

## Reception and Housing

### 502.1 PURPOSE AND SCOPE

The Culver City Police Department has a legal and methodical process for the reception, classification, and housing of arrestees and incarcerated persons into this jail. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues, and the seizure and storage of personal property.

### 502.2 POLICY

This department shall use the following standardized policies when receiving arrestees to be booked into this jail. This is to ensure security within the jail and that arrestees are properly booked and afforded their applicable rights.

### 502.3 PRE-BOOKING SCREENING

All arrestees shall be screened prior to booking to ensure the arrestee is medically acceptable for admission and that all arrest or commitment paperwork is present to qualify the arrestee for booking. Required paperwork may include the following:

- (a) Arrest reports
- (b) Probable cause declarations
- (c) Warrants or court orders
- (d) Victim notification information
- (e) Special needs related to religious practices, such as diet, clothing, and appearance (see the Religious Programs Policy)
- (f) Accommodation requests related to disabilities (see the Incarcerated Persons with Disabilities Policy)
- (g) Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting jailer.

Prior to accepting custody of an arrestee who claims to have been arrested due to a mistake of the arrestee's true identity or an arrestee who claims that identity theft led to the issuance of a warrant in the arrestee's name, members shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Members shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

Arrestees who can post bail or qualify for a release on their Own Recognizance (O.R.), a citation, or Penal Code § 849(b) will be processed and released (15 CCR 1029(a)(5)).

#### 502.3.1 NON-DETAINABLE INCARCERATED PERSON SCREENING

Arrestees who fall within certain classifications should be transported to the county jail or the designated facility, as appropriate. These include:

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- (a) Any person who is sick, injured, or who has any other medical condition, including pregnant persons, who may require medical attention, supervision, or medication during confinement.
- (b) Any person who has claimed, or is known to be afflicted with or displays symptoms of, any communicable disease.
- (c) Any person suffering from a severe behavioral crisis.
- (d) Any combative or unruly person who is likely to cause damage to the facility or severely disrupt the good order of the jail (15 CCR 1053).
- (e) A prisoner who is or may be contemplating suicide.
- (f) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotic, sedative, tranquilizer, anti-neoplastic (cancer) drug, research medication, or any person suffering from withdrawals of the above.
- (g) Any person suspected or confirmed to have a developmental disability (15 CCR 1057).
- (h) Any person or persons for whom appropriate classification (e.g., gender, age) cannot be maintained.
- (i) Any person who is so intoxicated as to be a danger to self or a danger to others and cannot be safely accommodated within the jail or a sobering cell (15 CCR 1056). This shall also apply to those incarcerated persons who are undergoing withdrawal reactions (15 CCR 1213).

#### **502.3.2 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the person meets at least one of the following (Government Code § 7282.5; Government Code § 7284.6):

- (a) Has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c)
- (b) Has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary
- (c) Has been convicted of an offense as identified in Government Code § 7282.5(a)
- (d) Is a current registrant on the California Sex and Arson Registry
- (e) Is identified by the United States Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant

#### **502.3.3 SCREENING FOR MEDICAL SYMPTOMS**

Members should remain alert to signs of drug and alcohol overdose and withdrawal (see the Screening and Evaluations Policy). Any member who suspects that an arrestee may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor. The

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supervisor shall ensure that the arrestee receives appropriate medical attention. The arrestee should be transferred to an appropriate facility.

The screening documentation should include the following:

- (a) Name of screener
- (b) Date/time of screening
- (c) Information on the observations

Members shall respond promptly to medical symptoms presented by arrestees to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the jail.

#### **502.3.4 IMMIGRATION INQUIRIES PROHIBITED**

Jailers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

#### **502.3.5 NOTICE TO INDIVIDUALS**

Individuals in custody shall be given a copy of documentation received from United States Immigration and Customs Enforcement (ICE) regarding a hold, notification, or transfer request along with information as to whether the Department intends to comply with the request (Government Code § 7283.1).

If the Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to their attorney or to one additional person whom the individual may designate (Government Code § 7283.1).

#### **502.3.6 ICE INTERVIEWS**

Before any interview between ICE personnel and an individual in custody for civil immigration violations, the department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that the individual may decline to be interviewed or may choose to be interviewed only with the individual's attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

#### **502.4 SEARCHES BEFORE ADMISSION**

All arrestees and their property shall be searched for contraband by the booking jailer before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting jailer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting jailer prior to the arrestee being accepted for booking. A description of the items returned to the transporting jailer shall be documented on the arrestee's booking record.

Strip searches shall be conducted in accordance with the Searches Policy.

