7-01/050.05 Inmate Extraction Procedures

For the purposes of these procedures, any area, including (but not limited to) dorms, dayrooms, and recreation areas, may be considered to be confined areas so long as the inmate can be safely contained there long enough for staff to summon a supervisor to the site and to safely plan a response to the situation. In a dormitory or other confined setting where additional inmates are present, it may be necessary for an extraction to be expedited in order to prevent a situation from escalating and involving additional inmates. In such instances, the supervisor may abbreviate the cool-down and negotiation period with the inmate to avoid the development of circumstances that may escalate the incident or cause the involvement or evacuation of additional inmates. (See the Immediate Extractions section below).

If, during the inmate extraction process, the inmate indicates a willingness to comply at any time, the team leader (sergeant) shall reassess the situation and tactically utilize means necessary to allow the inmate to comply with instructions. If the inmate exits the confined area as the result of negotiations, or verbal commands only, the incident shall be documented in the Electronic Line Operations Tracking System (e-LOTS) as an “Inmate Extraction Averted?” under Project Type “Prevented-Use of Force.”

When simple instructions and requests fail to cause an inmate to exit a confined area, a supervisor, at the minimum rank of sergeant, shall be notified in all but life-threatening or exigent circumstances. The sergeant shall go to the confined area, ask other staff to stand far enough back to provide a level of privacy for the conversation, whenever possible, and reason with the inmate to comply with orders to avoid the necessity of force.

Prior to any use of force, inmates in mental health housing who do not present an obvious danger to themselves (or others) but refuse to exit their cells when requested to do so shall be given a “cooling off” period. The “cooling off” period shall be given to inmates in mental health housing after non-force related attempts of compliance have failed. A line supervisor or the watch commander shall again attempt to gain compliance without the use of force after the inmate has been given a reasonable amount of time to “cool off,” which shall include a request that Correctional Health Services (CHS) mental health personnel respond to the location to speak to the inmate. Mental health staff shall be permitted to make good faith efforts, including talking to the inmate with privacy (whenever possible) for a clinically significant period of time, to assess the inmate's condition and reason with the inmate to avoid the necessity for use of force.

If the sergeant is unsuccessful in gaining the inmate's cooperation, the watch commander and the inmate extraction team shall be notified and respond to the area. The watch commander shall go to the confined area, ask other staff to stand far enough back to provide a level of privacy for the conversation between the watch commander and the inmate (whenever possible), and attempt to reason with the inmate to comply with orders. Deputies who have been involved in the events or conflict with the inmate leading to the need for an extraction may not be part of the extraction team. If it is necessary to include involved deputies in an extraction team, the decision must be approved by the watch commander and must include a written explanation/justification in his/her report.

Throughout the entire process, best efforts should be used to videotape all negotiations with the involved inmate. In all but life-threatening or exigent circumstances, an inmate extraction shall not be accomplished without the physical presence of medical and mental health personnel.

In the event of an extraction, the "Watch Commander's Extraction Checklist" (SH-J-456) shall be used as a

guideline from the onset of the event. Department force reporting procedures as outlined in Custody Division Manual (CDM) section 7-06/000.00, "Use of Force Reporting Procedures," shall also apply.

COURT REMOVAL ORDERS AND SUBPOENAS

In the event the extraction is based upon a court removal order or subpoena, the watch commander shall contact the judge of the concerned court. The judge shall be advised that force may be necessary to extract the inmate from a confined area to ensure the court appearance. The judge will be offered an opportunity to enforce, rescind, or delay the removal order. If the judge orders the inmate to appear in court, the inmate shall be extracted on the verbal order of the court. Authorization for the removal from the judge may be relayed and accepted via the court clerk or bailiff. Following the verbal order, the judge will send a facsimile of a minute order requiring the inmate's appearance in court to the unit commander of the concerned facility. In the event the judge of the concerned court is not available, the watch commander shall make every effort to contact the presiding judge of the court and follow the same procedures. A record of all contacts between custody facilities and courts along with copies of the minute orders shall be included in any subsequent use of force documentation.

EXTRACTIONS WHEN PARAMEDICS ARE ON-SCENE

In the event paramedics are on-scene to transport an inmate to a County or private hospital for treatment and the inmate refuses to exit their cell, watch commanders shall obtain from CHS information on the inmate’s life threatening or emergent medical circumstance which necessitates an extraction. The information, as well as the name of the CHS personnel informant, shall be documented in the “Watch Commander’s Extraction Checklist” (SH-J-456). The watch commander shall then adhere to immediate extraction procedures.

