

## 5-22-015 Inmate Discipline Procedures-Approved by CSS on 7/31/2024

### Los Angeles County Sheriff's Department

	<b>Unit Order: 05-22-015</b>
<b>CUSTODY SERVICES DIVISION</b>	
<b>SPECIALIZED PROGRAMS</b>	<b>Effective Date: 9/26/2013</b>
<b>CENTURY REGIONAL DETENTION FACILITY</b>	<b>Reviewed Date: 6/09/2024</b>
<b>Subject:</b> Inmate Disciplinary Procedures	
<b>Reference:</b> CDM 3-19/000.00, 5-09/000.00 through 5-09/070.00, 5-14/060.00, Custody Directive 18-003, Penal Code 4019, Title 15 sections 1266 and 1265.	
<b>Unit Commander Signature:</b> On File-Captain Rodriguez <b>Date:</b> 08/12/2024	

#### **PURPOSE OF ORDER:**

The purpose of this order is to provide uniform procedures for the discipline of inmates at Century Regional Detention Facility (CRDF). It is intended to establish rules and regulations for consistent protocols and the proper handling of paperwork for inmates on discipline in Module [REDACTED TEXT], or any other identified housing location. All disciplinary action will be imposed in a fair, consistent, and impartial manner.

#### **SCOPE OF ORDER:**

This order shall apply to all personnel assigned to and/or working in any capacity at CRDF.

#### **ORDER:**

Inmates who violate or refuse to comply with facility rules and regulations shall be subject to discipline. The degree of punitive actions taken by the Disciplinary Review Board (DRB) shall be directly related to the severity of the rule violation. Facility rule violations are categorized as minor and major.

#### **MINOR VIOLATIONS**

Violations of rules not posing a threat to facility safety or security are considered minor violations. Minor acts of non-conformance or minor violations may be handled informally by any staff member through a harmony transfer or counseling and advisement of conduct expected. Any counseling of inmates or advisement of expected behavior shall be conducted in normal traffic areas. When possible, counseling shall be conducted by two (2) Department members.

Acceptable forms of discipline for minor violations are limited to the following:

- Extra duty
- Temporary loss of privileges for less than 24 hours
- Removal from a work detail without loss of work time credit
- Discipline in place for less than 24 hours

Minor violations or acts of non-conformance shall be documented in the Inmate Report Tracking System (IRTS).

For minor violations, at the request of the inmate, an informal review of the proposed discipline may be conducted by a supervisor at the sergeant level. After conducting the discipline review, the sergeant shall either impose discipline as outlined above or exonerate the inmate.

**NOTE:** An accumulation of three (3) minor violation reports within a 30-day period for a single inmate shall result in a major violation.

### **Procedural Workflow for Minor Violations**

- When a jail house violation occurs and is identified, personnel shall advise the inmate of the violation.
- Personnel shall complete a detailed IRTS report.
- Personnel shall make a telephonic notification to the tower supervising line deputy.
- IRTS report shall be reviewed and approved by the supervising line deputy.
- Module personnel shall print the IRTS report.
- Supervising line deputy shall write the start date and time and the end date and time of the discipline period. The supervising line deputy shall email all supervising line deputies and discipline sergeants with the inmate's name, booking number, housing location, and the end time and date of their discipline.
- IRTS report shall be placed in module discipline folder.
- Discipline tab shall be placed on the inmate's cell number on the door control panel and documented on the module tanksheet.
- On each shift, module personnel and the tower supervising line deputy shall review the module discipline folder to ensure all inmates who have fulfilled their disciplinary time are removed from discipline.

### **MAJOR VIOLATIONS**

Violations of rules which affect the safety, security, efficiency, or operation of the facility are considered major violations. Major violations shall be handled on a formal basis and may result in any of the following:

- Assignment to a designated disciplinary housing area
- Loss of privileges

- Discipline in place
- Removal from work details
- Revocation of inmate credits
- Criminal prosecution

An Inmate Discipline Report generated through IRTS and, if applicable, an Incident Report ([SH-R-49](#)) shall be written (refer to CDM section 5-09/030.00, "Disciplinary Guidelines").

