typical page)

NOTE: Each security post will keep a Daily Log on those shifts during which the post(s) is staffed. The relief jailer will review that log upon assuming duties on his or her shift. The following activities shall be routinely noted in the log:

- Security Inspections
- Prisoner Counts
- Prisoner Movement (e.g., Court, Release, Recreation)
- Medical Treatment/Visits
- Feeding
- Disciplinary Actions
- Use of Force
- Surveillance Checks
- Unusual Incidents
- Cellblock Activities (i.e., Commissary, Telephone)



APPENDIX N.4.a. (cont'd.)

DAILY LOG

DATE \_\_\_\_\_  
AREA: \_\_\_\_\_

Date	Time		Jailer	Activity or Event
	From	To		

APPENDIX N.4.b.

TELEPHONE LOG

Prisoner Name: \_\_\_\_\_ Cell # \_\_\_\_\_

Date	Number Called	Relationship	Remarks	Jailer's Initials

Sheet # \_\_\_\_\_

SUPPLEMENTAL WORKSHEET

A. OPERATIONAL AREA.

Security - Prisoner Counts

B. MODEL POLICY AND PROCEDURE

Appendix N.4.d Prisoner Count Sheet

OHIO COUNTY JAIL  
PRISONER COUNT SHEET

HOUSING UNIT \_\_\_\_\_ DATE: \_\_\_\_\_

Cell #	Count				Count				Count			
	7:15 a.m.	Sig	IN	OUT	3:15 p.m.	Sig	IN	OUT	11:15 p.m.	Sig	IN	OUT
Total Count												

New admissions and releases will be recorded on the "In" and "Out" columns of this form by the housing jailer as they occur. At the change of each shift, the jailer and relief jailer will conduct a headcount, record it, and initial the counts. The total count for the assigned area will be verbally relayed to Central Control by the jailer going off duty.

NOTE: The shift count should equal (=) the previous shift count, plus (+) the number of new admissions, minus (-) the number of releases.

**END**