If on-scene paramedics determine the inmate does not necessitate immediate transport for treatment via ambulance or CHS does not provide information on the inmate’s medical condition necessitating an immediate extraction, the watch commander shall adhere to controlled extraction procedures. The inmate’s subsequent transportation to the appropriate medical facility shall be coordinated by the watch commander and CHS personnel.

IMMEDIATE EXTRACTIONS

In life-threatening circumstances, staff shall not wait for a supervisor unless they lack the staff or experience to conduct the extraction. The watch commander or on-site supervisor may authorize staff to conduct an immediate extraction when there is a life-threatening or exigent circumstance such as when the behavior of an inmate constitutes an immediate and serious threat to the safety of that inmate, staff, visitors, or other inmates (e.g., inciting behavior, assaults, and/or suicide attempts) or to the institution (e.g., controlling disturbances, including the massive destruction of property or jeopardizing institutional security). Nothing in this policy precludes personnel from entering any confined area to execute the rescue of an inmate in the event of exigent or life-threatening circumstances. However, any such actions by staff must be clearly articulable and the watch commander, on-site supervisor, or staff must document the life-threatening or exigent circumstance. Additionally, staff must ensure radio communication of the emergency and that sufficient personnel are present to safely execute the removal. Should circumstances permit, supervisors are encouraged to request the presence of medical and/or mental health personnel.

CONTROLLED EXTRACTIONS

Controlled extractions occur in situations where there is no immediate threat to loss of life or institutional security. Controlled extractions may only be authorized by the watch commander and are prompted by circumstances that create safety, security, or operational concerns (i.e., requests by CHS personnel for non-emergent treatment, court orders, or violations of jail rules, which require the inmate to be transferred to a disciplinary module). In no case shall any of these measures regarding extraction, or any kind of use of force (including the use of chemical agents), be used to punish an inmate for refusing to comply. Refer to CDM section 5-12/005.05, “Anti-Retaliation Policy.”

The unit commander shall be notified of all controlled extractions prior to the commencement of the extraction. In the event the unit commander is not available, the inmate extraction may proceed at the watch commander's discretion. The attempt to notify the unit commander shall be documented as noted in the “Watch Commander’s Extraction Checklist.”

Watch Commander Responsibilities

Once it is determined that a controlled extraction may be necessary, the watch commander shall be notified and shall:

- Respond to the location and assume the role of incident commander
- Confer with the team leader to ensure the criteria is met for an inmate extraction
- Ensure a scribe has been assigned to document the course of events
- Ensure best efforts are made to videotape the entire extraction process, including all contact with the inmate, all negotiations, the extraction rehearsals, and any subsequent interviews with the inmates
- Review the “Watch Commander's Extraction Checklist”
- Notify the unit commander
- Consult with CHS personnel and clergy (as necessary), allowing them an opportunity to communicate with the inmate(s) in an attempt to resolve the situation. When possible, ask staff to stand far enough back to provide a level of privacy for the conversation between the inmate and CHS personnel and clergy
- Plan the extraction and tactics to be used with the team leader
- Meet personally with the inmate; ask staff to stand far enough back to provide a level of privacy for the conversation, whenever possible. Consult with medical and mental health staff after their assessment of the inmate’s current mental and/or physical condition. Determine the appropriateness of utilizing chemical agents and/or special weapons based on any existing medical and/or mental conditions or known pregnancy
    - In accordance with Penal Code 4023.8(h), absent circumstances that justify the use of deadly force, special weapons, electronic immobilization devices (TASERs), and chemical agents, including aerosol chemical agents, shall not be used against an inmate known to be pregnant. In addition, personnel shall not intentionally expose an inmate known to be pregnant to chemical agents. Absent exigent circumstances requiring immediate use of chemical agents, personnel shall request pregnant inmates move from areas where unintentional exposure to the chemical agents may be reasonably foreseeable. Any refusal by a pregnant inmate shall be video recorded and medical personnel shall be summoned to the location.
- Approve the plan (incorporating information provided by medical and mental health staff) and standby during team and supporting personnel (e.g., safety officers, medical staff) briefing, deployment, and

completion of the extraction
- Ensure the Safety Officer (second team leader or additional sergeant) is on-scene and directing medical personnel to the extracted inmate
- Ensure the inmate is immediately escorted to medical personnel by a supervisor and the appropriate number of personnel who were not directly involved with the extraction
- Obtain visual documentation of all injuries. Each inmate shall be questioned relative to his/her injuries on the video recording
- Specifically identify in the “Supervisor’s Report on Use of Force” (SH-R-438) those inmates who were injured, and the nature and extent of their injuries
- Document the decision factors that led to the utilization of the extraction team, their methods, and the tactical equipment employed
- Ensure that extractions initiated in response to information provided by medical or mental health staff are fully documented in the “Supervisor’s Report on Use of Force” (SH-R-438) and “Watch Commander’s Extraction Checklist” (SH-J-456) as appropriate.