### **PRE-DISCIPLINE**

Inmates who are removed from their assigned housing areas for an alleged violation of jailhouse rules shall be given an opportunity to present a defense to the charges against them. While awaiting their hearing, they shall be kept in the pre-disciplinary pod located in Module [REDACTED TEXT] Pre-discipline ensures that during the waiting period, inmates receive their Title 15 privileges and are not disciplined without the benefit of a hearing. Inmates housed in pre-discipline **shall not** lose any basic privileges afforded to other inmates unless they are deemed a danger to staff or other inmates. Removal or loss of privileges shall be at the discretion of the on-duty watch commander.

**NOTE:** Pre-disciplinary inmates shall be allowed to program within the pod which includes the use of phones, television, and showers.

Prior to an inmate being escorted to Module [REDACTED TEXT] custody personnel shall review the inmate's housing history located on the Defendant Inmate Movement Management System (DIMMS). If the inmate was previously housed in High Observation Housing (HOH) or is currently expressing suicidal ideation, custody personnel shall notify their tower sergeant, the Jail Mental Health Team (JMET), and CHS mental health personnel. JMET personnel will complete an evaluation of the inmate to ensure the inmate is appropriate for pre-disciplinary housing in Module [REDACTED TEXT] If it is determined that the inmate is not suitable for disciplinary housing, the inmate shall be escorted to HOH housing to complete their disciplinary time. Once the Disciplinary Review Board (DRB) procedures have occurred, all paperwork shall be taken to Module [REDACTED TEXT] and given to staff for storage. If the inmate is cleared by mental health staff for transfer to disciplinary housing, the inmate shall be escorted without further delay.

**NOTE:** If JMET is not available at the time of housing, personnel shall submit a "JMET Referral Request" through the e-UDAL, which sends the request via e-mail to JMET personnel. JMET personnel shall prioritize and assess these inmates when conducting their cell-by-cell rounds. The referral request shall be documented in the e-UDAL.

Custody personnel shall be aware of the various classifications of inmates in pre-discipline housing prior to housing two inmates together.

### **RESPONSIBILITIES OF PERSONNEL**

#### **Deputies and Custody Assistants:**

When an inmate has committed a major violation of jailhouse rules and discipline is warranted, the following

steps shall be taken:

- Complete an IRTS.
- Complete a white card: Include the inmate's name, booking number, date and time of the incident, reference number (generated on IRTS), the attached Uniform Reporting Number (URN) from an incident report (SH-R-49) if applicable, and all violations (creating a disturbance, fighting, roaming, etc.) allegedly committed by the inmate.
- Write a narrative that accurately reflects each specific violation(s) you are charging the inmate with and indicate the actions taken by custody personnel (e.g., "I requested supervisor/additional personnel to respond to my location re: recalcitrant inmate"). At the conclusion of the narrative section, state where the inmate was housed as a result of the incident (e.g., "Inmate was escorted to pre-disciplinary housing in Module [REDACTED TEXT]). Include the inmate's arrest charge and their upcoming court date. List the name of the sergeant and/or supervising line deputy who were notified of the incident.
- Print a copy of the narrative portion of the report for the discipline paperwork packet.
- Print two copies of the "Notice of Disciplinary Violation" (SH-J-380) forms.
  - Ensure the inmate signs the "Notice of Disciplinary Violation" (SH-J-380) forms (on both copies).
  - If the inmate refuses to sign the "Notice of Disciplinary Violation" (SH-J-380), the deputy or custody assistant shall print their name, employee number, and write the date/time of the refusal.
  - Have a supervising line deputy sign on page one of the "Notice of Disciplinary Violation" (SH-J-380) in the sergeant section, as a witness to the refusal. If a permanently assigned supervising line deputy is unavailable, a sergeant shall sign as a witness to the refusal.
- Note in the narrative portion of the report if the inmate refused to sign the "Notice of Disciplinary Violation" (SH-J-380) or if they are unable to sign the notice due to continued aggressive behavior, mental health status, injury, etc.
- Give the inmate one set of the "Notice of Disciplinary Violation" (SH-J-380) forms and keep one for the discipline paperwork packet.
- The IRTS packet shall include the following paperwork in the listed order:
  - The "CRDF Discipline Information sheet" (attachment 5-22-015a)
  - The narrative portion of the IRTS
  - The "Notice of Disciplinary Violation" (SH-J-380) (page one signed by the inmate and supervising line deputy/sergeant, and page two signed by the inmate)
- Upon completion of the IRTS, notify the supervising line deputy who will then review the completed packet.

