

Sandoval County Board of County Commissioners

Agenda Item Summary

AGENDA ITEM # 11-6-14.9

1. REQUESTED MOTION

ACTION REQUESTED:

Approve Updates to the Sandoval County Detention Center Standard Operating Procedures

WHY ACTION IS NECESSARY (Summary):

Annual updates of the Sandoval County Detention Center Standard Operating Procedures require Commission approval. Also included are policies regarding compliance with the Prison Rape Elimination Act.

2. REQUESTOR

COMMISSIONER SPONSORED: YES NO

DISTRICT: DISTRICT 1 DISTRICT 4
 DISTRICT 2 DISTRICT 5
 DISTRICT 3

DIRECTOR / ELECTED: Al Casamento

DIVISION: Detention

ELECTED OFFICE:

ATTACHMENTS: YES NO

3. MEETING DATE

November 6, 2014

4. AGENDA (To be completed by County Manager)

- PROCLAMATION
- PRESENTATION
- CONSENT
- REGULAR
- APPEAL

5. RECOMMENDATIONS

Recommend Board of County Commission approval.

6. FISCAL IMPACT

N/A

7. RECOMMENDED APPROVAL (Initials & Date)

Department Director/Elected Official	Human Resources	Purchasing	Attorney As to Form PFT	Finance Budget	County Manager PPR	Other
AC 10/24/14	_____	_____	10/30/14	_____	10/31/14	_____

8. COMMISSION ACTION

Approved Denied Deferred Other



Sandoval County Detention Center

MEMORANDUM

TO: Al Casamento, Director SCDC

FROM: Brett Bruner, Deputy Director, Compliance

RE: Annual Standard Operating Policy & Procedure review and revision

DATE: October 23, 2014

In accordance with the Federal Performance Based Detention Standards (FPBDS), New Mexico Association of Counties (NMAC) Adult Detention Professional Standards, and our Standard Operating Policy and Procedures (SOPP) I have just completed the policy revision process for 2014. This report will provide you with recommended changes made.

The following changes were made:

1. Part I/A101 General Administration, now includes staffing analysis guidelines as required by NMAC.
2. Part I/A106 Community Relations, this policy was added as required by NMAC.
3. Part I/B101 Budget, guidelines were added as to the use of the inmate activities account as required by NMAC was added.
4. Part I/B102 Records Management, it was added that all health records will be maintained in accordance with HIPAA.
5. Part I/C101 Sexual Misconduct the Sexual Misconduct Policy was expanded to cover requirements of NMAC and the Prison Rape Elimination Act (PREA) to include:
 - a. Inmate Orientation and Education;
 - b. Screening/Assessing Inmates at Intake;
 - c. Referrals for Special Housing Placement;
 - d. Sexual Misconduct Between Inmates and Civilian Contractors/Volunteers;
 - e. Sexual Misconduct Between Inmates;
 - f. Supervision and Monitoring;
 - g. Reporting and Investigation;
 - h. Debriefing and Incident Review;
 - i. Tracking; and
 - j. Exhaustion of Administrative Remedies.
6. Part I/C108 Employment Process/Background Investigations, the requirement of a pre-employment physical examination for new hires was added as required by NMAC.
7. Part I/C113 Code of Ethics, it was added that all staff, contractors, and volunteers are held accountable for compliance with the Code of Ethics as required by NMAC.



Sandoval County Detention Center

8. Part I/C113 Code of Ethics, Sexual misconduct between staff and inmates, volunteers or contract personnel and inmates, regardless of consensual status as per Part I/C101 is prohibited and subject to administrative discipline and/or criminal sanctions as required by NMAC.
9. Part I/C113 Code of Ethics, Any activities that constitute a conflict of interest as defined by the Sandoval County rules and Regulations handbook are prohibited was added.
10. Part I/D100 Staff Orientation, Staff orientation was expanded as required by NMAC and PREA to include:
 - a. Working conditions;
 - b. Code of ethics;
 - c. Employee right and responsibilities;
 - d. Overview of the criminal justice system;
 - e. Tour of facility;
 - f. Facility goals and objectives;
 - g. Facility organization;
 - h. Program overview; and
 - i. Sexual misconduct prevention.
11. Part I/D101 Training, the Training Coordinator is required to have completed the Training-for-trainers course, that The Training coordinator will oversee the staff development training program and that this program will be reviewed annually as required by NMAC.
12. Part I/D101 Training, an extensive overview of the training requirements for Detention officers, Supervisors, support employees, and Medical staff, was added as required by NMAC.
13. Part I/D103 Use of Force, added: Under no circumstances will force be used as punishment.
14. Part I/D103 Use of Force, the least restrictive restraints necessary shall be used on any inmate that is in their second or third trimester of pregnancy, and no restraints of any kind shall be used on an inmate who is in labor, delivering their baby or recuperating from delivery unless there are compelling grounds to believe that the inmate presents:
 - (a) An immediate and serious threat of harm to themselves, staff or others;
 - (b) A substantial flight risk and cannot be reasonably contained by other means.
 - (c) If an inmate who is in labor or who is delivering their baby is restrained, only the least restrictive restraints necessary to ensure safety and security shall be used.
15. Part I/D103 Use of Force, the procedure for the Use of Four/Five Point Restraints such as a restraint chair was added.
16. Part I/D105 Firearms, it was added that firearm training will cover the use, safety, and care of firearms and constraints on their use in accordance with section 10.29.914 of the New Mexico administrative code as required by NMAC.
17. Part II/A102 Restraint Chair, an extensive policy and procedure was added regarding the use of a Restraint Chair was added.



