

# Merced County Sheriff's Office Corrections Bureau

Adult Detention Handbook  
Revised  
2022



**VERNON H. WARNKE**

*Sheriff/Coroner*  
Sheriff's Administration

700 W. 22<sup>nd</sup> Street Merced, CA 95340

## **TABLE OF CONTENTS**

- Table of content
- Introduction
- Incarcerated Persons Notifications
- Americans With Disabilities Act (A.D.A)
- Prison Rape Elimination Act (P.R.E.A)
- Continuation of P.R.E.A
- Continuation of P.R.E.A
- Emergency Procedures and Communications
- Safety and Security
- Classification / Head Counts / Identification
- Medical, Mental Health, Dental services
- Grievances
- Visitation
- Correspondence
- Continuation of Correspondence
- Legal assistant program
- Program Services Unit
- Continuation of Program Services
- Minimum standards for incarcerated persons
- Continuation of minimum standards.
- Discipline and Facility Rules
- Continuation of Discipline and Facility Rules
- Continuation of Discipline and Facility Rules

## **INTRODUCTION:**

While you are incarcerated in a Merced County Sheriff's Office Corrections Facility, you will need to be aware of what to expect and what is expected of you. This handbook contains important information regarding your time in custody. This information ranges from rules and disciplinary procedures to daily events and time schedules.

While in custody, you are expected to obey the rules, display proper behavior and treat all staff and other incarcerated persons with respect. It is the responsibility of all staff to treat you fairly. You will not be treated differently based on your race, religion, national origin, sex, disability, sexual preference or political belief.

**IT IS YOUR RESPONSIBILITY TO READ AND UNDERSTAND THIS HANDBOOK.** Contact a Correctional Officer if you have any questions or do not understand any section of this booklet.

## **YOU WILL BE REQUIRED TO RETURN IT UPON YOUR RELEASE.**

This handbook is provided to inform you of the day-to-day operations and programs at the Merced County Sheriff Adult Correctional Facilities. It contains information about some of the services available to you, and what is needed to obtain or benefit from these services.

It also contains important rules and disciplinary measures. These rules must be followed to ensure the safety and efficient operation of the facilities. Failure to follow facility rules may result in disciplinary action being taken against you (see incarcerated person discipline).

You are being held in custody as a result of court action or arrest. Please keep in mind the Merced County Sheriff's Office is here to provide care, custody and confinement to all persons who are under the jurisdiction of the Sheriff's Office. While you are here, you are responsible for reading this book and becoming familiar with the rules and services regarding your jail term.

NOTIFICATION / INFORMATION:

PENAL CODE 821;822

The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

“WE DO NOT WANT YOU TO HURT YOURSELF OR OTHERS”

Help is available 24 hours a day, 7 days per week regarding a medical or mental health emergency. If you feel like hurting yourself or think another incarcerated person is suicidal, please tell any staff person immediately. Jail Psychiatric and Medical Services staff will respond and provide any needed treatment.

HOSTAGE POLICY:

The Merced County Sheriff's Adult Correctional Facilities have a “no hostage” policy. Under no circumstances will an incarcerated person be released from custody in exchange for the release of a hostage and/or hostages. All efforts will be made by Sheriff personal to resolve any hostage situation, excluding the releasing of incarcerated persons.

PRIVACY NOTICE:

Incarcerated persons confined to the Merced County Sheriff's Office Correctional Facilities do not have an expectation of privacy during social telephone calls or visits. Telephones and visits may be monitored and recorded to maintain the overall safety and security of the correctional facilities. You and/or your belongings are subject to search and seizure at any time without notice. You are ordered to comply with all lawful orders from Jail staff.

## **AMERICANS WITH DISABILITIES ACT**

It is the policy of the Merced County Sheriff's Office to comply with Subtitle A of Title II of the Americans With Disabilities Act (ADA) 42 USC 12131, et. seq, which prohibits discrimination on the basis of disability.

### **IF YOU HAVE A DISABILITY.....**

The ADA may apply to you. If it is hard for you to see, hear, talk, walk, move, breathe, or learn, you may have a disability. If you have a medical or mental health disability, you may be approved for specific accommodations during your incarceration. Any medical and/or mental health disability must be confirmed and authorized accommodations made by the facilities medical and/or mental health authority.

The Merced County Sheriff's Office will ensure that incarcerated persons with qualified disabilities are afforded equal access to programs, services, and activities unless doing so would alter the nature of operations of the institution or program. The department will provide reasonable accommodations for incarcerated persons with disabilities on a case-by-case basis and with confirmation/recommendation from the jail medical authority regarding any needed accommodations.

