**MISSION**

Agency Mission Statement:

With courage, honor, and Integrity we protect the rights and dignity of all citizens.  In Partnership with our communities, we strive to preserve the peace and provide for a safe environment for all

**Courage**

With steadfastness and puprose of mind, we accept the responsibility of overcoming adversity to remain effective, efficient, and responsive to the needs of our communities.

**Honor**

With distinction and pride, we protect the rights of all citizens equally.

**Integrity**

We are responsible for our conduct, both professionally and personally.  We are honest, fair, and strong of character.  We hold ourselves accountable to the highest standards of ethical conduct and endeavor to be role models for others.

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**PHILOSOPHY AND GOALS**

(Agency Philosophy and Goals statement)

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**CODE OF ETHICS**

My fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of criminal justice service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.

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**POLICIES AND PROCEDURES DOC 350**

Policies and procedures of this jail address the requirements of administrative code DOC 350 inluding policies under DOC 350.11 to DOC 350.35.

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# Chapter 1 - Role and Authority

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# Organizational Structure and Responsibility

## 100.1 PURPOSE AND SCOPE

The organizational structure of the Office is designed to create an efficient means to accomplish its mission and goals and to provide for the best possible service to the public.

## 100.2 DIVISIONAL RESPONSIBILITY

The Sheriff is responsible for administering and managing the Office. There are two divisions in the Office:

- Administrative Division
- Jail Division

### 100.2.1 ADMINISTRATIVE DIVISION

The Administrative Division is commanded by a Chief Deputy, whose primary responsibility is to provide general management direction and control for the Administrative Division. The Administrative Division consists of Administrative, Personnel Services, Financial and Training Services.

### 100.2.2 JAIL DIVISION

The Jail Division is commanded by a Jail Administrator, whose primary responsibility is to provide general management direction and control for the jail. The Jail Division consists of Custody Operations, which includes Investigations, Medical/Mental Health Services, Programs and Transportation.

The Jail Administrator also is responsibile to provide general management direction and control for Food Services, Facility Infrastructure and Maintenance, Laundry Services, Fleet Services and Procurement/Warehouse Services.

## 100.3 CHAIN OF COMMAND

To maintain continuity, order and effectiveness in the Office, a chain of command has been established and should be respected. All staff members should adhere to the chain of command in all official actions. However, nothing shall prohibit a staff member from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, gross malfeasance or a violation of the law.

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# Authority and Legal Assistance

### 101.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Crawford County Sheriff's Office shall operate and maintain a local detention facility in this state. In addition to the authority vested by state law, the jail operates in accordance with these laws, constitutional mandates, regulations and local ordinances.

### 101.2 POLICY

It is the policy of this Office that the local detention facility will be maintained by all lawful means for the incarceration of persons suspected of violating the law or who have been adjudicated as guilty of committing a crime or civil offense by a competent legal authority, as prescribed by law.

### 101.3 LEGAL FOUNDATION

Jail staff, at every level must have an understanding and true appreciation of their authority and limitations in the operation of a local detention facility. The Crawford County Sheriff's Office recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement personnel with the authority to incarcerate suspected law violators to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests.

### 101.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the Corporation Counsels Office and legal specialists can be of benefit to the Office:

(a) Analyze and alert the jail executive and management team to jail-related case law.

(b) Serve as a legal consultant in the construction and review of new jail policies and procedures.

(c) Serve as a legal consultant on issues related, but not limited to:

1. Use of force
2. Faith-based requests
3. Complaints and grievances
4. Allegations of abuse by staff

(d) Serve as legal counsel in legal matters brought against this office and the Sheriff.

#### 101.4.1 LEGAL LIAISON

The Sheriff will act as a liaison between the Office and the Corporation Counsel Office. The legal liaison officer will provide an orientation of the facility and detention facility policies to representatives of the Corporation Counsel’s Office as needed.

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The liaison officer will arrange for regularly scheduled meetings in order to provide an ongoing status report of facility issues to the legal counsel. The liaison officer will maintain an open relationship with legal counsel to move quickly on emerging facility issues that could have significant legal implications for the Office.

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# Annual Review and Performance-Based Goals and Objectives

## 102.1 PURPOSE AND SCOPE

The Crawford County Sheriff's Office is dedicated to the concept of continuous improvement in the services provided on behalf of the public and in accordance with applicable laws, regulations and best practices in the operation of this facility. This policy establishes minimum review criteria to measure and evaluate the success of achieving established goals and objectives.