The inmate shall not be escorted to Module [REDACTED TEXT] until the supervising line deputy has reviewed the discipline report. Once the supervising line deputy has reviewed the report, the inmate shall be escorted to Module [REDACTED TEXT] along with a copy of the IRTS report. **Exceptions to this rule shall apply under exigent circumstances and/or approval from the tower sergeant.**

The module deputy of the inmate's housing location shall inventory the inmate's property in the presence of the inmate before the inmate is escorted to Module 1600. The property inventory shall be reviewed for accuracy by Module [REDACTED TEXT] personnel when the inmate arrives to the module. All razor blades and any other items deemed contraband shall be removed.

In all disciplinary actions, the inmate shall be informed of the offense or infraction of the rules for which they are being disciplined, and the maximum discipline that they may expect to receive.

Charges pending against the inmate shall be adjudicated no sooner than 24 hours after the report has been submitted to the Disciplinary Hearing sergeant and the inmate has been informed of the charges in writing. A violation(s) shall be adjudicated no later than 72 hours after an inmate has been informed of the charges in writing. The inmate may waive the 24-hour limitation. **If 72 hours have elapsed, no discipline can be imposed, and a hearing is not necessary. The inmate shall be released from discipline and sent back to their housing unit.**

**NOTE:** Custody staff shall document all walks conducted by CHS mental health staff and the JMET in the e-UDAL.

### **Supervising Line Deputy (Bonus Deputy):**

- Ensure the spelling and grammar in the narrative section is correct and the elements of the violation(s) are accurately reflected.
- Conduct an interview with the inmate and record it in the IRTS.
- Witness any refusals to sign the “Notice of Disciplinary Violation.”
  - Sign on page one of the “Notice of Disciplinary Violation” in the sergeant section as a witness to the refusal.
  - If a permanently assigned supervising line deputy is unavailable, the tower sergeant shall sign as a witness to the refusal.
- Notify the tower sergeant of the completed/reviewed discipline report.

**NOTE:** Only a permanently assigned supervising line deputy shall review the IRTS. Tower sergeants shall review the IRTS in the absence of a permanently assigned supervising line deputy.

### **Sergeant:**

- Tower sergeants on all shifts shall review the IRTS when notified by the supervising line deputy of a completed/reviewed IRTS.
- The DRB sergeant(s) shall evaluate the violation and discipline schedule to determine the amount of discipline time an inmate shall receive.
- The DRB shall be conducted in a manner calculated to permit a free exchange between the hearing sergeant and the inmate. The inmate should be permitted to tell their account of the story without the presence of deputy personnel, other than the deputy or custody assistant assisting the hearing sergeant, if applicable.
- Since these hearings are subject to later judicial review, they shall be conducted in a manner consistent with due process requirements including an opportunity to be heard.
- Inmates shall be allowed to present a defense and to call witnesses unless permitting the inmate witness to participate would be unduly hazardous to the institutional safety or correctional goals.
- Inmate witnesses shall be listed on the IRTS. If a witness is denied participation in the hearing process, the reason(s) shall also be listed.
- Inmates **do not** have the right to confront/cross examine witnesses or be represented by an attorney.

- If an inmate is found incompetent to handle their disciplinary case, a “counsel substitute” will be afforded to the inmate. A counsel substitute may consist of aid from a fellow inmate, staff member, or from an inmate assigned by the DRB. An inmate shall be considered incompetent to handle their disciplinary case if the inmate states such, or it is obvious to members of the DRB that the complexity of the issue makes it unlikely that the inmate will be able to collect and present evidence necessary for adequate presentation of the case.
- If a sergeant was a witness to the incident or involved in the incident, they shall not conduct the DRB.