## **AMERICANS WITH DISABILITIES ACT (ADA)**

### **PUBLIC NOTICE**

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (CFR 35.107)

Questions, concerns, complaints, requests for reasonable accommodations or modifications, or other inquiries with regard to a disability or accessibility should be directed to the Regulation Compliance Unit by filling out an Incarcerated person Request for and/or Incarcerated person Grievance Form. The jail Compliance unit may also be contacted by mail or phone from the community regarding any complaints that pertain to persons in custody of the Merced County Sheriff.

## Regulation Compliance Unit

Contact person: Regulation Compliance Officer J. Hendon

Address: 670 W 22<sup>nd</sup> Street, Merced CA, 95340

Phone: 209-385-7576

### **PRISON RAPE ELIMINATION ACT (P.R.E.A)**

P.R.E.A. is The Prison Rape Elimination Act of 2003 (42 U.S.C. § 15601 et seq.) enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies. The Act applies to all public and private institutions that house adult or juvenile offenders and is also relevant to community-based agencies.

It is the policy of the Merced County Sheriff's Office to maintain a zero-tolerance for incarcerated person-on-incarcerated person sexual assault, staff sexual assault and/or abuse, sexual misconduct, and sexual harassment toward incarcerated persons as defined by The Prison Rape Elimination Act. This means we are committed to investigating EVERY allegation or claim of sexual assault and/or misconduct submitted. We will provide services to EVERY victim and enforce all violations of law in accordance with current legislation.

### **WHAT IS SEXUAL ASSAULT?**

- Anytime another incarcerated person sexually touches the sexual parts of your body, forces you to touch the sexual parts of their body, has sex with you without your consent, forces you to have sex with someone else without your consent or uses threats or intimidation to pressure you to engage in sex and/or sexual acts, it is against the law.

- Anytime a staff member, including contract workers, medical professionals and volunteers, makes sexual advances or comments, sexually touches you, or has sex with you, displays his or her genital, or engages in voyeurism. It is against the law. Even if you wanted or invited the behavior, the staff person is not allowed to respond.

Note: This does not include safety and security searches of your person by custody staff and/or touching for any medical treatment or care being provided.

EXAMPLES OF SEXUAL ASSAULT INCLUDE BUT ARE NOT LIMITED TO:

- Rape
- Someone forcing you to have sex with them or another person to repay a debt.
- Someone offering you protection from other incarcerated persons or physical harm in exchange for sex.
- A staff person offering you a privilege or a favor in exchange for sex.

SEXUAL ASSAULT AWARENESS:

- Anyone offering you favors, lending you things, or providing you protection, may be setting you up for an assault or targeting you as a potential victim.
- Be aware of situations that make you feel uncomfortable. If you are feeling uncomfortable due to any gestures, speech, or touching, notify a staff member immediately.
- If you or someone else is being pressured for sex, tell a staff member immediately. You do not need to wait for the assault to happen before asking for help.
- Be aware of areas where it may be hard to be seen by staff or where you would have trouble getting help if needed.

WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED:

There is no time limit for reporting allegations. Any of the below listed procedures may be used for reporting under the Prison Rape Elimination Act for persons incarcerated at any of the Merced County Sheriff Adult Detention Facilities:

- Incarcerated persons may privately report sexual abuse, sexual misconduct, and sexual harassment, retaliation by other incarcerated persons or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse by any employee, volunteer or contractor.
- Anonymously: Incarcerated persons may report any concerns anonymously by dialing “#7732” from any facility telephone that they are permitted to use.
- Completion of the Incarcerated person Grievance Form that may be submitted to the Regulation Compliance Unit directly under confidential correspondence.
- Write a letter, phone or email to this or another law enforcement agency.
- Report the allegation to an officer, shift supervisor, medical staff, mental health worker or Chaplain.
- Call the National SexualAssaultHotline:1-800-656-4673
- Additionally, incarcerated persons may report abuse, retaliation, or harassment by writing to the Sheriff of Merced County or by contacting the California Attorney General’s Public Inquiry Unit at 1-800-952-5225.



Members of the public may report allegations of misconduct by any of the following:

- Mailing the Merced County Sheriff's Office at (700 W. 22<sup>nd</sup> Street, Merced CA, 95340)
- Rape Crisis Services: 1-866-UR-SAFE or 1-866-487-7233
- A.A.R.D.V.A.R.C. - Victim/Witness Assistance Center: 209-725-3515
- Valley Crisis Center: 209-725-7900

## **EMERGENCY PROCEDURES AND COMMUNICATION:**

If at any time you have a concern for your safety, alert a Correctional Officer immediately. Incarcerated persons who have a real and verifiable concern about their safety may be “reclassified.” The classification staff will make the final decision for the “reclassification” of any incarcerated person.