## 102.2 POLICY

The Crawford County Sheriff's Office shall strive to continually improve the operation of its facilities to ensure they are safe, humane and protect inmates' constitutional and statutory rights. To this end the Office shall conduct an annual review to evaluate its progress in meeting stated goals and objectives. This will be accomplished by an anual evaluation of the Jail Administrator, as well as an anual jail inspection perfomed by the State of Wisconsin jail inspector.

## 102.3 ANNUAL REVIEW

The Jail Administrator or an appointee will conduct an annual management review of minimally:

(a) Statutory, regulatory and other requirements applicable to the operation of the facility.

(b) Lawsuits and/or court orders/consent decrees.

(c) Office policies, procedures, directives and post orders that guide the operation of the facility.

(d) Fiscal operations and accounting procedures.

(e) Personnel issues/actions that include, but are not limited to, on-the-job injuries, internal affairs investigations, employee grievances, employee discipline, selection and recruitment.

(f) Compliance with internal/external inspections of the facility.

(g) Condition of the physical plant, infrastructure and maintenance efforts.

(h) Cleanliness of the facility.

(i) Inmate profiles and trends that measure:

1. Inmate population (Average Daily Population)
2. Inmate population by gender
3. Highest one-day count
4. Bookings/releases

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5. Percentage of male inmates
6. Percentage of female inmates
7. Juveniles in custody
8. Felony inmates in custody
9. Misdemeanor inmates in custody
10. Pre-trial population
11. Sentenced population
12. Medical beds
13. Mental health beds
14. Meal counts (regular, medical, court meals)
15. Early releases
16. Alternative-to-incarceration participants
17. Special needs inmates
18. Classification issues
19. Inmate grievances (founded/denied)
20. Demographics (age, race, gang affiliation)
21. Court movement

(j) Security issues that include:

1. Inmate-on-inmate assaults
2. Inmate-on-staff assaults
3. Major disturbances
4. Deaths in custody (natural/suicide/homicide/accidents)
5. Suicide attempts

(k) Inmate programs including:

1. Education
2. Commissary

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3. Drug and alcohol programs
4. Faith-based services

## 102.4 CRITERIA TO MEASURE PERFORMANCE

The following items will be used to measure and evaluate the level of success in achieving the office's stated goals:

(a) Fiscal year budget surpluses or successful operations even with budget reductions

(b) Findings from independent financial audits

(c) Inmate grievances

(d) Documentation that office investigators have completed the required specialized training in conducting sexual abuse investigations (28 CFR 115.34)

(e) Documented training hours received by staff

(f) Completed audits of the policy and procedures manuals

## 102.5 MANAGEMENT REVIEW PROCESS

The management team may employ several methods to assess performance, including the following:

(a) **Performance analysis** - Performance analysis attempts to discover discrepancies between the expected and actual levels of performance. This analysis should focus on whether the practices in this facility are meeting the mission of the Office and whether office policies and procedures are in alignment with statutes, regulations and court orders.

(b) **One-to-one interviews** - Scheduled interviews with custody staff held in private to encourage candid responses, to help identify issues or conditions that should be targeted for review or correction.

(c) **Questionnaires** - Questionnaires should be used as a group method to solicit suggestions and information about what operations are in need of adjustment or where program resources should be directed.

(d) **Staff debriefing** - Staff should be periodically debriefed, especially after an emergency operation or incident, to identify aspects of facility operations that may need to be addressed by the Jail Administrator and supervisors.

(e) **Inspection findings** - The Office is subject to a variety of administrative inspections (standard-setting authorities, command staff, grand jury, jail advocates). These annual inspections should be used to identify ongoing issues in the operation of this facility.

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## 102.6 MANAGEMENT REVIEW RESULTS

To the extent reasonably practicable the individuals responsible for the development of a management review should follow the guidelines established in the Administrative Communications Policy and Annual Facility Inspection Policy to document and support the findings. A complete report of the review results should be submitted to the appropriate level in the chain of command for final approval.

The results of management reviews should be used in the ongoing process of continuous improvement. They should be used to direct changes in the operation of this facility or to identify successful operations that might be replicated in other areas of the facility. They should not, however, include specific identifying information of incidents or involved individuals.

The results of management reviews also may be used in full or in part to respond to inquiries from interested groups, such as the local legislative body, courts, grand jury or others, to provide information on issues concerning the operation of this facility, including action planning whenever appropriate.

