5-03/175.30 - Segregation of Pre-Arraigned Inmates

Pursuant to California Penal Code section 4030 and the policy of the Los Angeles County Sheriff's Department, any and all preâ€'arraigned inmates charged with an infraction, misdemeanor, or felony, shall not be subjected to a strip or visual body cavity search before arraignment. However, there are some exceptions, which allow pre-arraigned inmates to be strip searched (refer to Custody Division Manual section 5-08/010.00, "Searches" for specific exceptions). Due to the large number of inmates housed within the Los Angeles County Sheriff's Department jail system, the following Department Policy is required in order to ensure pre-arraigned inmates are not inadvertently strip searched.

A yellow wristband loop shall be utilized in order to signify inmates that are pre-arraigned. The yellow wristband loop shall be placed and secured around the inmate's current Los Angeles County Jail wristband. Inmates with these yellow wristband loops shall be considered pre-arraigned inmates and shall not be subject to general strip searches.

> **NOTE:** Deputies who knowingly conduct strip searches or visual body cavity searches of pre-arraigned inmates will be in violation of this policy.

It shall be the responsibility of all agencies booking prisoners into the Los Angeles County Jail System to ensure that yellow wristband loops are applied to their pre-arraigned inmates prior to transporting to any Sheriff Department Facility. Sheriff's Department personnel shall ensure that outside agencies are in compliance with this policy prior to accepting any inmates.

A separate pre-arraigned inmate transmittal shall be completed by the originating facility/agency when transporting pre-arraigned inmates between facilities. This transmittal shall be clearly marked "Pre-Arraigned Inmates."

Due to the increased risk of pre-arraigned inmates bringing contraband into the jail, these inmates shall be kept separate from general population inmates except when being transported to or from court and when ***new booking*** inmates are being processed at a station jail or the Inmate Reception Center.

Station Jail Responsibilities

It shall be the responsibility of the station jailer to ensure that pre-arraigned inmates (excluding those inmates not needing arraignment e.g., parole violations, probation violations, etc.) have a yellow wristband loop applied, prior to transportation to court and/or the Inmate Reception Center.

Court Services Division Responsibilities

Pre-arraigned inmates that are transferred to court from the Inmate Reception Center, station jail, or outside agency will already have a yellow wristband loop in place. **Once the inmates are arraigned, Court Services personnel shall remove the yellow wristband loop.** *If the inmates are not arraigned, the yellowwristband loop shall remain in place.* These inmates who return to the Inmate Reception Center and retain a yellow wristband loop, shall be placed on a separate transmittal by court services personnel.

Court Services Transportation Responsibilities

Court Services Transportation personnel can combine general population inmates and pre-arraigned inmates only when transporting inmates to or from court. Upon arrival at the Inmate Reception Center, it is the responsibility of Court Services Transportation to separate the pre-arraigned inmates that have yellow wristband loops from the arraigned inmates. Any discrepancies with the transmittal and yellow wristband loop shall be brought to the attention of a Court Services supervisor.

Custody Division - Inmate Reception Center Responsibilities

Unless there are court documents noting that the inmates have been arraigned, new booking inmates from outside agencies, or transfers directly from station jails or county hospitals, shall be treated as pre-arraigned inmates (excluding those inmates not needing arraignment e.g., parole violations and probation violations). Inmate Reception Center personnel shall ensure that a yellow loop is in place for these pre-arraigned inmates. Pre-arraigned inmates shall then be processed under normal conditions until the inmates are separated and assigned to their specific housing locations. Once the pre-arraigned inmates with a yellow loop are processed, they shall be separated and escorted to the pre-arraigned inmates' designated housing area. *It is the responsibility of transporting personnel to ensure pre-arraigned inmates are separated immediately after processing and escorted to their designated housing area.*

Inmates arriving from court that are pre-arraigned and have previously been housed, shall be separated immediately upon arrival at the Inmate Reception Center. These inmates shall be escorted to the designated housing area, bypassing the strip search process. This does not preclude personnel from conducting a cursory search.

Inmates returning from court that are housed in the pre-arraigned inmate housing area, and are no longer pre-arraigned, shall be "remoded" and sent to an appropriate housing location.

Pre-arraigned inmates arriving at the Inmate Reception Center for transportation to court shall be separated from other inmates until they are transported to court.

Custody Division - Designated Housing Area Responsibilities

The designated housing area shall be responsible for receiving all pre-arraigned inmates. Upon arrival at the designated housing area, these inmates shall not be subjected to a strip search unless specifically authorized per Custody Division Manual section 5-08/010.00, "Searches." As stated above, these pre-arraigned inmates shall be escorted and housed separately from general population or other special handling inmates.

It shall be the responsibility of the Custody Services Division chiefs to determine the specific facility designated to house pre-arraigned inmates.

If an inmate deliberately removes a yellow wristband loop, an Inmate Incident Report (SH-J-213) shall be prepared detailing the violation. If removed, line personnel shall confirm the inmate's pre-arraigned status and replace it in a timely manner.