### **DISCIPLINARY PROCEDURES FOR MENTAL HEALTH INMATES**

Inmates who have been clinically assessed by CHS personnel may be designated with one of the following levels of mental health care:

- **Mental Health Level of Care [REDACTED TEXT]:** No current mental health impairments. Does not require special mental health housing.
- **Mental Health Level of Care [REDACTED TEXT]:** Mild impairment. Generally, does not require special mental health housing.
- **Mental Health Level of Care [REDACTED TEXT]:** Generally, requires moderate observation housing (MOH) in jail with mental health supervision.
- **Mental Health Level of Care [REDACTED TEXT]:** Significant impairment. Generally, requires high observation housing (HOH) with mental health supervision.
- **Mental Health Level of Care [REDACTED TEXT]:** Severe debilitating symptoms, priority for hospitalization, housing in HOH or Correctional Treatment Center (CTC).

Discipline shall only be imposed on mental health inmates for major violations. Minor jail violations shall be documented in IRTS as “Information Only” and brought to the attention of the appropriate mental health staff.

At the start of each shift, Module [REDACTED TEXT] custody personnel shall send an email to the following CRDF mental health email groups providing the name and booking number of any new inmates who have been sent to Module [REDACTED TEXT] for discipline, or inmate(s) who are already housed in Module [REDACTED TEXT] who have violated an additional jail house rule:

### **[REDACTED TEXT]**

**NOTE:** If there are no new discipline mental health inmates sent to Module [REDACTED TEXT] personnel shall indicate such in an email (e.g., “No new discipline inmates”).

### **Mental Health Level of Care [REDACTED TEXT]**

- Inmates are subject to discipline.
- Notify the JMET Team
- A mental health clinician will evaluate the inmate within (24) twenty-four hours to determine the most appropriate housing. Custody personnel shall follow the recommendation of mental health professionals.

### **Mental Health Level of Care [REDACTED TEXT]**

- Inmates are subject to discipline
- MHLOC [REDACTED TEXT] may serve discipline in Module [REDACTED TEXT] with the authorization of a mental health clinician. They shall continue to receive their prescribed treatment plan designated by mental health staff.
- MHLOC [REDACTED TEXT] **shall not** serve discipline in Module [REDACTED TEXT] **unless** authorized by the Complex Case Committee (CCC). They shall serve their discipline in place or within a non-disciplinary housing area that provides the same level of care. They shall continue to be offered structured and unstructured out-of-cell time.

### **Mental Health Level of Care[REDACTED TEXT]**

- Inmates shall not be issued discipline.
- Inmates shall not be placed in disciplinary housing.
- Jail rule violations shall be documented as noted in CDM section 5-09/030.00, "Disciplinary Guidelines," and forward the documentation to mental health staff and the DRB.
- In cases where mental health staff and custody personnel believe the rule violation is so grave that imposition of discipline is recommended, all pertinent documentation shall be forwarded by the DRB sergeant or a designee to Custody Support Services (CSS) (through an email to Exchange Group, "CCC Notification Group"), which will arrange for a review by the CCC (refer to CDM section 3-19/000.00, "Complex Case Committee"). The CCC will review relevant factors including the rule violation and inmate's mental health before providing a ruling regarding discipline. The ruling will be documented within the IRTS.

### **Disciplinary Hearing for Mental Health Inmates**

The DRB sergeant shall consult with a mental health clinician prior to a discipline hearing involving a MHLOC [REDACTED TEXT] mental health inmate.

The DRB sergeant shall consider the mitigation assessment completed by CHS personnel prior to imposing any discipline. The DRB sergeant must document the date the mitigation assessment was received and the CHS staff's name within the IRTS as noted in CDM section 5-09/040.00, "Disciplinary Review Process." If the mitigation assessment indicates that disciplinary housing is contraindicated and/or a higher level of mental health housing is clinically indicated, the DRB sergeant shall follow the recommendation.

If an inmate suffers from a mental health event while in disciplinary housing the following shall occur:

- Initiate a BOMHR.
- Make notification to a mental health clinician.
- Rehouse in mental health housing per the recommendation of the mental health clinician.

**NOTE:** The unit commander or their designee (at the rank of lieutenant), in consultation with mental health personnel, shall determine whether an inmate who is transferred from disciplinary housing to mental health housing, then subsequently released from mental health housing, will return to disciplinary housing to resume the remainder of their disciplinary time.

### **DISCIPLINARY PROCEDURES FOR PREGNANT INMATES**

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 personnel shall collaborate with CHS personnel to ensure these inmates are placed in an appropriate housing location that is conducive to their access to necessary prenatal/medical care.

