

## **5-04/010.05 Involuntary Medication Administration**

Inmates who fall within the below criteria may receive involuntary medication in an effort to restore competency or prevent decompensation of their mental health. The administration of involuntary medication is only permitted when authorized by law and court order as described below.

### **AUTHORITY FOR INVOLUNTARY MEDICATION**

Inmates who have been adjudicated incompetent to stand trial and are unable to provide informed consent to prescribed medication, may have a court order authorizing the administration of involuntary medication pursuant to Penal Code sections 1370.01, 2603, or other lawful authority.

Inmates who have been ordered subject to a conservatorship by the court may have an order authorizing the conservator, which may be a named person or the Public Guardian, to give consent for medical treatment on behalf of the inmate-conservatee.

### **PROCEDURES FOR THE ADMINISTRATION OF INVOLUNTARY MEDICATION**

The inmate shall always be given the opportunity to accept the medication voluntarily by the administering Correctional Health Services (CHS) personnel prior to any involuntary administration. An attempt immediately prior to the administration is not necessary as long as there were previous opportunities given to the inmate which may include attempts on recent preceding days.

When inmates have effective court orders authorizing the administration of involuntary medication and upon the request of CHS personnel, custody personnel will assist with the administration of the medication by providing security as CHS personnel administer the medication.

The supervisor, minimum rank of sergeant, shall collaborate with CHS personnel to determine the time, method, manner, specific location, and terms for involuntary administration of the prescribed medication(s). The safety and well-being of each individual inmate and involved staff will be considered. Refer to Custody Division Manual (CDM) section, 7-02/000.00 "Planned Use of Force for Inmates with Special Needs." The discussion will include consideration of where the inmate is to be placed and a prescribed route to that safe location inside the module. Additionally, any specific medical concerns and sites of the body intended for the administration of the medication will be discussed.

The supervisor, with the minimum rank of sergeant, shall participate directly in the planning and supervision of the administration of the medication. In all cases, the supervisor will review the court order to confirm it is still valid prior to initiating the procedure for the involuntary administration of psychotropic medication(s). The sergeant shall direct someone to video record both the approach and administration of medication. Refer to CDM sections 7-01/040.00, "Planned Use of Force," and 7-06/010.00, "Video Recording Procedures." The sergeant shall assemble a team of deputies and shall direct all actions throughout the involuntary medication administration. If force becomes necessary, custody personnel shall only use that level of force which is objectively reasonable for the involuntary administration of psychotropic medication(s). Refer to CDM section 7-01/010.00, "Force Prevention Principles."

After the medication is administered, mental health personnel shall assume the responsibility to monitor the inmate. However, if CHS personnel advises custody personnel of an arising medical issue, custody personnel

shall notify the sergeant and ensure the inmate receives the appropriate medical attention. Refer to CDM section 5-03/060.00, "Response to Inmate Medical Emergencies."

## REPORTING

All Department personnel that participate in or witness an incident that involves the use of force during the involuntary medication administration, including use of force not related to an inmate extraction, are required to report and document the use of force in accordance with CDM section 7-06/000.00, "Use of Force Reporting Procedures."

All instances of involuntary medication administration shall be documented with a memorandum from the handling sergeant to the unit commander, including events where force was **not** used.

When force is used, in addition to completing the "Supervisor's Use of Force Report" (SH-R-438S), the sergeant overseeing the involuntary medication administration shall submit a memorandum to the facility unit commander. The memorandum shall include a copy of the court order, the electronic Line Operations Tracking System (e-LOTS) number drawn for the use of force, a synopsis of the force used by department personnel, names of participating medical and mental health members, a copy of the video recording, and any medical attention the inmate received as a result of the involuntary administration. The memo shall be submitted prior to the end of the shift during which the incident occurred.

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