Sandoval County Detention Center

18. Part II/A111 Inmate Movement, it was added that security risk inmates will be escorted in restraints.
19. Part II/A111 Inmate Movement, the procedures for a facility stop movement was outlined.
20. Part II/A112 Transportation of Inmates, the procedure for single and two officer transports was listed as required by NMAC.
21. Part II/A112 Transportation of Inmates, Seating of inmates is assigned by the transporting officers. Inmates will not be permitted to change seating in the transport vehicle once assigned. Considerations regarding seating arrangements should be given to the following; charges, security level, Gender, or medical needs. Vehicles equipped with separation dividers should be used when available and when individual inmate criteria warrant the use. Special considerations should be given to sick, injured, handicapped or disabled, mentally ill, cross gender, or pregnant inmates as the transporting process and or their seating arrangement. Inmates with communicable diseases will be transported alone and officers will follow Policies III/E106 and III/E113 regarding universal precautions and decontamination.
22. Part II/A112 Transportation of Inmates, at the minimum drivers will have a valid New Mexico Drivers license and have completed a Defensive driving class prior to being allowed to drive any Sandoval County vehicle was added.
23. Part II/A112 Transportation of Inmates, the requirements that Transport officers will keep a vehicle transport log, what the log requires documentation of, and that Any issues while on a transport will be reported to the transport supervisor was added.
24. Part II/A113 Supervision of Inmates/Staff Interaction, as required by PREA it was added that officers must announce themselves when entering a pod of the opposite sex.
25. Part II/A114 Search Procedures, Cross-gender pat searches of inmates are prohibited except in emergency circumstances should emergency circumstances dictate cross-gender searches all instances will be documented and submitted to the facility director, and Body cavity searches will only be conducted when authorized by a court order as Required by NMAC.
26. Part II/A114 Search Procedures, When an inmate is suspected of a new crime only the director or designee can authorize a search for evidence unless immediate action is necessary; in the event of immediate action the Director or designee is fully informed this was added as required by NMAC.
27. Part II/A114 Search Procedures, it was added that strip searches are to only be conducted with reasonable suspicion. Reasonable suspicion may be based on:
 - 1) Current charges or previous convictions for escape, possession of drug or weapons, or crime of violence;
 - 2) Current or historical institutional behaviors of contraband possession or refusals to be searched; and
 - 3) Finding contraband during a pat or clothing search.
28. Part II/A116 Volunteer Selection, it was added that Inmates will not participate in Volunteer duties with inmates from different pod housing assignments or classifications.



Sandoval County Detention Center

29. Part II/B102 Emergency Situations, the location and proper documentation of use, for the staff First Aid kit was added as required by NMAC.
30. Part II/B107 Control of Hazardous Materials, it was added that Hazardous Materials will be used and disposed in accordance with applicable government regulations and manufactures guidelines.
31. Part II/B114 Safety Inspections, it was added that A complete injury review will be conducted annually to analyze the injury experience for all detainees, staff, and visitors. To identify and develop corrective actions as required by NMAC.
32. Part II/C100 Inmate Orientation Handbook, the procedure was expanded to include the requirements as set by PREA and NMAC.
33. Part II/C101 Disciplinary Procedures, it was added that the written disciplinary procedures governing inmate rule violations will be and will available to the detainees.
34. Part II/C101 Disciplinary Procedures, it was added that Inmates may only be placed in disciplinary detention for a rule violation after a hearing. Except in circumstance where pre-hearing detention is required to ensure safety and security and only with supervisor approval. Pre-hearing status will be reviewed by the detention director or designee within 72 hours.
35. Part II/C101 Disciplinary Procedures, The Disciplinary Committee process was changed to reflect ACA best practices.
36. Part II/D101 Inmate Services, indigence was defined as; lack of resources/money to provide even necessities. Any inmate who has been booked for a minimum of 30 days with no money on their books may be considered indigent, and will be provided with the following as needed:
 - a. Envelopes with stamps,
 - b. Paper,
 - c. Pencil,
 - d. White t-shirt,
 - e. Underwear (boxers or panties),
 - f. Bra (females only), and
 - g. Necessary hygiene items
37. Part II/D102 Religious Services, it was added that inmates will not participate in religious service with inmates from different pod housing assignments or classifications.
38. Part II/D103 Library Services, it was added that inmates will not participate in library service with inmates from different pod housing assignments or classifications.
39. Part II/D104 Recreation, it was added that inmates will not participate in recreation with inmates from different pod housing assignments or classifications.
40. Part II/D105 Inmate Visitation, it was added that inmates will not participate in visitation with inmates from different pod housing assignments or classifications.