If there is an immediate emergency, there are control call boxes in each housing unit. The box is a facility emergency system and shall only be used in the event of a true emergency. Misuse of any emergency call box can lead to discipline and/or criminal charges against you.

To activate an emergency call box, simply press the button on the speaker box. This will signal an alarm to the facility control room and a Sheriff Representative will speak with you regarding the nature of your emergency.

All housing units have emergency fire systems and are monitored 24 hours a day by emergency staff. Any tampering, damaging, altering, or misuse of emergency systems shall result in criminal and/or disciplinary action taken against you.

In the event of an emergency evacuation, you are to follow the direct orders of uniformed Sheriff Corrections Staff at all times. You will be escorted to a safe location by facility staff in accordance with the facilities emergency action plan.

Any attempt to escape and/or flee a staging area will result in criminal charges being filed against you for felony escape.

## **SAFETY AND SECURITY:**

The safety and security of incarcerated persons, staff, and visitors is of the utmost importance. Incarcerated persons are strongly encouraged to immediately alert any staff member of any safety and security concerns so they may be addressed as soon as practical.

In the event of an emergency, such as fire or other natural disaster, incarcerated persons must follow the directions of the Correctional Officers. This is essential for everyone's safety. Any incarcerated person who fails to respond to an officer's direction will be subject to discipline and/or criminal action.

Should a safety or security incident occur anywhere in a correctional facility, Correctional Officer will provide verbal commands regarding movement and direction of travel from one location to another. Incarcerated persons are to follow any verbal orders and/or direction from Correctional Staff at all times.

### **SECURITY SEARCHES:**

All incarcerated persons and living quarters are subject to search at any time. Incarcerated persons will cooperate with Correctional Officers conducting the search. If any personal items are seized, you will be notified. If any items of contraband are seized, you may be disciplined and/or criminally charged.

Contraband is any item not issued, not purchased through commissary or has been modified from its intended use. The contraband found will subject to destruction or evidence. Failure to cooperate with searches or possession of contraband may result in disciplinary and/or criminal actions taken against you.

### **HOUSING UNIT INSPECTION:**

Housing unit inspections will be conducted at any time without notice.

Inspection rules are as follows:

- All incarcerated person property must be kept in the provided storage bag/box
- No items will hang from the bars, vents, walls, etc.
- No pictures or writings will be displayed on the walls

- The housing unit floors will be swept and mopped regularly and free from trash.
- No storing of excessive commissary items or issued items.

(NOTE: If items do not fit in your personal box, the items are considered contraband and will be removed by staff.)

## **CLASSIFICATION REVIEWS AND APPEALS**

Once an inmate is classified and housed, he/she may appeal the decision of the classification correctional officer. The appeal process shall begin at the first-line supervisor level. The decision by the supervisor may be appealed to the Facility Lieutenant or the authorized designee. The decision by the Facility Lieutenant or the authorized designee is final

### **HEADCOUNTS:**

Several scheduled and unscheduled headcounts may be conducted by staff at any time. Incarcerated person cooperation with all headcounts is mandatory. You shall have your incarcerated person identification readily available for Officers to see upon request.

A headcount can be initiated at any time and at any location by Correctional Facility staff. You are required to follow all directions given by Correctional staff during a head count procedure. Failure to comply can result in criminal and/or disciplinary actions against you.

### **INCARCERATED PERSON IDENTIFICATION:**

When you are booked into a Merced County Sheriff's Office Corrections Facility, you will be given an identification (I.D.) card. You are required to have this I.D. card with you at all

times. You may be required to show your I.D. card to receive mail, medication, medical care, special programs, commissary etc.

Your I.D must also be shown for headcounts, visitation, and court appearances or at the request of any correctional staff member. Your I.D. card must be turned in at the time of your release to prove your identity. If you cannot produce your I.D. card, your release will be delayed, pending verification of your identity.

If the I.D. card becomes worn out, torn or lost, notify a Correctional Officer immediately so it can be replaced. Tampering with your I.D. card will result in disciplinary action against you. If you lose, tamper, or alter your I.D. card, you will be charged \$3.00 for a replacement and could face disciplinary action.

### **MEDICAL/DENTAL SERVICES:**

Trained personnel will complete a medical questionnaire during the booking process to screen you for medical and mental health needs. If at any time you are experiencing a medical related issues and/or emergency, you may ask any Corrections Officer to be seen by jail medical staff. Trained medical staff will assess your condition and need for treatment.

For any non-emergency medical related issues and/or if you develop a medical condition while in custody, you will need to complete a Sick Call Request Form. The Sick Call Request Form can be given to any medical staff member during their routine medication pass.

**Correctional Officers will not accept Sick Call Request Forms.**

Sick call is processed by trained medical staff and held daily.