Once the inmate has been cleared by medical and mental health personnel for housing in the disciplinary module, module staff shall ensure that the following occurs:

- Notify the Gender Responsive Advocate ([REDACTED TEXT] Custody Assistant) via e-mail indicating where the inmate is housed
- Shall assign the inmate a lower bunk on the lower tier
- Ensure the inmate is provided with a double tan mattress or a thick green mattress
- 45 minutes of large muscle group activity (log activity in the e-UDAL including all refusals)
- Provide water bottles upon request; there is no limit
- Provide a prenatal diet

**NOTE:** Module [REDACTED TEXT] discipline cells do not qualify as an isolated cell.

**NOTE:** Further policy and procedures regarding pregnant inmates are delineated in CDM sections 5-09/030.00, "Limitations on Disciplinary Actions," and 7-02/010.00, "Pregnant Inmates."

### **DISCIPLINARY PROCEDURES FOR INMATES WITH SPECIAL NEEDS**

For disciplinary purposes, "special needs inmate" refers to any inmate who requires special assistance in the disciplinary process due to cognitive or sensory impairments (e.g. Parkinson's Disease, dementia, developmental disabilities, neurologic disorders, hearing or vision loss, etc.), or to any inmate who speaks an uncommon foreign language for which on-site interpreters are not readily available (refer to CDM section [5-14/060.00](#), "Use of Interpreter"). Inmates requiring special assistance shall receive equal treatment. Inmates who are deemed deaf or hard of hearing and attend any formal proceeding (i.e., DRB hearing) shall have a qualified interpreter present, either in person or via Video Remote Interpreting (VRI) services.

Inmates requiring Americans with Disabilities Act (ADA) accommodations shall serve their disciplinary penalties in an ADA-compliant disciplinary housing area. If the facility lacks an ADA-compliant disciplinary housing area, these inmates shall serve their penalty in their current housing location.

### **INMATE APPEAL OF DISCIPLINARY REVIEW BOARD ACTION**

Inmates involved in any disciplinary action other than counseling or reprimand, shall have the right to an administrative process and equal protection. An inmate may appeal the discipline imposed at the conclusion of their hearing while in pre-disciplinary housing. If the inmate wishes to appeal the discipline imposed, they shall be provided with an appeal form located within IRTS and be afforded 72 hours to submit their appeal from the time they were provided the appeal form.

The module deputy or custody assistant shall provide the inmate access to a pencil and the appeal form. When an appeal form is completed, it shall be immediately sent to the unit commander's designated subordinate.

## **LIMITATIONS ON DISCIPLINARY ACTIONS**

- Food shall not be withheld as a disciplinary measure.
- Use of disciplinary diets is prohibited.
- No inmate shall 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 seventy-two (72) hours, without the review and approval of the unit commander.
- No inmate shall be deprived of issued clothing or bedding through any portion of the day. Exceptions are those inmates who engage in the destruction of these items. The decision to deprive inmates of such articles of clothing and bedding shall be reviewed by the watch commander. The watch commander must re-evaluate the decision during each twenty-four (24) hour period. All measures shall be documented in the e-UDAL.
- Under no circumstances shall access to courts and legal counsel be suspended.
- No inmate shall receive more than 30 consecutive days in disciplinary segregation for any one occurrence of inappropriate behavior or violation of any jail offense unless the inmate commits another jail offense while in disciplinary housing.

**NOTE:** If an inmate is subject to discipline for more than 30 consecutive days, the concerned inmate shall be referred to the CCC. For additional information please refer to CDM section 5-09/050.00, "Limitations of Disciplinary Action."

## **READING MATERIAL**

Inmates housed in discipline subsequent to their DRB hearing, are allowed at least one book and one religious text. Any additional reading materials shall be at the discretion of the unit commander.

Inmate reading materials can be obtained from the CRDF warehouse. Religious texts can be obtained through the chaplains assigned to CRDF. Reading materials shall be offered to each inmate and rotated accordingly within the module.

## **INMATE HYGIENE**

Inmates shall be permitted to shower at least once every other day, or more often, if possible, as referenced in Title 15, section 1266. Inmates shall not be deprived of implements necessary to maintain an acceptable level of hygiene as specified in Title 15, section 1265.

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