Sandoval County Detention Center

41. Part III/A100 Admissions – General, it was added that prior to accepting custody of an inmate, staff determine that the inmate is legally committed to the facility, and that the inmate is not in need of immediate medical attention.
42. Part III/A103 Admission Procedures, Newly-admitted inmates will be separated from the general population during the admissions process according to immediate security, medical and mental needs. No inmate will assigned to general population until a security and medical classification are complete. This was added to meet NMAC requirements.
43. Part III/A103 Admission Procedures, inmates will be permitted to complete three local or collect long distance telephone calls no later than twenty minutes from the time they arrive at the facility as required by state law.
44. Part III/A106 Inmate Records, required contents in an inmate's file was expanded to include requirements as directed by NMAC.
45. Part III/B100 Classification, the classification process was expanded to include:
 - a. Mental and emotional stability;
 - b. Escape history;
 - c. Medical status,
 - d. Age;
 - e. Documented enemies;
 - f. Gender;
 - g. Legal status; and
 - h. Custody needs.
46. Part III/B100 Classification, it was added that Inmates with different classification or separate housing assignments will be kept separate unless directly supervised with adequate numbers of security staff.
47. Part III/B101 Reclassification, it was added that The review process is used to release an inmate from administrative segregation or protective custody, and that for the first two months a review of classification and housing will be done every seven (7) days for inmates placed in segregation and protective custody and at least every thirty (30) days thereafter.
48. Part III/B102 Special Management Inmates, it was added that detention officers assigned to work the segregation housing unit will be assigned based on experience and suitability for this population as required by NMAC.
49. Part III/B102 Special Management Inmates, it was added as per NMAC that Detention officers operating the special management housing unit will maintain a permanent log that at a minimum contains the following information for each inmate admitted to segregation:
 - a. Name;
 - b. Number;
 - c. Housing location;
 - d. Date admitted;
 - e. Type of infraction or reason for admission;



Sandoval County Detention Center

- f. Tentative release date;
 - g. Medical or mental health needs; and
 - h. Staff who inspect the units or counsel the inmates on behavior will use the log to record all visits.
50. Part III/B102 Special Management Inmates, these items were added to meet NMAC requirements: anytime an inmate is placed in segregation the supervisor will notify the medical and mental health departments, When possible inmates who cannot be accommodated will be transferred to another facility, Inmates who are violent or demonstrate unusual or bizarre behavior or psychiatric disorders must be assessed by appropriate medical/mental health personnel to determine the appropriate supervision level.
51. Part III/C100 Food Services, it was added that all persons involved in the food preparation will receive a pre-assignment medical examination and periodic reexamination to ensure freedom from diarrhea, skin infections, and other illnesses transmissible by food or utensils. This will be documented and maintained in the inmates medical file or kitchen managers employee files, and that all staff, contractors, and inmate workers will be trained in the use of equipment and safety procedures to be followed in the food service department. Documentation of training is maintained. This is required by NMAC.
52. Part III/C110 Kitchen Sanitation, it was added that toilet and washbasin facilities are available to food service personnel and detainees. Food service personnel and detainees must wash hands frequently, and after the use of the toilet facilities.
53. Part III/E100 Medical Services, it was added that clinical decisions are to be decided only by the responsible clinician and are not to be disregarded or stopped by security staff or non-clinicians, however decisions should be a joint effort of Detention administrators and health care providers to ensure proper health care and security levels are maintained as required by NMAC.
54. Part III/E100 Medical Services, it was added that detainees will receive educational information appropriate to their medical conditions by medical staff; Inmates will be allowed to retain their Prostheses or adaptive devices when the inmates health would be adversely affected without them; and Health care encounters, including medical and mental health screening, interviews, examinations, and procedures are conducted in a setting that respects the inmates' privacy as required by NMAC.
55. Part III/E100 Medical Services, it was added that inmates being transferred to other facilities for Non-emergency reasons will include the following documentation:
- a. Summaries, originals, or copies of the health record will accompany the inmate to the receiving facility that include information on; health conditions, treatment, and allergies;
 - b. Confidentiality of the health record;
 - c. Determination of suitability for travel based on medical evaluation, with particular attention given to communicable disease clearance;
 - d. Written instructions regarding medication or health interventions required en route for transporting officers separate from the medical record;
 - e. Specific precautions to be taken by transportation officers, including standard precautions and the use of masks and/or gloves; and
 - f. A medical summary sheet is required for all transfers to maintain continuity of care. Information included does not require a release of information form.
56. Part III/E100 Medical Services, it was added that quarterly statistical reports are prepared by the health



