

<b>DATE:</b>	MAY 27, 2022
<b>NUMBER:</b>	M.44
<b>SUBJECT:</b>	COURT NOTIFICATIONS AND LETTERS
<b>RELATED SECTIONS:</b>	<a href="#">I.45</a> , <a href="#">M.1</a> , <a href="#">Q.43</a> , P.C. Sec. 4011, 4011.5,

## PURPOSE

To provide guidelines for notifying the court of an incarcerated person's medical condition or inability to appear in court.

## POLICY

The watch commander shall be responsible for making proper notifications to the court when an incarcerated person is unavailable due to a medical emergency or medical treatment plan.

## PROCEDURE

### I. MEDICAL EMERGENCY

- A. When an incarcerated person is to be taken to the hospital, the deputy shall notify the on-duty watch commander. The watch commander shall notify health staff (refer to Detention Services Bureau Policies and Procedures section I.45 for incarcerated person hospital admittance procedures).
- B. The watch commander will review the incarcerated person's computer records and custody record to determine if an incarcerated person's medical emergency and/or hospitalization creates a conflict that would cause an incarcerated person to miss a scheduled court appearance.
- C. If a medical emergency/hospitalization conflicts with a scheduled court appearance, the dayshift watch commander will ensure the following occurs:
  1. Notify the responsible sworn staff.
  2. Notify the appropriate court facility as soon as possible. The initial contact will be made by phone, notating the individual notified and the time.
  3. Health staff will e-mail a Medical Court Report to the on-duty watch commander, followed by a phone call to confirm receipt.
  4. The watch commander will forward the Medical Court Report to the on-duty detention processing supervisor (DPS) and court deputy. The DPS will send the signed Medical Court Report electronically to the superior court contact(s) of the appropriate court jurisdiction. If the court appearance is scheduled in another court jurisdiction, the Medical Court Report will be electronically sent to the on duty DPS at the facility's court jurisdiction. The DPS at that facility will forward the notice to the appropriate superior court contact(s).

5. Once completed, make a notation in the Watch Commander's Log of the court notification including the incarcerated person's name and booking number, the designated court and scheduled court appearance date.
6. A copy of the Medical Court Report will be placed in the incarcerated person's custody record and a copy will be forwarded to the Medical Services Division.

## II. MEDICAL TREATMENT PLAN AND CONFLICT WITH SCHEDULED COURT APPEARANCE (S)

- A. When an incarcerated person has a prolonged medical treatment plan (i.e., dialysis, radiation treatment, chemotherapy, regularly scheduled clinic appointments, etc.) which may conflict with any court appearance(s), or condition that prohibits an incarcerated person's safe transportation and appearance in court (i.e., communicable disease, suicidal risk, etc.), health staff will notify the watch commander and prepare the Medical Court Report.
- B. The watch commander shall follow the procedures set forth in Sections I of this policy.
- C. If a conflict with court exists, the facility watch commander will notify health staff of:
  1. The court's intent to reschedule or send an Order to Produce for the date in question.
  2. The newly scheduled court date to prevent future scheduling conflicts.
- D. Incarcerated persons housed in medical isolation cells whom the court has been notified about shall be labeled with a "No Court" sign until they are medically cleared and/or the court sends an Order to Produce.

## III. INCARCERATED PERSONS MEDICALLY CLEARED FOR COURT

Upon discharge from the hospital back to the detention facility or when the condition which has prevented an incarcerated person from appearing in court is resolved. Health staff shall generate a Medical Court Report and the aforementioned process will again be followed.