To receive medication you must:

- Show your I.D. card to the medical staff.
- Take your medication in the presence of medical staff.

## **MENTAL HEALTH SERVICES:**

If you need Mental Health Services, fill out a Sick Call Request Form and ask to see Mental Health.

If you are suicidal or have thoughts of suicide or are having thoughts of harming yourself or others, please notify any correctional staff and/or medical staff immediately.

Mental Health Services are free of charge. This office will provide counseling and crisis intervention services to any incarcerated persons who either requests services or is determined by a health provider to be in need of counseling or crisis intervention services. These services may be provided by:

- a. Medical/mental health staff assigned to the facility.
- b. Faith-based counseling by the chaplain or religious volunteers (see the Religious Programs Policy).
- c. Correctional officers assigned to the facility who have specific training and expertise in this area.

## **INCARCERATED PERSON REQUEST FORMS:**

Incarcerated person Request Forms are available for incarcerated persons and can be provided by Correctional Officers. They are used to ask for various types of information. They may be used to request information concerning jail programs, alternative sentencing, sick call, release dates, court services etc. **Request slips will not be accepted for “early release consideration”.**

To use the Incarcerated person Request Form, complete the form and give it to a Correctional Officer and it will be forwarded to the proper authority for review.

## **INCARCERATED PERSON GRIEVANCES**

While in custody of the Merced County Sheriff's Office, you have the right to file a grievance relating to any conditions of confinement, including but not limited to: medical care, classification actions, disciplinary procedures, food, clothing and bedding, Correctional Officer conduct, housing sanitation or conditions, etc.

Grievances will not be accepted regarding court proceedings, complaints against other law enforcement agencies, or any issue that is not pertaining to your care, custody, and confinement of the Merced County Sheriff's Office.

Once an incarcerated person completes the grievance form, the form must be submitted to a Correctional Officer for proper tracking and response. A response to the grievance will be given within 15 days of its submission.

Should the grievance require any form of employee discipline or investigation, you will not be able to obtain information regarding the actions taken regarding the employee. You will only receive a response advising of the date the grievance was submitted to administration for review and any remedy to the grievance, if applicable.

You may appeal a grievance response if you are not satisfied with the actions taken to resolve the issue listed. Your appeal will be sent to the Regulation Compliance unit for review into the listed claim. A response will be sent from the Regulation Compliance unit advising if the grievance was accepted or denied. The response will also note any actions taken to resolve the issue or reason for denial.

If you receive a response from the Regulation Compliance unit and are not satisfied with the actions taken, you may appeal one additional time to the facility Lieutenant. This is the final level of appeal and the response will be final. After the 3<sup>rd</sup> level of

appeal, if you are still not satisfied with the actions taken, you may seek action taken by the courts. It is your responsibility to contact the courts and/or your legal defense for initiating this process.

All grievances must meet the below criteria to be accepted:

1. Only one person may be listed on the grievance form as the complainant.
2. The grievance shall only note one grievance related issue per form.
3. The grievance must be easy to read by staff.
4. The grievance must list the reason and requested actions to be taken for possible correction.
5. Grievances will only be accepted for care, custody, and confinement related issues within the Merced County Sheriff corrections bureau.

NOTE: Excessive grievances submitted for non-grievance related matters and/or grievances that have been responded to with appropriate actions taken, may result in disciplinary action taken against you.

### **INCARCERATED PERSON VISITATION:**

Visiting days and times are subject to change based on facility needs. For visiting days and times, family and friends can contact the following number: Main Jail 209-385-7419 or JLCC 209-385-7575.

It is recommended that families call prior to visitation to ensure there have been no changes.

Visitors shall only bring their identification, vehicle keys and a baby bottle, if accompanied by an infant, inside the facility.

All visitors are subject to being searched.



There is no limit to the amount of visitors you may have on your approved visiting list, however, only two visitors may visit you at a time. The first two visitors who sign in at visiting sign up time will be allowed to visit.

### VISITOR REQUIERMENTS:

Visitor(s) must have a valid government issued I.D. card (U.S. Driver's License, U.S. Identification Card, Passport, Military I.D., or Consulate I.D.).

Persons who have been in custody in Merced County within the last 60 days will be denied.

Persons "pending" violent or drug related misdemeanor or felony charges (non- conviction and currently under prosecution), will be denied.

Persons with violent or drug felony conviction within one year will be denied. No restriction on other felonies.

Persons currently on "Felony" Probation, Parole or AB109 Supervision will be reviewed by the Facility Lieutenant or appointed person. Misdemeanor probation shall be allowed regardless of charges.

Persons with an active warrant will be denied.

Persons who have an active restraining order protecting either the incarcerated person or the visitor from one another will be denied.

