

## 5-07/000.05 Contraband Watch Procedures

The objective of placing an inmate on Contraband Watch is for the safety of the inmate suspected of having concealed the contraband, the retrieval of the concealed contraband, and to ensure the contraband does not get into the inmate population. Placement on Contraband Watch should be utilized as a last resort when all other reasonable means to recover the contraband have failed.

In accordance with CDM section 7-03/000.00, "General Principles of Security Restraints and Handcuffing Inmates," all Contraband Watch operations are considered emergency circumstances and restraints applied as part of Contraband Watch procedures shall be applied for the shortest time needed to retrieve concealed contraband or confirm that an inmate is not in possession of contraband. The procedures outlined in CDM section 5-08/010.00, "Searches," shall also be adhered to, with specific consideration to the handling of pre-arraigned inmates.

When it is discovered through medical examination, direct observation, or use of the B-SCAN system ("body scanner"), or there is reasonable suspicion supported by articulable facts that an inmate has concealed contraband in their body, either physically or through ingestion, and the inmate cannot or will not remove or surrender the contraband, the inmate will be appropriately restrained and placed in a dry cell on Contraband Watch.

### DRY CELLS

*Definition of a "dry cell" - a dry cell has a toilet and sink with the capability to shut-off water to ensure any concealed contraband is not discarded. The dry cell shall be a cell that can provide the necessary security precautions of the facility and large enough to accommodate a fully extended sleeping mattress. The dry cell lights should be dimmed during normal hours of darkness. The dimming of lights should not adversely impact staff's ability to observe and monitor the inmate. The setting may be in a general population area or in a segregated housing area of the facility.*

For the purpose of Contraband Watch, all male inmates shall be transported to Men's Central Jail (MCJ) and housed in pre-designated contraband watch dry cells.

Female inmates shall be housed at Century Regional Detention Facility (CRDF) and housed in pre-designated contraband watch dry cells.

**Mental Health inmates who have been determined by a mental health professional to require P3 or P4 level of care shall not be placed into a Contraband Watch dry cell (refer to CDM section 5-01/050.10, "Housing for Mentally Ill Inmates").** In cases where there are concerns for concealed contraband involving an inmate with a P3 or P4 mental health level of care, healthcare personnel shall be notified and consulted for the best course of action.

If the inmate becomes uncooperative at any time during the Contraband Watch process, staff shall adhere to procedures set forth in CDM section 7-02/020.00, "Handling Insubordinate, Recalcitrant, Hostile, or Aggressive Inmates."

During the course of the inmate detention (either prior to or during Contraband Watch), if for any reason custody personnel observe a decline in the inmate's health or it is believed that the inmate's health is affected

by the concealed contraband, medical personnel shall be immediately contacted to conduct an assessment of the inmate's condition. The inmate will not be denied access to healthcare and medical personnel will be notified if the inmate requests healthcare treatment.

## **PRE-PLACEMENT PROCEDURES**

Prior to requesting that an inmate be placed on Contraband Watch, the watch commander at the inmate's current housing facility shall ensure the following:

- There shall be a reasonable suspicion supported by articulable facts that the inmate has concealed contraband in their body, either physically or through ingestion and the inmate cannot or will not voluntarily remove or surrender the contraband.
- A strip search shall be completed in accordance with CDM section 5-08/010.00, "Searches." Refusal to submit to a strip search shall not suffice, in itself, to constitute reasonable suspicion that the inmate has concealed contraband in their body.
- Notification shall be made to the Custody Investigative Services (CIS) on-call supervisor who will assign an investigator to oversee the operation.
- A Custody Services Division Contraband Watch Checklist form (SH-J-467) is initiated, and the Pre-Placement Procedures section is completed. Upon transfer, the checklist shall be forwarded to the MCJ watch commander.
- The inmate shall be immediately segregated and video recorded throughout the pre-placement process.
- Nursing personnel from Correctional Health Services (CHS) shall be notified and actions taken in compliance with CHS policy (M206.15 Contraband and Dry Cell). Refusals by the inmate to be assessed by the nursing staff shall be video recorded.
- Mental Health personnel shall be notified regarding any inmates who may be perceived to have a mental illness, or have been determined to require mental health level of care P1 or P2. The Mental Health clinician's recommendation and any actions shall be based on clinical assessment and in compliance with CHS policy. If an on-site clinician is not available at the facility, male inmates shall be transported to the location of the on-call mental health clinician for the mental health assessment.
- Transgender and intersex inmates shall be searched by a staff member of the same gender the inmate identifies as per CDM section 5-08/010.00, "Searches."
- Male inmates shall be placed in the following newly issued and searched clothing: one pair of briefs, one t-shirt, one pair of socks, one pair of county issued blue top and pants.
- Female inmates shall be placed in the following newly issued and searched clothing: one pair of underwear, one brassiere, one t-shirt, one pair of socks, one pair of county-issued blue top and pants.
- The inmate shall be restrained with approved Contraband Watch restraint equipment and/or waist-chained with the handcuffs positioned on the side of the inmate's hips, double locked, and in accordance with CDM sections 7-03/000.10, "Security Restraints and Separation/Isolation of Inmates."
- Or any other equipment which requires specialized training to operate.
  - Use of mechanical restraints on inmates confirmed, or suspected by medical staff to be pregnant, shall be subject to the restraint restrictions noted in CDM section 7-02/010.00, "Pregnant Inmates," and California Penal Code section 3407, and requires immediate notification to the CIS unit commander (captain or above).
  - Unclothed inmates shall not be waist-chained or secured with the Contraband Watch restraint equipment and should have direct supervision.

- Inmates shall not be secured to a fixed object while in waist-chains.
- The waistband and ankles of the inmate's pants shall be taped closed, with medical quality tape and/or secured with approved Velcro straps, to restrict the inmate's access to their body cavities. The tape or Velcro straps shall never be applied in a manner to restrict circulation, or directly on or over the inmate's skin.
  - Absent exigent circumstances, pregnant inmates' clothing shall not be taped or secured in any way.
  - Note: If the inmate is uncooperative with donning newly-issued clothing, staff should proceed to taping and/or applying Velcro straps on worn clothing. At no time should the inmate be purposely secured with waist-chains and/or the Contraband Watch restraint equipment while unclothed.
- If feasible, prior to transporting to a medical/clinic facility, measures should be taken to verify the presence of concealed contraband (i.e. visual confirmation, body scanner, inmate admittance, and canine alerts).
- Transportation of the inmate to the appropriate medical facility (e.g. local Emergency Rooms, Los Angeles County + USC Medical Center [LCMC]) shall be completed to confirm the existence of concealed contraband and/or request the retrieval of the contraband by medical staff. Inmate refusals to any medical exam shall be video recorded.
- If the inmate refuses medical intervention, the inmate should be informed that if at any point during the Contraband Watch, the inmate agrees to cooperate with any medical examination and the examination or x-ray confirms the absence of contraband, or permits the removal of such contraband, the inmate will be released from Contraband Watch thereafter.

*Note: All transport vehicles and or clinic areas will be thoroughly searched before and after the inmate is in the area.*

## **PLACEMENT ON CONTRABAND WATCH**

The CIS supervisor shall contact the CIS unit commander (captain or above) to seek approval for placement on Contraband Watch. In addition, the CIS supervisor will consult with the unit commander to determine if or when a search warrant will be generated, depending on the articulated facts of each incident.

The CIS supervisor shall notify the MCJ or CRDF watch commander once placement on Contraband Watch has been approved and the above "Pre-Placement" procedures have been completed.

The MCJ or CRDF watch commander shall ensure the Custody Services Division Contraband Watch Checklist form (SH-J-467) is received from the originating unit completed and forwarded to the CIS Supervisor at the conclusion of the Contraband Watch.

Upon arrival, the inmate shall be placed on Contraband Watch following the below guidelines, "Placement in Dry Cell." Department personnel shall maintain constant visual contact of the inmate prior to and during the placement into the dry cell, along with continuous video recording.

The CIS supervisor shall have the overall investigative responsibility of the dry cell observations/procedures and shall be responsible for providing status updates to the on-duty watch commander and CIS unit commander.