Sandoval County Detention Center

authority and submitted to the director to include:

- a. Data on the length of time it takes for detainees to receive care for issues;
- b. The use of health care services by category;
- c. Referrals to specialists;
- d. Prescriptions written;
- e. Laboratory and x-ray tests completed;
- f. Hospital admissions;
- g. Serious injuries or illnesses;
- h. Detainees on psychotropic medications;
- i. Deaths; and
- j. Off-site medical transports.

57. Part III/E100 Medical Services, NMAC required the addition of the following Detoxification:
 - a. Detoxification will only be done under the supervision of medical staff in accordance with local, state and federal laws;
 - b. The medical protocols will be followed for the treatment of individuals manifesting mild or moderate symptoms of intoxication or withdrawal;
 - c. The observation of individuals during detoxification will be as recommended by medical but will not exceed every thirty (30) minutes; and
 - d. Inmates experiencing severe, life-threatening intoxication or withdrawal will be transported to a hospital for specialized care.
58. Part III/E100A Intake Health Screening, the following additions were made to the detainee health screening as required by NMAC:
 - a. Use of alcohol and other drugs and the potential for detoxification;
 - b. Dental pain, swelling of functional impairment;
 - c. Cognitive or physical impairments;
 - d. Current mental health complaint;
 - e. Observation of general appearance, and behavior evidence of abuse or trauma, and current symptoms of psychosis, depression, anxiety, and/or aggression;
 - f. The detainees disposition;
 - g. History of violent behavior;
 - h. History of sexual abuse victimization and predatory behavior;
 - i. History of treatment for substance abuse or of cerebral trauma or seizures; and
 - j. Is the detainee oriented to person, place, and time.
59. Part III/E101 Emergency Medical Procedures, it was added Detention and Health care personnel are trained to respond to health-related emergencies within two-minutes. This training is conducted on an annual basis and is established by the responsible health authority in cooperation with the facility director, and next of kin as designated by the inmate will be notified in the case of serious illness or injury unless security reasons dictate otherwise.
60. Part III/E103 Inmate Medication, it was added that when inmates are admitted to the facility who are on current medications all attempts will be made for the identification, continuation, or adjustment of these medications in as soon as possible as required by NMAC.
61. Part III/E103A Medical, Dental, and Mental Health Appraisals, NMAC required additions to this section as follows:



Sandoval County Detention Center

- a. Collection of additional data to complete the mental, dental, medical, and immunization history;
 - b. Laboratory and/or diagnostic tests to detect communicable disease, including venereal disease when indicated and tuberculosis;
 - c. Other tests and examinations as appropriate;
 - d. Assessment of violence potential and person-specific circumstances that increase violence potential;
 - e. Review of history of treatment with psychotropic medication;
 - f. Review of history of psychotherapy, psycho-education groups, classes or support groups;
 - g. Review of educational history;
 - h. Review of sexual abuse history;
 - i. Referral to treatment as indicated;
 - j. Development and implementation of treatment plans; and
 - k. Mental health referrals will be made for inmates who require additional mental health services. Crisis intervention services will be available or on call 24 hours a day seven days a week.
62. Part III/E104A Suicide Prevention, the requirements of the bi annual training were included such as:
- a. Identifying the warning signs and symptoms of impending suicide behavior.
 - b. Understanding the demographic and cultural parameters of suicide behavior, including incidence and variations in precipitating factors.
 - c. Responding to suicidal and depressed inmates.
 - d. Communication between detention and health care personnel.
 - e. The referral procedures.
 - f. Housing observation and suicide watch level procedures and documentation.
 - g. Follow up monitoring of inmates who make a suicide attempt
63. Part III/E105 Informed Consent/Refusal of Medical Treatment, it was added that any inmate who has not been adjudicated to be incompetent may refuse non emergency medical or mental health care, and on state or local detainees a court order is required before involuntary medical treatment can be administered as required by NMAC.
64. Part III/E107 Special Needs Detainees, the following referral requirements for Pregnant detainees to an Obstetrician / Gynecologist or qualified practitioner were added:
- a. Routine and high-risk prenatal care;
 - b. Management of chemically addicted pregnant inmates;
 - c. Counseling and assistance;
 - d. Appropriate nutrition; and
 - e. Postpartum follow-up.
65. Part III/F100 Release of Inmates, it was added that booking officers will inform the released inmate how to contact the facility for arrangement for completion of any pending action, such as grievances of claims for damages or lost possessions.