If your visitor is under the age of 18, they must be accompanied by their parent or legal guardian. The parent or legal guardian must be on your approved visiting list. The minor must have a valid government issued I.D. card. A copy of the minor's birth certificate or legal documentation showing proof of guardianship must also be provided before the visiting request form can be processed.

## **OUTGOING MAIL:**

Merced County Sheriff Corrections Bureau will follow BSCC section 1063, regarding incarcerated person correspondence.

- (a) There is no limitation on the volume of mail that an incarcerated person may send or receive;
- (b) Incarcerated person correspondence may be read when there is a valid security reason and the facility manager or his/her designee approves;
- (c) Jail staff shall not review incarcerated person correspondence to or from state and federal courts, any member of the State Bar or holder of public office, and the State Board of State and Community Corrections; however, jail authorities may open and inspect such mail only to search for contraband, cash, checks, or money orders and in the presence of the incarcerated person;
- (d) Incarcerated persons may correspond, confidentially, with the facility manager or the facility administrator; and/or the Regulation Compliance unit.
- (e) Those incarcerated persons who are without funds shall be permitted two postage paid envelopes and two sheets of paper each week to permit correspondence with family members and friends but without limitation on the number of postage paid envelopes and sheets of paper to his or her attorney and to the courts.

The following return address must be included on the top left-hand corner of the envelope:

Main Jail  
Incarcerated person Name  
P.O. Box 2267  
Merced, CA 95344

JLCC  
Incarcerated person Name  
2584 W. Sandy Mush Road  
Merced, CA 95341

## **INCOMING MAIL:**

Incoming mail will be processed in accordance with department policy and state regulations under Title 15 section 1063. The mail will be processed as it is received and after completing the security screening process. A mail rejection notice will be provided to you if any mail and/or items are denied by the mail department.

### **Rejected mail items may include, but are not limited to:**

The Office may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books, newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, or pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for inmates.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material

**All prohibited mail will be returned to the sender when practical and rejected packages will be returned to the sender unopened when practical.**

## **BOOKS, MAGAZINES, NEWSPAPERS AND PERIODICALS**

Unless otherwise in conflict with this policy and prohibited by the Facility Lieutenant, incarcerated persons are permitted to purchase, receive and read any book, newspaper, periodical or writing accepted for distribution by the U. S. Postal Service (15 CCR 1066(a)).

Publications, magazines or newspapers shall be accepted only if they are mailed directly from the publisher to a named incarcerated person. A local daily newspaper in general circulation, including a non-English publication shall be made available to interested incarcerated persons (15 CCR 1066(b)).

Further, staff has the discretion of rejecting a magazine should it be determined the contents of the magazine do not conform to the policies of the correctional facilities.

Inter-Facility Mail: The correctional facilities do not have inter-facility mail. If an incarcerated person wishes to contact another incarcerated person in a Merced County Sheriff's Corrections Facility, the incarcerated person must send the correspondence through the United States Postal system.

## **CONFIDENTIAL CORRESPONDENCE**

Inmates may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect incoming confidential correspondence for contraband. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the inmate. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

### **LEGAL ASSISTANCE PROGRAM:**

Incarcerated persons may request a Legal Information Request Form by either submitting an Incarcerated person Request Form or by asking a Correctional Officer.

Correctional Officers will pick up the Legal Information Request Forms during their security checks. The Correctional Officer will forward the Legal Information Request Form to Incarcerated person Services staff to be processed with the legal research services provider.

The legal research provider will give priority to requests submitted by Pro-Per incarcerated persons, and to requests that have immediate impending court dates.

Mail sent to the facility from the legal research provider will be forwarded to Incarcerated person Services for processing. Incarcerated person Services staff will then forward the mail to the Corrections Staff for delivery to the incarcerated person.

## **VOTING:**

Incarcerated persons are allowed to vote by absentee ballots in city, county, state, and federal elections while incarcerated subject to certain eligibility requirements (i.e., not serving a state prison sentence or not having a felony sentence under California Penal Code 1170(h)). Requests for absentee ballots must be received at least 60 days prior to an election and the absentee ballot must be submitted no later than 10 days prior to the election. Requests for absentee ballots must be submitted in writing to any officer who will forward the written request to the Voter Registrar's Office.

## **PROGRAM SERVICES UNIT**

The Merced County Sheriff's Office Corrections Bureau operates a program services unit in partnership with Merced County Probation that provides rehabilitation programs and services to incarcerated persons. These programs are both in-custody and in the community setting across the county of Merced.

Eligible applicants may be placed on the Sheriff's ankle monitor program with the Sheriff's Release Team while attending programs within the community and serving their sentenced jail time.