Department personnel shall utilize the Contraband Watch Activity Log (SH-J-468) to document the following information:

- dates/times the inmate was placed in the dry cell;
- visual and physical checks conducted by on-duty watch commanders and shift sergeants;
- fifteen minute checks with brief description of inmate's activity;
- notifications;
  
- medical/mental health provider/nursing assessments;
- meals served;
- water placed in cell;
- hygiene/hands sanitized;
- body scan, x-ray assessments;
- range of motion evaluations;
- opportunities to use toilet;
- inmate cooperation advisement;
- any other pertinent information.

Department personnel who are assigned to the position of observing an inmate on Contraband Watch shall ensure the Contraband Watch Activity Log is thorough and accurate. In cases where Closed Circuit Television (CCTV) is utilized for consistent recording of the Contraband Watch operations, handheld video cameras and/or audio recording devices shall be utilized to record the above activity when interacting with the inmate.

## **PLACEMENT IN A DRY CELL**

Prior to an inmate being placed into the dry cell, the watch commander shall ensure the following procedures are adhered to:

- The inmate will be informed that, if at any point during the Contraband Watch, the inmate agrees to cooperate with any medical examination and the examination or x-ray confirms the absence of contraband, or permits the removal of such contraband, the inmate will be released from Contraband Watch thereafter.
- The inmate shall be transferred to the Contraband Watch housing location and updated in the Automated Jail Information System (AJIS).
- One (1) deputy/custody assistant trained in Contraband Watch procedures shall have constant visual contact of the inmate during Contraband Watch and shall document safety checks every fifteen (15) minutes in a cell safety check log, which includes a brief description of what the inmate is doing (e.g. sleeping, standing, eating, sitting, yelling, etc.).
- Supervisors shall ensure continuous video recording of the inmate while on Contraband Watch, and all interaction relating to the activity log is captured via a handheld video camera or audio recording device.
- The video equipment (CCTV/handheld video camera) shall be checked at least once per shift to ensure the recording equipment is working properly.
- An immediate notification to CHS and Food Services Unit shall be made to ensure healthcare and dietary needs are met.

- Upon placement into the dry cell, Department personnel will notify CHS personnel to inquire about any pre-existing condition or contraindication, which may require modification to the Contraband Watch restraint equipment and/or waist-chain procedures.
- Mental Health personnel shall be notified regarding any inmates who may be perceived to have a mental illness, or who have been determined by a mental health professional to require P1 or P2 level of care. The Mental Health clinician's recommendation and any actions shall be based on clinical assessment and in compliance with CHS policy.
- The dry cell will be searched and inspected for contraband.
- The water to the dry cell shall be shut-off and the toilet flushed to remove any excess water, when possible.
- The toilet shall be covered and/or sealed to avoid destruction of any contraband.
- All moveable objects in the dry cell shall be removed, with the exception of a mattress (from 2000 hours to 0800 hours), blanket, and stationary fixtures.
- Drinking water shall be placed in the cell and made available for the inmate throughout the duration of the Contraband Watch.
- Hand sanitizer will be available for the inmate throughout the duration of Contraband Watch.

## **MEALS**

In accordance with CDM section 5-13/010.00, "Inmate Meals," the inmate will be provided regularly-scheduled meals. Prior to serving the meal, the inmate will be afforded the opportunity to sanitize his/her hands. A minimum of two (2) staff members (2 deputies and/or 1 deputy and 1 custody assistant) shall be present while the inmate is eating and shall maintain constant observation. The Contraband Watch restraint equipment or waist-chains shall be removed from one (1) hand and the inmate shall be allowed to eat his/her meal. The inmate shall be provided a minimum of fifteen (15) minutes to consume their meal, as mandated by California Code of Regulations, Minimum Standards for Local Detention Facilities, Title 15.

Upon the conclusion of his/her meal, the inmate will be afforded the opportunity for dental hygiene. The Contraband Watch equipment or waist-chain shall then be re-secured on the inmate. Inmates shall have drinking water available to them throughout the placement in the dry cell. If the inmate is already prescribed a special diet, Food Services Unit shall be contacted in order to accommodate the special diet.