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# Custody Manual

## 103.1 PURPOSE AND SCOPE

The manual of the Crawford County Sheriff's Office Jail is hereby established and shall be referred to as the Custody Manual (Wis. Admin. Code DOC § 350.09). The Custody Manual is a statement of the current policies, rules and guidelines of this office's jail. All prior and existing manuals, orders and regulations which are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders and other regulations which have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Except where otherwise expressly stated, the provisions of this manual shall be considered guidelines. It is recognized, however, that work in the custody environment is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably known to them at the time of any incident.

## 103.2 POLICY

All members are to conform to the provisions of this manual.

### 103.2.1 DISCLAIMER

The provisions contained in the Custody Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Crawford County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training or discipline. The Crawford County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

## 103.3 RESPONSIBILITIES

The Sheriff shall be considered the ultimate authority for the provisions of this manual and shall continue to issue Departmental Directives which shall modify the provisions to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

The Jail Administrator shall ensure that the Custody Manual is reviewed annually, updated whenever necessary and staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Crawford County Sheriff's Office. The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

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103.3.1 DEPARTMENT OF CORRECTIONS APPROVAL
The Sheriff shall submit the initial Custody Manual to the Wisconsin Department of Corrections for approval and will comply with all measures of the approval process (Wis. Admin. Code DOC § 350.09).

103.3.2 COMMAND STAFF
The command staff should consist of the following:

- Sheriff
- Jail Administrator

103.3.3 OTHER PERSONNEL
Line and supervisory staff have a unique view of how policies and procedures influence the operation of the facility and therefore are expected to bring to the attention of their supervisors issues that might be addressed in a new or revised policy.

All members suggesting revision of the contents of the Custody Manual should forward their suggestion in writing, through the chain of command, to the Jail Administrator who will consider the recommendation.

## 103.4 DEFINITIONS
The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**Office** - The Crawford County Sheriff's Office.

**Custody Manual** - The Office Custody Manual.

**Juvenile** - Any person under the age of 18.

**May** - Indicates a permissive, discretionary or conditional action.

**Member** - This term applies to all persons who are employed by the Crawford County Sheriff's Office, including:

- Full- and part-time employees.
- Deputies.
- Reserve deputies.
- Non-sworn employees.
- Volunteers.

**Deputy** - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as deputies of the Crawford County Sheriff's Office.

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**On-duty employee** - Status during the period when he/she is actually engaged in the performance of his/her assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**Rank** - The job classification title held by a deputy.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

### 103.5 DISTRIBUTION OF MANUAL

Copies of the Custody Manual shall be made available to all members. An electronic version of the Custody Manual will be made available to all members on the office network (Wis. Admin. Code DOC § 350.09).

No changes shall be made to the manual without authorization from the Jail Administrator.

### 103.6 MANUAL ACCEPTANCE

As a condition of employment, all members are required to read and obtain necessary clarification of this office’s policies. All members are required to sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Custody Manual.

### 103.7 REVISIONS TO POLICIES

All members are responsible for keeping abreast of all Custody Manual revisions. All changes to the Custody Manual will be posted on the office network for review prior to implementation. The Training Sergeant will forward revisions to the Custody Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return email or online acknowledgement, review the revisions and seek clarification as needed.

Each supervisor will ensure that members under his/her command are familiar with and understand all revisions.

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# Administrative Communications

### 104.1 PURPOSE AND SCOPE

Effective communications within the Office are critical to the accomplishment of the mission of the Office and the effective operation of the jail. Administrative communications of this office are governed by the following policy.

### 104.2 PERSONNEL ORDERS

Personnel orders may be issued periodically by the Sheriff to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations or other changes in status.

### 104.3 CORRESPONDENCE

All office correspondence is to be written in a clear, concise manner, consistent with the report formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation and spelling.

All external correspondence shall be on Office letterhead. All Office letterhead, including all digital facsimiles of the letterhead, shall bear the signature element of the Sheriff or the authorized designee. Personnel should use Office letterhead only for official business and with the approval of their supervisors.

### 104.4 SURVEYS

All surveys made in the name of the Office shall be authorized in advance by the Sheriff or the Jail Administrator.

### 104.5 COMPLETED STAFF WORK

All staff reports (e.g., reports assigned to a specific person for the purpose of responding to a problem or issue) shall incorporate the principle of "completed staff work," which requires the person to whom a task has been delegated to complete and document the delegated work to such an extent that the only thing left for the decision-maker to do is to approve or decline to approve the recommendation. Staff reports that only point out weaknesses or merely suggest needed actions are not completed staff work and are not acceptable.

The writer of the staff report should document the efforts made to have the report reviewed by or acted upon by those individuals representing work units or other entities likely to be affected by any proposed changes.