### **Current program includes the following:**

- In-custody behavioral intervention program.
- Day Reporting Center Program – Merced CA
- Leadership for Life
- Life Line Community Development
- Behavioral Health
- Residential Treatment
- Phoenix Project
- Merced Rescue Mission
- Ace overcomers

## **PROGRAM APPLICATION REQUIERMENTS:**

- Be sentenced to county jail time and/or on formal Probation with Merced County.
- Have no major facility rule violations within the past year.  
(subject to review and approval by SRT Sergeant)
- Have not been discharged from the In-custody or community programs within the past six months for program violations.  
(subject to review and approval by SRT Sergeant)
- Have a valid residence for any community-based programs.  
(subject to review and approval by SRT Sergeant)

If you do not meet the listed qualifications, your application will be rejected and you will be required to submit a new one should you become eligible at a later date. Acceptance of your application does not mandate program placement. A Static Risk Assessment and Offenders Needs Guide will also be completed by program staff to review your options for programs. Program placement is at the discretion of Merced Sheriff Program personnel and is based on evidence based practice protocols for participant success.

## **INCARCERATED PERSONS WORKER SELECTION**

The Facilities Jail Manager shall be responsible for the selection and assignment of incarcerated persons to the various work assignments. The Jail Manager should solicit input from other custody staff in assisting with incarcerated persons selection and assignment. The Staff also shall take into consideration the following eligibility criteria:

- a. Incarcerated persons who have posed a threat in the past or have been charged with escape should be carefully screened for incarcerated persons work projects.

- b. The inmate's charges and classification are such that the incarcerated persons will not pose a security risk to other incarcerated persons, staff or the public.
- c. The incarcerated persons capacity to perform physical tasks will match the job requirements.
- d. The incarcerated persons is able to learn the necessary work routines.
- e. The special interests, abilities, craft or trade of the incarcerated persons will benefit the work assignment.

incarcerated persons must be able to pass a health screening test in accordance with the policies contained in this manual, and must meet all statutory and regulatory requirements. Health-screening shall be done for incarcerated persons who work in the kitchen, around food products or who serve meals to the incarcerated persons population.

### **CHAPLIN SERVICES PROGRAM**

The county Chaplain schedules religious services. Incarcerated persons must fill out an Incarcerated person Request Form and submit it to the chaplain for requested services. If you would like to have a service in your assigned housing unit, please speak with your designated Corrections Officer to ask for a scheduled visit from the Chaplain.

### **COMMISSARY:**

The incarcerated person commissary provides a variety of items for sale: hygiene items, writing materials, food, snacks, etc.

Commissary operation dates and times are subject to change based on staffing, facility needs, emergency situations, etc.

Sufficient funds must be deposited in an incarcerated person's account when an order is submitted to purchase products. All sales are final and no exchanges or refunds will be made. Incarcerated persons must present their issued I.D. card for every commissary transaction.



## **WELFARE PACKS**

The Facility Lieutenant or the authorized designee shall monitor the provision of welfare packs to indigent incarcerated persons. Welfare packs shall include but not be limited to:

- a. At least two postage-paid envelopes and two sheet of paper each week to permit correspondence with family members and friends (see the incarcerated persons Mail Policy).
- b. Personal hygiene items, including toothbrush, toothpaste, soap, and other supplies deemed to be appropriate for indigent incarcerated persons.

The Sheriff may expend money from the incarcerated persons Welfare Fund to provide indigent incarcerated persons with essential clothing and limited transportation expenses upon release (Penal Code § 4025(i))

## **RECREATION:**

The correctional facilities have designated recreational areas, including yards, available for incarcerated person use. Incarcerated persons on disciplinary restriction may be subject to limited use of such recreational facilities.

Incarcerated persons are provided facility approved sports equipment for recreational use. It is your responsibility to use the provided equipment appropriately. Any deliberately damaged equipment may result in loss of equipment and/or disciplinary action against you.

If you received damaged equipment, contact a Correctional Officer to receive a new one.

## **INCARCERATED PERSON MEALS:**

The meals provided to incarcerated persons are set to current Board of State and County Corrections (BSCC) dietary standards. If a special diet is required for medical reasons, Medical Staff must prescribe the meals. If a certain “religious

diet” is required, an Incarcerated person Request slip must be submitted to the facility Chaplin for review and approval. Final approval of the request will be at the chaplain’s discretion.

Meals will be passed out by Correctional staff and searched prior to being distributed. If you receive a meal that is missing items or has any issues, it is your responsibility to inform the Correctional Officer immediately.

### **SHOWERS:**

Health and personal hygiene in a correctional facility is important. Incarcerated persons shall be permitted to shower/bathe upon assignment to a housing unit and at least every other day or more often if possible.