In situations involving anticipated extractions of inmates in multiple cells or of an entire row, the watch commander shall carefully evaluate all circumstances prior to authorizing the extraction team's deployment. Multiple inmate extractions require the notification of the unit commander~~,~~ or higher, prior to the operation (unless there is an immediate risk of loss of life or an extreme threat to institutional security).

Medical/Mental Health/Clergy Intervention

A controlled extraction shall not be accomplished without the physical presence of medical and mental health personnel. The medical and mental health staff shall be permitted to undertake good faith efforts (absent dangerous or life-threatening circumstances) to gain voluntary cooperation prior to extracting the inmate. When available, clergy staff shall be summoned to assist with the negotiations.

When tactically appropriate, the extraction team shall stand far enough back to provide a level of privacy between the inmate and mental health staff. Mental health staff shall be permitted to make good faith efforts, including talking to the inmate with privacy, whenever possible, for a clinically significant period of time, to assess the inmate's condition and reason with the inmate to avoid the necessity for use of force.

At no time shall custody staff place undue pressure on medical, mental health staff or clergy to conclude their efforts to gain the inmate’s compliance, absent dangerous or life-threatening circumstances. If attempts by medical, mental health staff, and clergy fail to elicit cooperation from the inmate, the watch commander shall continue to coordinate a best practice response through consultation with medical and mental health staff. In cases involving mentally ill inmates, the watch commander shall confer with medical and mental health staff to ensure good faith efforts have been exhausted prior to initiating a tactical response. Throughout the entire process, best efforts shall be made to videotape all negotiations between the involved inmate(s) and mental health and medical personnel.

If a medical or mental health staff member requests an extraction be conducted for medical or psychiatric purposes, and the clinician determines that the inmate's medical/mental health needs preclude any waiting or cool-down period, that individual shall personally direct the request to the watch commander, who shall be on-scene. The originating CHS staff member shall be given an opportunity to gain compliance from the inmate; they shall evaluate the need for the inmate extraction and determine if their original order is necessary. An alternate CHS staff member shall be notified if the originating individual is unavailable. Requests shall include

information regarding the inmate's clinical history and condition and shall be completely documented.

Use of Chemical Agents During Inmate Extractions

After reasonable efforts to gain the inmate’s compliance have been exhausted, and no medical or mental health issues have been identified to preclude its use, chemical agents shall generally be considered as the initial tools of choice in extractions and shall, when feasible, be employed before any other weapons are used. When confronted with a passive resistive inmate and if appropriate, the use of control and restraint techniques should be considered prior to that of chemical agents. The inmate’s prior behavior and/or history of violence should be taken into consideration prior to making entry. In cases involving a mentally ill inmate, the watch commander shall seek the advice of mental health and medical personnel on the viability of utilizing chemical agents based on their assessment of the inmate’s current mental and physical condition.

Chemical agents shall not be used in extractions of inmates known to be pregnant.

Barring life-threatening or exigent circumstances, the watch commander shall ensure that prior to the deployment of any chemical agents, medical personnel be available and prepared to provide decontamination treatment to the affected inmate(s).

In all cases where chemical agents are deployed, personnel should adhere to the guidelines recommended by the manufacturer as referenced in Departmental training. In addition, extraction teams should delay entry to give chemical agents sufficient time to gain the desired effect, but no longer than needed to gain compliance. The goal is to remove the inmate from the confined area without physical contact by extraction team members, if possible, thus reducing the risk of injury to staff and inmates. Repeated applications should not occur until there has been sufficient time for prior applications to have an effect, and additional attempts by the team leader have been made to gain his/her compliance.

Custody personnel shall consider other options if an inmate is obviously mentally disabled and cannot conform their behavior to commands or when the initial application of chemical agents has failed to gain compliance or has not shown any effect.

Best efforts shall be made to capture every application of a chemical agent during an inmate extraction on videotape. Before choosing and using a chemical agent in a particular area, the watch commander shall ensure that implementation is appropriate and will not knowingly result in air duct transfer.

Circumstances permitting, the affected inmate(s) should be provided decontamination treatment prior to placing a spit mask or other type barrier over their head. Under all circumstances, the affected inmate(s) shall be provided decontamination treatment at the earliest opportunity. Personnel shall monitor the involved inmate(s) at all times for signs of medical or mental health distress until the inmate has been fully evaluated by CHS personnel.