5-09/050.00 Limitations on Disciplinary Actions

The California Code of Regulations, the California Penal Code, and State and Federal Constitutions expressly prohibit all cruel and/or unusual punishment. The following limitations shall be applied to disciplinary actions:

- No inmate shall receive more than 30 consecutive days in disciplinary segregation for any one occurrence of a jail rule violation unless the inmate commits another jail offense while in disciplinary housing. If an inmate is subject to discipline for more than 30 consecutive days, the concerned inmate shall be referred to the Complex Case Committee (CCC) for assessment of the appropriateness of continued discipline. Refer to section 3-19/000.00, “Complex Case Committee.”
- Disciplinary limitations involving inmates under the care of mental health staff, inmates requiring accommodations under the Americans with Disability Act (ADA) or those inmates with special needs are referenced under Custody Division Manual (CDM) section 5-09/020.00, “Discipline Involving Mental Health Inmates, Inmates Requiring Accommodations Under the Americans with Disabilities Act (ADA), and/or Inmates Who Have Special Needs.”
- Inmates who are pregnant, postpartum, have recently had a miscarriage, or have recently had a terminated pregnancy, **shall not** be housed in an isolated cell. Custody staff shall collaborate with medical staff to ensure these inmates are placed in an appropriate housing location that is conducive to their access to necessary prenatal and/or medical care.
- Inmates shall not be deprived of the implements necessary to maintain an acceptable level of personal hygiene.
- Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours without the approval of the unit commander or a designee.
- Legal correspondence or access to counsel shall not be suspended.
- Pro Per inmates shall not be prohibited from working on their own defense. Access to the law library and communication, through approved channels, with persons pertinent to their case, shall not be restricted.
- Inmates in disciplinary housing shall be issued standard bedding and clothing. Exceptions are those inmates who engage in the destruction of these items. The decision to deprive inmates of such articles shall be reviewed by the unit commander or the concerned watch commander during each 24-hour period.
- Food shall not be withheld as a disciplinary measure.
- Pursuant to Penal Code section 4019.5, “Kangaroo Court and Sanitary Committee,” the delegation of authority to any prisoner or group of prisoners to exercise the right of punishment over any other prisoner or group of prisoners is prohibited.
- Custody personnel are strictly prohibited from issuing mass discipline to inmates. Individual violators of jail rules shall be identified and expedited through the disciplinary process, according to the procedures which have been established at each facility, and in accordance with CDM section 5-09/010.00, “Inmate Discipline.” This shall include making an entry in the Inmate Reports Tracking System (IRTS) and the attendance of a Disciplinary Review Board (DRB) for any inmate who is confined in their cell for disciplinary reasons for longer than 24 hours.