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Sheriff

*San Diego County*

**SHERIFF**

## LINE-UP TRAINING

### Gassing

### Topic # 61

*After discussing/reviewing the below training material in line-up (briefing), sworn staff shall sign off as completed in LMS. In the event a staff member is not present when this topic is discussed in line-up, they shall independently read, review, and complete the training.*

*By clicking "Yes" to "Have you completed this activity?" in LMS, you are attesting that you have viewed, read, and completed the training activity.*

#### I. PURPOSE

To mandate procedures and investigations concerning detention facility employees who have been exposed to an inmate's bodily fluid or human excrement, as defined in [Penal Code Section 243.9 - Aggravated Battery by Gassing upon Officer or Employee of Local Detention Facility](#).

#### II. POLICY

Facility commanders shall use every means available to immediately investigate all reported or suspected battery by gassing violations by inmates. All reports for which there is probable cause to believe that the inmate has violated 243.9 PC shall be referred to the District Attorney for prosecution.

This training is conducted in adherence to [Department Policy and Procedure Section 3.16 - Occupational Injuries, Illness or Death](#), [DSB P&P Section I.95 - Forced Blood Draws](#), [DSB P&P M.36 - Standard Precautions](#), and [DSB P&P Section M.37 - Communicable Disease Control](#).

#### III. DISCUSSION

Staff shall discuss and review procedures related to "Gassing" incidents.

##### A. GASSING VICTIMS

Any staff member who is the victim of a gassing incident shall:

1. Report the incident to their supervisor.
2. Obtain photos as soon as possible
3. Immediately seek aid from the facility medical unit.



4. Place contaminated clothing into evidence after it has air dried. Ensure to label properly with biohazard label and request a lab test for DNA.
5. Victim referred to the nearest County contracted Industrial Medical Clinic (Concentra Medical Group) for medical treatment and follow-up according to Department Policy and Procedure 3.16- Occupational Injury.

## **B. INMATE SPECIMIN RETRIEVAL FOR COMMUNICABLE DISEASE TESTING**

Incidents concerning detention facility employees exposed to an inmate's bodily fluids or human excrement as defined in [Penal Code Section 243.9](#) will be investigated. When an employee sustains such occupational exposure to an inmate's blood, bodily fluid or human excrement, the inmate will be asked to voluntarily submit to a blood draw. Every effort should be made to obtain a voluntary blood sample from the inmate first.

1. Voluntary
  - a. The voluntary informed consent shall be in writing.
  - b. Refusal to voluntarily submit to a blood draw may result in procuring a court order to obtain the specimens of blood (for HIV testing).
2. Involuntary (forced blood draw)
  - a. Watch commander or designee to contact the chief medical officer or designee (Sheriff's Medical Services Infection Control Nurse).
  - b. If deemed necessary, he/she can order the inmate be tested for hepatitis and/or tuberculosis as soon as possible (no court order required for forced blood draw).
  - a. Inmate can also be tested for HIV (involuntary for HIV will require a court order).
  - b. Forced blood draws will be conducted in accordance to [DSB P&P Section 1.95 – Forced Blood Draws](#).

## **C. REPORTING AND DOCUMENTATION**

1. NetRMS incident report according to Department P&P 6.71-Crime Case Reports
  - a. Report to be assigned to other than victim for completion
  - b. If inmate due for release, re-arrest/book on [Penal Code Section 243.9](#) charge.
  - c. NetRMS Use of Force report (forced blood draw)
2. [Work Related Injury Report Checklist \(MLU-2\)](#) (victim)
  - a. MLU-4 Report of Occupational Injury
  - b. RM-3 Supervisor Investigation