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#### 502.4.1 SEARCHES REGARDING RELIGIOUS CLOTHING AND HEADWEAR

Unless exigent circumstances exist, when an individual is wearing religious clothing or headwear, a jailer shall offer to conduct searches of the individual using a jailer of the same gender and offer the search to be out of view of members of a different gender (Penal Code § 2607).

Following the search, any religious clothing or headwear purchased, accessed (as defined by Penal Code § 2607), or retained shall be returned unless there is a reason to confiscate the item due to a security risk. If the item is not returned, the reason shall be documented (Penal Code § 2607).

#### 502.5 CLASSIFICATION

The Jail Commander or the authorized designee should create and maintain a classification plan based on objective criteria to guide trained members in the processing of individuals brought into this jail. The plan should include a process for determining appropriate housing assignments (15 CCR 1050).

The classification process is intended to identify predatory, violent, and at-risk arrestees. It should occur early in the intake process to allow for appropriate supervision while an arrestee is being temporarily held in this jail and until a decision is made to place the individual into a more permanent housing assignment.

The intake member shall complete the classification form. The classification form should include a place for the member to make a housing recommendation. This recommendation should be based on an assessment of the arrestee's condition and the arrestee's interview.

The arrestee shall be evaluated according to the following (15 CCR 1050):

- Gender identity
- Age
- Criminal sophistication
- Seriousness of crime charged
- Assaultive/non-assaultive behavior
- Medical problems
- Mental state (including developmental disabilities)
- Sexual orientation (evaluate whether the arrestee may be at a high risk of being sexually abused based on all available known information) (28 CFR 115.141)
- Prior acts of sexual abuse, prior convictions for violent offenses, and history of institutional violence or sexual abuse, as known to the Department
- Any other criteria deemed appropriate by the Chief or the authorized designee
- Any other requirements for classification plan under 15 CCR 1050.

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Members shall ask the arrestee about their perception of vulnerability and shall consider the following criteria to screen arrestees for risk of sexual victimization, including (28 CFR 115.141):

- (a) Whether the arrestee has a known or apparent mental, physical, or developmental disability.
- (b) The age of the arrestee.
- (c) The physical build and appearance of the arrestee.
- (d) Whether the arrestee has previously been incarcerated.
- (e) The nature of the arrestee's alleged offense and criminal history.

Any arrestee identified as being at a high risk for sexual victimization shall be provided with heightened protection. This may include continuous, direct sight and sound supervision, single-cell housing, or placement in a cell that is actively monitored on video by a member who is available to immediately intervene, unless no such option is reasonably feasible (28 CFR 115.113; 28 CFR 115.141).

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know.

Any incarcerated person deemed not appropriate for this jail shall be transported to the county jail.

The classification form shall be placed in the incarcerated person's file.

#### **502.5.1 HOUSING ASSIGNMENTS**

Incarcerated persons should be housed based upon the following criteria:

- Classification level
- Age
- Gender
- Legal status (e.g., pretrial or sentenced)

#### **502.5.2 RESTRICTIVE HOUSING**

Incarcerated persons determined to be an escape risk, assaultive, disruptive, or who require protection shall be placed in restrictive housing or transferred to the county jail. The separation shall not deny privileges beyond what is necessary to protect incarcerated persons, members, or the public (15 CCR 1053).

Nothing in this policy prohibits changing the delivery of programs or services to segregated incarcerated persons in order to provide for the safety and security of other incarcerated persons and members.

#### **502.6 ADMISSION PROCESS**

A unique booking number shall be obtained specific to the current admission. Photographs and fingerprints shall be taken.

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The admission process should include an attempt to gather a comprehensive record of each arrestee, including the following:

- Identifying information (including name and any known aliases or monikers)
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting jailer and transporting jailer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction
- Gender
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number, and relationship to incarcerated person
- Driver license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the incarcerated person, such as scars, birthmarks, deformities, or tattoos
- Medical, dental, and mental health screening records, including suicide risk
- Inventory of all personal property including clothing, jewelry, and money
  - Items of rare or unusual value should be brought to the attention of a supervisor.
  - The incarcerated person's signature should be obtained on the booking record and on any forms used to record money and property
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

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#### 502.6.1 LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand.

#### 502.6.2 INCARCERATED PERSON SEPARATION

Incarcerated persons should be kept separate from those in housing during the admission process. Newly admitted incarcerated persons should be separated according to the facility's classification plan.

Incarcerated persons of different genders shall be housed to ensure visual and physical separation.

Pre-arraigned incarcerated persons shall be housed separately from post-arraigned incarcerated persons, if practicable.

Civil detainees shall be housed separately from incarcerated persons.

