

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

DATE:	MAY 13, 2022
NUMBER:	N.6
SUBJECT:	CONDITIONS OF CONFINEMENT INCARCERATED PERSONS
RELATED SECTIONS:	I.41 , P.3

PURPOSE

To establish uniform procedures for the treatment of self-represented incarcerated person(s) in "conditions of confinement" lawsuits.

POLICY

All facilities will provide fair and equitable treatment for self-represented incarcerated person(s) involved in "conditions of confinement" actions. Conditions of confinement incarcerated person(s) are not considered "Pro-Per" incarcerated person(s) for the purpose of Detention Services Bureau Policies and Procedures (DSB P&P) section N.7 with actions against the county.

PROCEDURE

I. CONDITIONS OF CONFINEMENT STATUS

- A. County counsel will send a copy of the first page of the court filing which will identify the plaintiff (incarcerated person) to the supervising correctional counselor (SCC) at the San Diego Central Jail (SDCJ) of any incarcerated person that has been granted self-representation by the court.
- B. The SCC at SDCJ will notify the Jail Population Management Unit (JPMU) sergeant of the status change. The JPMU sergeant will enter the "Conditions of Confinement Incarcerated Person" (CCI) hazard into the Jail Information Management System (JIMS).
- C. The SCC at the facility where the conditions of confinement incarcerated person is housed will be notified of the status change, so they may start providing the accommodations described in this section.
- D. The watch commander is authorized to suspend for cause any of the conditions of confinement accommodations herein ordered.
- E. The incarcerated person may appeal by filing a grievance to the facility commander.

II. CONDITIONS OF CONFINEMENT SUPPLIES

- A. The following items may be purchased from commissary and may be possessed by conditions of confinement incarcerated people in reasonable quantities:
 - 1. Ruled legal pad
 - 2. Standard legal-size envelopes

3. Golf pencils, lead black

4. Erasers

B. Indigent conditions of confinement incarcerated people will be given a supply of the above items by the correctional counselor, which will be paid for by the incarcerated person 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.

C. The correctional counselor will provide one copy of an incarcerated person's final legal conditions of confinement case work product upon their request.

III. COMMUNICATION

A. Telephone

Conditions of confinement incarcerated people 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

1. Conditions of confinement incarcerated people are authorized to mail all correspondence necessary for their lawsuit, 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 incarcerated person mail).

2. Indigent conditions of confinement incarcerated people may submit their legal correspondence to the correctional counselor who will affix the needed postage or mail it through county messenger mail.

IV. ACCESS TO LEGAL RESOURCES

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

V. HOUSING AND MISCELLANEOUS

A. Conditions of confinement incarcerated people shall be housed in areas that are compatible with their classification status.

B. The correctional counselor will keep a log for each conditions of confinement incarcerated person. The log will have a list of supplies furnished (if determined to be indigent), LRA requests and responses, and special requests approved.

- C. Incarcerated person request forms from conditions of confinement incarcerated people requesting additional items will be forwarded to the correctional counselor for review.

VI. CELL/PROPERTY SEARCHES

Cell or property searches of conditions of confinement incarcerated person's "legal" materials will be carried out in compliance with DSB P&P section I.41 regarding privileged communication.