

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

DATE:	JANUARY 28, 2016
NUMBER:	N.6
SUBJECT:	CONDITIONS OF CONFINEMENT INMATES
RELATED SECTIONS:	I.41 , P.3

PURPOSE

To establish uniform procedures for the treatment of self-represented inmates in "conditions of confinement" lawsuits.

POLICY

All facilities will provide fair and equitable treatment for self-represented inmates involved in "conditions of confinement" actions (conditions of confinement inmates are not considered "Pro-Per" inmates for the purpose of DSB P&P section N.7 against the county).

PROCEDURE

I. CONDITIONS OF CONFINEMENT STATUS

County counsel will send a copy of the first page of the court filing which will identify the plaintiff (inmate) to the supervising correctional counselor (SCC) at the San Diego Central Jail (SDCJ) of any inmate that has been granted self-representation by the court.

The SDCJ SCC will notify the Jail Population Management Unit (JPMU) sergeant of the status change. The JPMU sergeant will enter the conditions of confinement inmate (CCI) hazard into JIMS. The SCC at the facility where the conditions of confinement inmate is housed will be notified of the status change, so they may start providing the accommodations described in this section.

The watch commander is authorized to suspend for cause any and all of the conditions of confinement accommodations herein ordered.

The inmate may appeal by filing a grievance to the facility commander.

II. CONDITIONS OF CONFINEMENT SUPPLIES

The following items may be purchased from commissary. The following items may be possessed by conditions of confinement inmates in reasonable quantities:

- A. Ruled legal pad
- B. Standard legal size envelopes
- C. Golf pencils, lead black
- D. Erasers

Indigent conditions of confinement inmates will be given a supply of the above items by the correctional counselor, which will be paid for by the inmate welfare fund. Replacement of any of the items listed above shall be accomplished through a written request to the correctional counselor. The correctional counselor will determine the validity of the request and furnish the appropriate supplies.

The correctional counselor will provide - one copy of an inmate's final legal (conditions of confinement case) work product upon his/her request.

III. COMMUNICATION

A. Telephone

Conditions of confinement inmates may use the phones in their housing areas to place calls concerning their cases. Abuse of the telephone may result in the loss of telephone privileges.

B. Mail

Conditions of confinement inmates are authorized to mail all correspondence necessary for their law suit, at their own expense. Only that correspondence which meets the confidential/legal mail definition will be handled as such. All other mail will be subject to the general provisions (refer to DSB P&P section P.3 regarding inmate mail).

Indigent conditions of confinement inmates may submit their legal correspondence to the correctional counselor who will in turn, affix the needed postage or mail it through county messenger mail.

IV. ACCESS TO LEGAL RESOURCES

Conditions of confinement inmates will access legal resources through the use of the Legal Research Associates (LRA) request. Conditions of confinement inmates will be allowed two (2) LRA requests a month. The requests and responses will be logged by the correctional counselors.

V. HOUSING AND MISCELLANEOUS

Conditions of confinement inmates shall be housed in areas that are compatible with their classification status. The correctional counselor will keep a log for each conditions of confinement inmate. The log will have a list of supplies furnished (if determined to be indigent), LRA requests and responses, and special requests approved. Inmate request forms from conditions of confinement inmates requesting additional items will be forwarded to the correctional counselor for review.

VI. CELL/PROPERTY SEARCHES

Cell or property searches of conditions of confinement inmates' "legal" materials will be carried out in the method outlined in policy (refer to DSB P&P section I.41 regarding privileged communication).