#### 502.6.3 RELIGIOUS ACCOMMODATIONS AT INTAKE

Jailers shall ask each individual during intake whether the individual practices a sincerely held religious belief that requires accommodation for grooming, religious clothing, or headwear. Accommodations shall be made as follows (Penal Code § 2607):

- (a) Allow the individual to purchase facility-issued religious clothing and headwear or provide access as defined by Penal Code § 2607.
  - 1. If religious clothing or headwear is unavailable, the individual shall be allowed to retain their religious clothing or headwear until facility-issued religious clothing and headwear can be accessed or purchased.
- (b) Not require an individual's hair or beard to be trimmed or cut during the booking, intake, or classification.

For additional guidance, see the Religious Programs Policy.

#### 502.7 INCARCERATED PERSON PROPERTY CONTROL

All property received from incarcerated persons at the time of booking shall be inventoried. A receipt should be signed by the incarcerated person and the booking jailer and referenced to the booking number before the admission is completed. The original copy of the property receipt should be retained and placed in the incarcerated person file and/or with the property. A second copy should be presented to the incarcerated person at the time of booking.

Excess personal clothing should be mailed to, picked up by, or transported to designated family members or to a person of the incarcerated person's choosing, or stored in containers designed for this purpose.

#### 502.7.1 VERIFICATION OF INCARCERATED PERSON'S MONEY

All monies belonging to the incarcerated person and retained by the booking jailer shall be verified in front of the incarcerated person. When possible, the incarcerated person should initial the dollar amount on the booking sheet. All money should be placed in a separate envelope and sealed.

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Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

#### **502.7.2 PROPERTY STORAGE**

All incarcerated person property should be stored in a secure storage area. Only authorized personnel may access the storage area and only for the purpose of depositing or retrieving property, or to conduct duly authorized work, including maintenance and other duties as directed by the Jail Commander.

#### **502.8 TELEPHONE CALLS**

Every incarcerated person detained in this jail shall be entitled to at least three completed telephone calls immediately upon being admitted and no later than three hours after arrest. The calls may be of a duration that reasonably allows the incarcerated person to make necessary arrangements for matters that the person may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the members may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary for the purpose of arranging care for the minor child (Penal Code § 851.5).

There is no obligation for the jail staff to make a telephone call on an incarcerated person's behalf, for example in the case of a person who is intoxicated and is unable make a call. Members are not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

#### **502.8.1 TELEPHONE CALL PROCEDURES**

The Department will pay the cost of local calls. Long distance calls will be paid by the incarcerated person, using calling cards or by calling collect.

Calls between the incarcerated person and the person's attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded.

#### **502.8.2 POSTING OF TELEPHONE INFORMATION**

A sign containing the information as required in Penal Code § 851.5 in bold block type shall be posted in a conspicuous place where the incarcerated persons make their booking telephone calls.

The public defender's telephone number shall be posted with the sign.



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The signs shall be in English, Spanish, and any other language spoken by a substantial number of the public, as specified in Section 7296.2 of the Government Code, who are served by this agency (Penal Code § 851.5).

#### **502.8.3 ONGOING TELEPHONE ACCESS**

Ongoing telephone access for incarcerated persons who are housed at this jail will be in accordance with the Telephone Access Policy.

#### **502.9 SHOWERING AND CLOTHING EXCHANGE**

Incarcerated persons should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an incarcerated person is transferred from the temporary holding area to housing (see the Incarcerated Person Hygiene Policy).

#### **502.10 SENTENCED INCARCERATED PERSON BOOKINGS**

Incarcerated persons may serve their sentences with a pay-to-stay arrangement that may include work, education, or other release program. Upon confirmation of the court order, acceptance of the conditions of confinement, and a deposit of funds, the incarcerated person should be admitted according to this policy.

Other incarcerated persons may be admitted upon court order, either for their own safekeeping or having been sentenced as an incarcerated person worker.

The Jail Commander may have any sentenced incarcerated person transferred from this jail with the approval of the court if a transfer has not already been ordered.

#### **502.11 JUVENILE DETAINEES**

Juveniles are not eligible for admission to this jail. A juvenile may be held only for the length of time needed for release to a parent or guardian or transfer to an appropriate facility, and in any case, for a maximum of six hours (Welfare and Institutions Code § 207.1). Detention is subject to the following conditions:

- (a) The juvenile shall be held in an unlocked area that is not used for housing and is outside the secure perimeter of the jail, such as an interview room, lobby, or office.
- (b) The juvenile shall not be physically secured to a cuffing rail or other stationary object.
- (c) The juvenile shall be under continuous visual supervision by a law enforcement officer, a facility employee, or a designated youth attendant. Continuous visual monitoring may be by an audio/video system. The juvenile shall have constant auditory access to the staff.
- (d) Separation by sight and sound shall be maintained between all juveniles and adults in custody (34 USC § 11133). There should also be sight and sound separation between non-offender juveniles, such as those who may be in protective custody, and juveniles and status offenders.