### 104.6 ADMINISTRATIVE REPORT FORMAT

All staff reports submitted via the chain of command to superior officers for further action should be written in accordance with the following format, when applicable.

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**Executive Summary Section** - The staff report should begin with a brief statement of the problem or issue and what could be done about it. This summary should restate the main points of the report in general, non-technical language, leaving out details. The length of the executive summary section should range from one paragraph to one page.

**Problem/Issue Identification Section** - This section of a staff report is critical to the success of the reader's ability to grasp the issues involved and to arrive at an informed decision. It should strive to identify the true nature and scope of the problem by identifying the known facts and background of the situation, including who has the problem, how long has it existed and the known or likely consequences of the problem.

**Forecast Future Impacts** - This section of the report should clearly define the problem and be accompanied by an analysis of relevant factors, supported by specific examples, details or testimony, clarifying what the problem is and why it exists. Generally, the reader should be able to leave this section of the report clearly understanding the issues involved and the consequences of taking no action.

**Alternatives Analysis Section** - Whenever the seriousness or complexity of a problem warrants the development of alternative solutions, a staff report should include a section containing a discussion of different courses of action and their consequences, taking into account the comments and positions of other staff members or entities affected by any Office response to the problem.

### 104.7 POLICY

The Crawford County Sheriff's Office will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

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# Departmental Directive

### 105.1 PURPOSE AND SCOPE

Departmental Directives establish a communication practice that may be used by the Sheriff to make immediate changes to policy and procedure in accordance with and as permitted by statutes, regulations or negotiated contracts. Departmental Directives will immediately modify or change and supersede the sections of this manual to which they pertain.

### 105.2 DEPARTMENTAL DIRECTIVES PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of the Sheriff. Departmental Directives will modify existing policies or create a new policy as appropriate. The previous policy will be rescinded upon incorporation of the new or updated policy into the manual.

Any Departmental Directive issued after publication of the manual should be numbered consecutively, starting with the last two digits of the year, followed by the number “01” as in yy-01.

### 105.3 RESPONSIBILITIES

#### 105.3.1 SHERIFF

The Sheriff, with the assistance of office staff, shall issue and be responsible for all Departmental Directives, including their publication and dissemination throughout the Office.

#### 105.3.2 JAIL ADMINISTRATOR OR DESIGNEE

The Jail Administrator or designee is responsible for ensuring that staff under their command receive training on all new Departmental Directives.

Training documentation shall be placed into the supervisor’s file or the employee’s training file.

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# Annual Facility Inspection

## 106.1 PURPOSE AND SCOPE

Annual facility inspections are the collections of data designed to assist administrators, managers and supervisors in the management of the custody facility by means of establishing a systematic inspection and review of its operation. This policy provides guidelines for conducting the annual facility inspection.

### 106.1.1 POLICY

This office will use a formal annual inspection process of its facility to ensure that practices and operations are in compliance with statutes, regulations, policies and procedures and best practice standards. Inspections will be used to help identify the need for new or revised policies and procedures, administrative needs, funding requirements, evaluation of service providers and changes in laws and regulations.

## 106.2 JAIL ADMINISTRATOR RESPONSIBILITY

The Jail Administrator is responsible for collecting performance indicators and other relevant data to generate and provide an annual inspection of all custody facilities. The Jail Administrator will ensure that inspections are conducted as outlined below for each facility type on an annual basis.

Annual inspections may be used in preparation of inspections by outside entities, such as inspections by a government inspection authority, professional organization or accreditation body. In this case, the local inspection will serve as a pre-inspection review that will prepare the facility for the outside or third-party evaluator.

## 106.3 INSPECTION AREAS

The annual inspection should include the following areas in the assessment process:

(a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Jail Administrator, key program staff and service providers. The individual conducting the assessment will need to advise key personnel of the areas they will be inspecting so the appropriate materials will be brought up to date and made available to the assessment team.

(b) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.

(c) **Record review** - A review of the records that support jail activities, medical records and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.

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(d) **Benchmark review** - A review of the Office stated goals and objectives should be discussed with the Jail Administrator, program managers and other key providers of programs. This will provide the opportunity to identify any areas that require correction, additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.

(e) **On-site inspections** - The assessment team should conduct on-site inspections of the facility to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be used to guide the inspection process and to ensure consistency. It is important that the jail assessments be viewed as a credible measurement instrument as many issues identified in the assessment may require significant funding.

