

## 5-15/000.00 Inmates Refusal to Eat and/or Drink

If during the course of normal operations, custody personnel observe significant evidence of food/fluids that have not been consumed by an inmate over a period of six (6) meals, which may indicate abnormal eating and/or drinking patterns, custody personnel shall immediately notify medical and mental health personnel of their observations via the facility specific "Food Intake Monitoring" email group. The facility Access to Care (ATC) lieutenant shall also be notified via email. Custody personnel shall document these notifications in the "Medical and Psychological Events" section of the paper or the electronic Uniform Daily Activity Log (UDAL/e-UDAL).

**Note: It is not necessary that an inmate verbalize an intent to refuse food or fluids. Observation of the non-consuming behavior is sufficient to determine a refusal situation exists or is occurring.**

When healthcare personnel determine the need to monitor an inmate's daily food/fluid consumption, custody personnel shall document the food/fluid intake. Healthcare personnel will initiate and post the "Daily Food/Fluid Intake Monitoring Record" sheet in close proximity to the inmate's cell. Custody personnel will use the posted form to document any food/fluids consumed by the inmate, for each given meal, on the "Daily Food/Fluid Intake Monitoring Record" sheet. The food/fluid consumption should be documented before the removal of any food/fluids from an inmate's housing location, or the cleaning of the inmate's cell. If the inmate is moved, or healthcare personnel determine there is no longer a need to monitor the inmate's food consumption, the "Daily Food/Fluid Monitoring Record" sheet shall be retained by custody personnel and forwarded to the facility ATC lieutenant (or their designee) for a retention period of five (5) years.

The inmate's physical condition will be monitored and assessed by healthcare personnel, which may include the inmate's weight and vital signs.

During the monitoring period, healthcare personnel may determine that an inmate's refusal to eat and/or drink may pose a significant health risk, resulting in a request to remove the inmate from their cell for treatment. Should the inmate refuse, the floor sergeant shall be notified, respond to the location, and make an attempt to gain the inmate's compliance. In instances where an inmate continues to refuse, the handling sergeant shall contact the facility ATC lieutenant (or on-duty watch commander, in the ATC lieutenant's absence). The lieutenant shall respond to the inmate's location and attempt to gain their compliance. If the lieutenant is unsuccessful in obtaining the inmate's compliance, he/she shall notify the nursing supervisor that an extraction is needed. If the inmate must be removed from his/her cell, custody personnel shall follow the procedures outlined in Custody Division Manual (CDM) section 7-01/050.05, "Inmate Extraction Procedures" to facilitate the appropriate medical treatment.

Each custody facility shall develop unit orders outlining specific procedures respective to their facility, including the appropriate email group for the proper notifications to the required personnel mentioned above.

## HUNGER STRIKE

### Pre-Hunger Strike Evaluation Period

If a hunger strike has been declared by an inmate, a pre-hunger strike evaluation period shall be initiated for the duration of six (6) meals after the initial declaration. Custody personnel shall promptly initiate a Pre-Hunger Strike Evaluation Log (SH-J-469) and notify the concerned floor/area sergeant and watch commander. The

watch commander will be provided the inmate's name, booking number and housing location, which shall be documented in the Watch Commander's Log. The watch commander shall also ensure the unit commander is notified of the pre-hunger strike.

The inmate's Pre-Hunger Strike Evaluation Log shall be posted on the inmate's cell door, where safely possible, or kept at the respective module officer's desk/staff station, for the entire duration of the pre-hunger strike period.

During the pre-hunger strike evaluation period, the inmate shall be presented all meals during regularly scheduled meal times. Custody personnel shall log the provision of the meal, along with any refusals, or observations regarding consumption of the meal or of concealed food items (e.g., commissary purchases) on the Pre-Hunger Strike Evaluation Log and in the location's e-UDAL. The responsible floor/area sergeant shall contact the inmate, at a minimum of once per shift, in an attempt to resolve the pre-hunger strike. Each contact and resolution attempt made by the sergeant shall also be documented on the Pre-Hunger Strike Evaluation Log.

After three (3) meal refusals during the pre-hunger strike evaluation period, the concerned watch commander of the shift in which the third meal is refused, shall be notified. The notified watch commander shall contact the inmate and attempt to resolve the pre-hunger strike. The contact and resolution attempt made by the watch commander shall be documented on the Pre-Hunger Strike Evaluation Log. During this contact, the watch commander shall also ensure the Pre-Hunger Strike Evaluation Log is being properly completed by custody personnel.

Any verbalization by the inmate to end their hunger strike, the consumption of a meal/portion of a meal, or the consumption of any food items (i.e., commissary or vending items) shall constitute the end of the pre-hunger strike evaluation period.

If the inmate has refused six (6) consecutive meals during the pre-hunger strike evaluation period, and has not consumed any other food items, the inmate will be referred to medical personnel for initial evaluation and monitoring of a hunger strike.

Any time a pre-hunger strike evaluation period has ceased, the completed Pre-Hunger Strike Evaluation Log shall be forwarded to the watch commander for review. All completed and reviewed logs shall be forwarded to the respective facility's Operations for entry into the Custody Automated Reports Tracking System (CARTS).

## **Hunger Strike**

If after the pre-hunger strike evaluation period, the inmate is still declaring a hunger strike, which has been validated by inmate behavior, the inmate(s) may be maintained in their assigned housing area after the initial evaluation by healthcare personnel. If, in the opinion of healthcare personnel, the inmate(s) need(s) additional or immediate medical supervision, the inmate(s) shall be transferred to a medical facility. In the most extreme circumstances, a court order may be sought authorizing forced food ingestion.

During the hunger strike, any inmate refusing to eat or drink shall have three (3) meals per day presented to them and must be allowed to refuse or accept each individual meal. Drinking water shall be available at all times. Housing officers shall record in the e-UDAL the time of each meal presented to the inmate and whether the inmate refused, accepted, or consumed a portion of the meal. Any food or fluid consumption, or changes in the inmate's behavior or physical condition shall be immediately reported to medical staff, and also

recorded in the location's e-UDAL.

### **Termination of a Hunger Strike**

If the inmate declares their hunger strike has ended, or exhibits behavior consistent with the termination of a hunger strike (i.e., the consumption of a meal or any other food item), medical personnel shall be notified. If after conference with medical personnel, it is determined there is no need to further monitor the inmate's food/fluid intake, the monitoring of such will be concluded/terminated.

### **FACILITY COMPLIANCE**

Unit commanders shall establish unit orders delineating supervisory responsibilities for conducting quarterly audits of all pre-hunger strikes and hunger strikes occurring in the facility. The designated supervisor shall ensure that all procedures and mandates for documentation, as outlined above, have been adhered to. Results of each audit shall be forwarded to the respective unit commander for review.

---