## **RANGE OF MOTION**

In order to provide range of motion to a restrained extremity, the inmate shall be allowed free movement of each arm for at least five (5) minutes, at least once every two (2) hours, or more frequently at the direction of healthcare personnel, during Day and PM shifts. As appropriate to the situation, only one (1) extremity needs to be released at a time. Each free movement period shall be documented in the Contraband Watch Activity Log.

## **SAFETY AND MEDICAL MONITORING OF INMATE**

The following procedures relating to security, supervisory and medical review shall occur for the duration that an inmate is on Contraband Watch and be documented in the Contraband Watch Activity Log:

- Nursing personnel will be immediately notified if custody personnel observe a decline in health or the

inmate requests healthcare treatment.

- For inmates identified with a mental health condition, mental health assessments shall be conducted based on clinical assessment and CHS policy. If the inmate displays bizarre behavior or requests to see a mental health clinician, staff shall promptly notify mental health staff.
- One (1) deputy/custody assistant shall maintain constant visual contact of the inmate during Contraband Watch and the inmate shall be video recorded continuously.
- Watch commanders shall conduct a check of the inmate once per shift to determine the inmate's well-being and ensure staff's adherence to Contraband Watch procedures. A physical check of the waist-chains and/or Contraband Watch restraint equipment shall be conducted. During the check, the watch commander shall inform the inmate that his/her cooperation with providing bowel movements, along with any medical examination which confirms the absence of contraband, will end the Contraband Watch thereafter. This shall be documented in the Contraband Watch Activity Log.
- The assigned shift sergeant shall conduct visual checks of the inmate every two (2) hours to determine the inmate's well-being and ensure staff's adherence to Contraband Watch procedures. During each check, the sergeant shall inform the inmate that his/her cooperation with providing bowel movements, along with any medical examination which confirms the absence of contraband, will end the Contraband Watch thereafter. This shall be documented in the Contraband Watch Activity Log.

In a medical emergency situation, or when it is determined by CHS personnel that the concealment of the contraband poses an imminent threat to the inmate's health and safety, the inmate shall be transferred to the appropriate medical/clinic facility.

If at any point during the Contraband Watch the inmate agrees to cooperate with any medical examination that could confirm the existence of contraband, the examination should be conducted as soon as reasonably practical. If an x-ray confirms the absence of contraband, the inmate shall be released from Contraband Watch.

## **HEALTH AND SAFETY CONCERNS**

Personal hygiene is an essential tool to maintain a healthy environment within a dry cell. Each inmate shall have the opportunity to wash (soap and water) and/or apply hand sanitizer to his/her hands after each use of the restroom, prior to eating a meal, or when necessary to ensure appropriate hygiene. The inmate will also be afforded the opportunity to brush their teeth.

Running water may be substituted with portable alternatives such as a hand basin filled with water. During these periods, Department personnel must take precaution that the inmate does not dispose of any contraband. Entries of hygiene safety shall be entered into the Contraband Watch Activity Log.

## **URINATION AND VOLUNTARY BOWEL MOVEMENTS**

When the inmate requests to use the restroom to urinate or have a bowel movement, only a staff member(s) of the same gender as the inmate shall monitor the inmate. Transgender and intersex inmates shall be monitored by a staff member of the same gender of the inmate's identification. Special precaution should be considered, and a sergeant shall be requested, during the following procedures:

- Provide the inmate with toilet paper and a portable toilet, bed pan, or the previously lined toilet in the isolated setting.

- Female inmates shall be afforded appropriate female sanitary supplies.
- Remove the necessary restraint gear to allow the inmate the ability to facilitate his/her bodily functions.
- For urination, once the inmate has completed his/her bodily function, the inmate shall be allowed appropriate personal hygiene, after which restraints shall be reapplied.
- For voluntary bowel movements, once the inmate has completed his/her bodily functions, the portable toilet, bed pan, or toilet liner shall be immediately retrieved or removed and the inmate shall be re-secured in the restraints. Once the contraband, if found, is at a safe distance to avoid any destruction of evidence, the inmate shall be allowed proper personal hygiene.
- An immediate search for contraband shall be conducted of the fecal matter utilizing the safety gear as noted in Manual of Policy and Procedures (MPP) section 3-02/040.25, "Employee Exposed to Communicable Disease." If contraband is discovered, the contraband shall be processed as evidence in accordance with MPP section 5-04/010.00, "Property/Evidence Handling" and CDM section 5-14/080.00, "Narcotic Evidence Booking Procedures," or regular booking procedures.

