

DATE:	SEPTEMBER 27, 2022
NUMBER:	I.64
SUBJECT:	SAFETY CHECKS: HOUSING AND HOLDING AREAS OF INCARCERATED PERSONS
RELATED SECTIONS:	Title 15 CCR § 1027.5; Penal Code § 4021; I.43 , I.63

PURPOSE

To provide guidelines for conducting and documenting safety checks as well as conducting compliance reviews of safety checks.

POLICY

Sworn staff will conduct safety checks of incarcerated persons, housing areas, holding areas and vacant cells through direct visual observation (i.e., direct personal view of the incarcerated person/area without the aid of audio/video equipment). Safety checks of incarcerated persons consist of looking at the incarcerated persons for any obvious signs of medical distress, trauma or criminal activity. Safety checks shall be conducted at least once within every 60-minute time period. Safety checks of Medical Observation Beds (MOB) and in Psychiatric Stabilization Units (WPSU/PSU) shall be conducted at least once within every 30-minute time period. The intervals of the safety checks, within the 60 or 30 minute time period, shall vary and must be logged in the Jail Information Management System (JIMS). In addition to observing the safety and welfare of incarcerated persons, sworn staff shall also be attentive to security and maintenance issues as well as environmental factors (e.g., temperature, odors, cleanliness) while conducting safety checks.

PROCEDURE

I. HOUSING DESCRIPTIONS

- A. Cell Style Housing – a housing area or module in which all beds/bunks in the individual room, and all fixtures (i.e., desks, sinks, showers, etc. if contained within the room), can be observed from the window/door providing access to the room.
- B. Dormitory Style Housing – a housing area or module capable of housing more than three incarcerated persons, in which some beds/bunks or fixtures cannot be seen from the window/door or allow for individuals to be obscured. Dormitory style housing requires sworn staff to enter the area in order to observe all beds/bunks/fixtures and incarcerated persons.

II. CONDUCTING SAFETY CHECKS

- A. California Penal Code section 4021, in part, states that it is unlawful for a deputy to enter the room or cell occupied by an incarcerated person of the opposite gender, except when accompanied by a deputy of the same gender as the incarcerated person.

1. Sworn staff shall adhere to California Penal Code section 4021 while conducting safety checks of incarcerated persons.
 2. Staff of the opposite gender of incarcerated persons will be required to announce their presence when entering an area where incarcerated persons are likely to be showering, performing bodily functions or changing clothing. Incarcerated persons shall be able to shower, perform bodily functions and change clothing without non-health staff of the opposite gender viewing their breasts, buttocks or genitalia, except when such viewing is incidental to routine safety checks or in exigent circumstances.
 3. This does not preclude sworn staff of either gender from assisting each other or excuse them from ensuring a check is completed.
- B. When sworn staff conduct safety checks in a high-risk security level housing unit (e.g., administrative separation), they should utilize the practice of contact and cover. Sworn staff should enter each module together on the same level and conduct the safety check as a team. Sworn staff should not split up to have one check the top tier and the other the bottom tier. Although recommended in high-risk security level housing, contact and cover can be used in any housing unit/module when incarcerated persons are present in the dayroom. The cover deputy's primary responsibility is to provide security for the contact deputy during the safety check. While providing cover, this deputy is not expected to conduct the safety check.
- C. During safety checks in housing locations, sworn staff will physically enter each module and observe each incarcerated person present in the common areas of the module looking for obvious signs of medical distress, trauma, or criminal activity (e.g., dayrooms, showers, exercise areas, holding areas). In cell style housing modules, sworn staff shall stop at or enter each cell and observe each incarcerated person. In dormitory style housing modules, sworn staff shall walk by each bunk in a manner that permits them to observe each incarcerated person.
- D. Safety checks shall be completed in all non-housing locations designed as cells/holding areas for incarcerated persons (e.g., receiving, medical, release, court holding), even when unoccupied (the release area at Las Colinas Detention and Reentry Facility is excluded from this safety check requirement). Sworn staff shall conduct safety checks in these areas the same as they would in housing locations.
- E. Each detention facility shall develop a facility green sheet identifying:
1. The style of housing (i.e., cell or dormitory) for each housing area in the facility.
 2. The staff positions within the facility responsible for ensuring safety checks are initiated, conducted and documented.

III. LOGGING OF SAFETY CHECKS

- A. The start of a safety check will be logged in JIMS using the event type "11-53 Started." The description field of the entry shall include the name(s) and/or ARJIS numbers of the sworn staff

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conducting the safety check. If additional space is needed, the notes section may be used. Once all necessary fields are completed, the sworn staff making the entry will immediately close the "11-53 Started" entry.

- B. In the event a safety check is needed, but immediate resources are not available, the deputy of the affected area will attempt to identify resources for completing the safety check. In situations where a safety check cannot be started or has been started but cannot be completed, the area sergeant will be notified as soon as possible and identify resources for ensuring the safety check is conducted or completed without delay.
- C. At the conclusion of the safety check, an entry may be logged in JIMS using the event type "11-53 Notes," if there was anything encountered during the safety check. Items that necessitate documentation include, but are not limited to:
 - 1. Incarcerated person in medical distress (e.g., asthma attack, chest pain, etc.),
 - 2. Incarcerated person suffering medical trauma (e.g., bleeding, ligature marks, etc.),
 - 3. Criminal activity (e.g., drug usage, fighting, etc.),
 - 4. Facility damage (e.g., broken fixtures, graffiti, etc.),
 - 5. Maintenance issues (e.g., clogged toilet, running water),
 - 6. Different or additional sworn staff conducted the safety check,
 - 7. Anything that delayed the start or completion of the safety check.
- D. Anytime a safety check is logged or completed outside of the required time period, the deputy of the affected area will document an explanation as detailed in section III.B and include the name of the supervisor notified. The supervisor shall make a notation in the notes field utilizing the event type "Supervisor's Log Review." This entry shall state the supervisor is aware the safety check was conducted outside the required time period.
- E. Sergeants will review the JIMS Area Activity Logs and ensure safety checks were logged and conducted at varying intervals within the required time periods.
 - 1. Each supervisor's review of safety checks will extend back to the previous supervisor's log review entry.
 - 2. In the event the supervisor finds any discrepancies in their review, they will make a notation in the "NOTES" field of their "Supervisor's Log Review" entry.
 - 3. The watch commander will review the JIMS Area Activity Logs and ensure safety checks were conducted within the required time period. The watch commander will make an entry in the JIMS Area Activity Log, documenting any discrepancies they find during their review utilizing the event type "Supervisor's Log Review."

IV. COMPLIANCE REVIEWS OF SAFETY CHECKS

- A. The Facility Commander will identify a sworn supervisor to review safety checks of housing or holding areas within the facility. The sworn supervisor will review safety checks of one complete shift from each team on an ongoing monthly basis. Each facility will detail in a green sheet a

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schedule of locations that will be reviewed for compliance and the month the review will take place.

- B. JIMS Area Activity Logs and corresponding video footage shall be utilized for the review of safety checks if/when available
- C. The completed reviews will be documented and reviewed via chain of command by the facility commander for which the review was conducted. Once reviewed and approved, records of the reviews will be retained at each facility electronically for two years.
- D. Facilities will not be limited on number of reviews they can conduct. Supplemental reviews may be conducted by whichever means the facility commander finds appropriate. Reviews exceeding the requirement listed in this policy and procedure section shall also be reviewed, approved, and retained as outlined above.