### **HAIR CLIPPERS:**

Incarcerated persons will have access to hair clippers. The Facility Managers will schedule the use of hair clippers. Incarcerated persons, except those who may not shave for reasons of identification in court, shall be able to shave daily and receive hair care services at least once a month.

The facility administrator or designee may suspend this requirement in relation to incarcerated persons who are considered to be a danger to themselves or others.

### **STANDARD INSTITUTIONAL CLOTHING.**

The standard issue of climatically suitable clothing to incarcerated persons held after arraignment in all but Court Holding, Temporary Holding and Type IV facilities shall include, but not be limited to:

- (b) clean socks and footwear;
- (c) clean outer garments; and,
- (d) clean undergarments;
- (1) for males - shorts and undershirt, and
- (2) for females - bra and two pairs of underwear.

## **CLOTHING EXCHANGE.**

Outer garments, except footwear, shall be exchanged at least once each week. Undergarments and socks shall be exchanged twice each week.

## **STANDARD BEDDING AND LINEN ISSUE.**

The standard issue of clean suitable bedding and linens, for each incarcerated person entering a living area who is expected to remain overnight, shall include, but not be limited to:

- (a) one serviceable mattress which meets the requirements of Section 1272 of these regulations;
- (b) one mattress cover or one sheet;
- (c) one towel; and,
- (d) one blanket or more depending upon climatic conditions.

Two blankets or sleep bag may be issued in place of one mattress cover or one sheet. Temporary Holding facilities which hold persons longer than 12 hours shall meet the requirements of (a), (b) and (d) above.

## **BEDDING AND LINEN EXCHANGE.**

Washable items such as sheets, mattress covers, and towels shall be exchanged for clean replacement at least once each week. If a top sheet is not issued, blankets or sleep bags shall be laundered or dry cleaned at least once a month or more often if necessary. If a top sheet is issued, blankets shall be laundered or dry cleaned at least every three months.

Any damaged or defective items should be returned to a Correctional Officer immediately for replacement. Not only is this for the incarcerated person's proper needs, but also protects the incarcerated person from being accused of damaging county property. If the incarcerated person is determined to have damaged any issued items, the incarcerated person will be disciplined and

criminal action may be taken.

Incarcerated persons responsible for damaging county property are subject to having funds deducted from their account to recover the loss of damaged issued property.

## **RULES OF CONDUCT**

### **GENERAL CONDUCT:**

It is expected that you will act responsibly and display proper behavior at all times. If you display behavior, which does not conform to the rules of the facility, you will be subject to disciplinary actions that may include criminal charges depending on the nature of the incident.

### **INCARCERATED PERSON DISCIPLINE**

The rules of the correctional facility are important to provide overall safety and security for the staff, incarcerated persons, and visitors of the facility. These rules exist for the facility operations to remain efficient and provide a reasonably safe environment.

It is your responsibility to follow these rules. If you have any questions regarding facility rules, conduct, or the discipline process, contact your assigned housing unit Corrections Officer for assistance.

Prohibited acts are categorized by three levels: Infractions, Minor violations and Major violations.

You may be charged criminally and administratively regarding a violation of facility rules, based on the circumstances of the incident.

## **INFORMAL DISCIPLINE:**

Minor acts of non-compliance or minor violations of facility rules may be handled informally by any staff member by counseling or advising the incarcerated person of expected conduct, assignment to an extra work detail, or removal from a work assignment without loss of work time credit. In addition, temporary loss of privileges include, but is not limited to, access to audio/visual entertainment, telephones, commissary, or lockdown for up to 24 hours. (Note: for a complete list of rules see the last two pages of this book)

## **FORMAL DISCIPLINE:**

If you are found to be in violation of facility rules, an Officer may complete an incident report to be submitted to the Regulation Compliance Units Discipline Hearing Officer for review. The Discipline Hearing Officer will contact you within seven days from the initial incident regarding the violation.

The Discipline Hearing Officer will explain the sanctions relating to the rule violation and recommended discipline to be imposed. You will be given a formal written notice regarding the discipline action being taken against you. It is your right to request a formal hearing prior to the discipline being implemented or to waive the hearing and accept the sanctions being imposed by the Discipline Hearing Officer.

Should you request a formal hearing, the Discipline Hearing Officer will schedule a date and time, note to exceed past 72 hours from the discipline notification, for you to present your case. During the hearing you will be provided the opportunity to plead your case before the Regulation Compliance Unit committee who shall determine your guilt or innocence.

You shall have the right to identify reasonable witnesses as part of your response to the violations, but do not have the right to call witnesses not present during the time of the rule violation.

## **REIMBURSEMENT OF COUNTY PROPERTY:**

You may be required to reimburse Merced County if found guilty of theft, intentional destruction, vandalism, or tampering of county property. If found guilty during the discipline investigation and hearing process, you will be informed that funds may be withdrawn from your in-custody account to recoup the cost of the damaged or stolen property.