The above activity shall be documented in the Contraband Watch Activity Log.

## **LENGTH AND REPORTING OF CONTRABAND WATCH**

The maximum initial seventy-two (72) hour observation period approved by the CIS unit commander (captain or above) shall begin as soon as the inmate is placed inside the dry cell. During each eight (8) hour period, the CIS supervisor will provide status updates to the CIS unit commander throughout the operation. Upon the conclusion of the initial seventy-two (72) hour period, retention of an inmate for a second seventy-two (72) hour period requires another medical assessment, verification (visual confirmation, body scanner, x-ray, dog alert, etc.) and/or articulable facts to support the continued Contraband Watch and approval by the respective Custody Services Division Chief. Authorization to continue the Contraband Watch beyond six (6) days/144 hours requires the approval of the Custody Operations Assistant Sheriff. All Contraband Watch operations continuing beyond the six days shall require daily (every 24 hours) approval by the Assistant Sheriff. The Assistant Sheriff should consult with a qualified healthcare member regarding the inmate's condition.

## **REMOVAL FROM CONTRABAND WATCH**

The inmate may be removed from Contraband Watch when it is reasonably believed that the contraband has been relinquished or it is determined the inmate is contraband-free.

If after three (3) full bowel movements, no contraband has been retrieved, the CIS supervisor shall consult with the on-duty watch commander, CIS lieutenant, and medical professional, to determine the best course of action. Notification and approval from the CIS unit commander to continue Contraband Watch is required.

At any time during the Contraband Watch process, the CIS supervisor, with concurrence of the on-duty watch commander, has the authority to cancel the contraband investigation and remove the inmate from Contraband Watch.

After contraband is retrieved or expelled during a Contraband Watch, custody staff shall notify CHS personnel of the outcome of the contraband watch. The inmate will be asked if he or she requires any medical attention and referred to medical personnel as needed. Further, custody staff shall request that inmates who have been determined by a mental health professional to require P1 or P2 level of care are assessed by a qualified mental health clinician prior to the inmate's return to a housing location.

## DOCUMENTATION

The originating unit shall be responsible for initiating the following documents:

- A Chief's Memorandum noting the circumstances leading to the Contraband Watch, CIS supervisor's name, and authorizing CIS unit commander (refer to CDM section 4-07/010.00, "Notification of Significant Incidents")
- Appropriate section(s) of the Custody Services Division Contraband Watch Checklist form (SH-J-467)
- An incident report (SH-R-49), if applicable.

Copies of the documents and any additional supplemental reports shall be submitted to CIS and MCJ/CRDF.

The unit handling the placement on Contraband Watch shall be responsible for the following:

- Appropriate section(s) of the Custody Services Division Contraband Watch Checklist form (SH-J-467)
- All supporting documentation associated with the Contraband Watch (medical and or mental health assessments, video recordings, body scans, x-rays, activity log, checklist, etc.), which shall be provided to the CIS supervisor
- Ensuring the Contraband Watch incident is entered into the Custody Automated Reporting and Tracking System (CARTS).

At the conclusion of the Contraband Watch, the CIS supervisor will be responsible for submitting a Chief's Memorandum summarizing the incident as well as identifying any corrective actions needed. CIS shall have overall responsibility for tracking all Contraband Watch incidents in CARTS, and ensuring the appropriate documentation is gathered and retained and/or booked into evidence. The CCTV video shall be retained on the CCTV system. The concerned CIS sergeant is responsible for requesting the retention covering the time period of the operation by emailing the "Network CCTV - Access Control Team." The CIS lieutenant (or their designee) shall forward copies of the documents and reports relating to the Contraband Watch incident to Custody Support Services Bureau (CSSB) for retention purposes within 45 days of the conclusion of the Contraband Watch.