If you are indigent, the charge will be tracked on your account and when you receive funds, the due balance will be withdrawn immediately to close out the outstanding balance.

## **DISCIPLINARY HEARING:**

To determine the imposition of discipline, a non-judicial administrative hearing will be conducted to determine if substantial evidence exists to find an incarcerated person responsible of violating the applicable facility rule(s).

## **FORMS OF DISCIPLINE:**

The degree of disciplinary actions imposed by the disciplinary officer shall be directly related to the severity of the rule(s) violation. Discipline may consist of, but not be limited to, the following:

- Written reprimand (Incident documented on in-custody record)
- Restriction or loss of commissary privileges
- Restriction or loss of audio/visual entertainment
- Assignment of extra work detail
- Removal from incarcerated person worker status
- Loss of recreation and/or yard time
- Loss of visitation
  - Loss of telephone privileges
  - Disciplinary isolation
  - Loss of conduct credit
  - Finance reimbursement for damaged property

**Note: You may receive both disciplinary action and criminal charges based on the severity of the incident. This is in accordance with BSCC regulations and California Law.**

### **CHANGES:**

The Inmate Orientation Handbook and rules herein may be changed at any time by the County of Merced based on the state regulation and / or legislation changes. If you have any questions regarding any section listed in this handbook, please contact any on duty Correction Officer.

### **HOUSING UNIT RULES:**

You are responsible for maintaining your living space in a clean and reasonably presentable manner. Each housing unit is provided cleaning and sanitation supplies for a set amount of time each day. During this time it is your responsibility to use the supplies appropriately.

You are responsible for your personal items and living space. If contraband and / or illegal items are located in your living area, you will be subject to discipline and / or possible criminal actions taken against you.

### **ADMINISTRATIVE LOCK DOWNS:**

The Merced County Sheriff's Office has the authority to initiate a lock down for all inmates assigned to a specific housing unit. This authority is listed under Title 15 section 1012 (Emergency Suspensions of Standards or Requirements).

#### **§ 1012. Emergency Suspensions of Standards or Requirements.**

Nothing contained herein shall be construed to deny the power of any facility administrator to **temporarily suspend any standard or requirement herein prescribed in the event of any**

**emergency which threatens the safety of a local detention facility, its inmates or staff, or**

**the public.** Only such regulations directly affected by the emergency may be suspended. The facility administrator shall notify the Board in writing in the event that such a suspension lasts longer than three days. **Suspensions lasting for more than 15 days require approval of the chairperson of the Board.** Such approval shall be effective for the time specified by the chairperson.

All administrative lock downs are reviewed and approved by a facility Lieutenant or above and notification is sent directly to the Board of State And Community Corrections regarding the incident(s) pertaining to the administrative lock down. Any lock down that has the possibility of exceeding 15 days, is reviewed and approved by the BSCC chairperson prior to initiation.

An Administrative Lock Down **IS NOT** a discipline process. Any lock down is due to major facility rule violations and /or criminal activity that jeopardizes the overall safety and security of staff, public, facility property, and inmates.

The lock down is in place to allow a reasonable amount of time for Sheriff Administration to ensure that the facility may return to normal and safe operating procedures, as well as conduct any investigations to identify specific persons involved.

**NO RIGHTS CREATED:**

Nothing herein shall be construed to create any mandatory duty on the part of the County of Merced, its agent or employees to any inmate or other person, not create the basis of any cause of action or claim or in favor of any inmate or other person.

**PREGNANT INMATES**

Restraints will not be used on inmates who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the inmate, the staff, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.



Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints or leg irons.

Once pregnancy has been confirmed, a pregnant inmate should be advised of the policies and procedures regarding the restraint of pregnant inmates (Penal Code § 3407; 15 CCR 1058.5).

## **INMATES IN LABOR**

No inmate who is in labor, delivery, or recovery from a birth shall be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body (Penal Code § 3407; 15 CCR 1058.5).

No inmate who is in labor, delivering, or recovering from a birth shall be otherwise restrained except when all of the following exist (Penal Code § 3407; 15 CCR 1058.5):

- a. There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the inmate, the staff of this or the medical facility, other inmates, or the public.
- b. A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- c. There is no objection from the treating medical care provider.
- d. The restraints used are the least restrictive type and are used in the least restrictive manner.

Restraints shall be removed when medical staff responsible for the medical care of the pregnant inmate determines that the removal of restraints is medically necessary (Penal Code § 3407).

The supervisor should, within 10 days, make written findings specifically describing the type of restraints used, the justification, and the underlying extraordinary circumstances.