(f) **Develop an action plan** - After the fact-finding described in the previous sections has been accomplished, notes, records and recommendations should be analyzed and an action plan developed to initiate any needed correction. Documenting successful practices is important to determine if they can be replicated in other areas.

(g) **Reporting** - The results of the inspection should be compiled into a report and should include recommendations and action plans necessary to ensure continuous improvement in the operation and management of the jail system. The completed report and any analysis and documentation required to justify costs, policy revisions or any other administrative requirements should be submitted to the Sheriff.

(h) **Monitor progress** - The Jail Administrator should ensure that approved recommendations are being instituted by the responsible program providers.

## 106.4 FOCAL POINTS FOR INSPECTIONS

Inspections of facilities used for detaining persons pending arraignment, held during trial and held upon a lawful court commitment should include inspection of the policies, procedures and performance by management and staff to ensure compliance and timely updates. Inspections should include, but not be limited to, the following inspection points:

- Staff training
- Number of personnel
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- Death in-custody
- Documented suicide attempts

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- Classification plan
- Reception and booking
- Communicable disease prevention plan
- Inmates with mental disorders
- Administrative segregation
- Developmentally disabled inmates
- Use of force and restraint devices
- Contraband control
- Perimeter security
- Searches (area and personal)
- Access to telephones
- Access to courts and counsel
- Inmate visiting
- Inmate mail
- Religious access
- Health care services
- Intake medical screening
- Pest control
- Detoxification treatment
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food service plan
- Food serving and supervision
- Facility sanitation, safety, maintenance
- Tools, key and lock control
- Use of safety and sobering cells
- Plan for inmate discipline including rules and disciplinary penalties, forms of discipline, limitations on discipline and disciplinary records.

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- Standard bedding and linen use
- Mattresses

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# Special Assignments and Promotions

### 107.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Crawford County Sheriff's Office.

### 107.2 DEPUTY SPECIALIZED ASSIGNMENTS

Placement into or removal from the following assignments shall not be considered a promotion or a demotion:

(a) Corrections special enforcement team member
    1. Tri River Area Special Operations Team
    2. Negotiation Team (hostage or other)
    3. Search Team

(b) Classification Officers

(c) Training Officer
    1. Training Specialist
    2. Jail Training Officer
    3. Academy Coordinator/Tactical Officer
    4. Defensive Tactics Instructor
    5. Range Instructor/Firearms/Control Devices Instructor

(d) Court Officer

(e) Administrative Services
    1. Jail Compliance Deputy/Team
    2. Inmate Programs Specialist
    3. Grievance Officer
    4. Inmate Disciplinary Hearing Officer
    5. Chief Deputy (PIO)
    6. Accreditation/audit/inspection manager

#### 107.2.1 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

(a) Presents a professional, neat appearance.

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(b) Maintains a physical condition that aids in his/her job performance.

(c) Expresses an interest in the assignment.

(d) Demonstrates the following traits:

1. Emotional stability and maturity.
2. Stress tolerance.
3. Sound ethical judgment and decision-making.
4. Personal integrity and ethical conduct.
5. Leadership skills.
6. Initiative.
7. Adaptability and flexibility.
8. Ability to conform to office goals and objectives in a positive manner.

### 107.2.2 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

(a) Three years of relevant experience

(b) Off probation

(c) Possession of or ability to obtain any certification required by the Law Enforcement Standards Board or law

(d) Exceptional skills, experience, or abilities related to the special assignment

### 107.2.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Sheriff to include:

(a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.

1.

(b) 1.

(c)

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Sheriff.

### 107.2.4 DISQUALIFICATION

The Crawford County Sheriff's Office shall not promote, assign, or transfer any member to a position that may allow contact with inmates if the member has (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.

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(b) Been convicted of engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

Employees who may have contact with inmates shall disclose any conduct described above in written applications or interviews for promotion or special assignment.

### 107.3 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available in the union contract.

### 107.4 POLICY

The Crawford County Sheriff's Office determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Sheriff.

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# Standards of Conduct

## 108.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Crawford County Sheriff's Office and are expected of all office members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this office or a member's supervisors.

## 108.2 POLICY

The continued employment or appointment of every member of this office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any member to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

## 108.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.

### 108.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or office policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, office policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

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### 108.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation or exhibiting indifference to such a violation.

(d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

## 108.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Wisconsin Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

### 108.4.1 PRISON RAPE ELIMINATION ACT DISCLOSURE

Members have a continuing affirmative duty to notify the Jail Administrator in writing if they have (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution as defined in 42 USC § 1997.

(b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

## 108.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient office service.

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### 108.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in office or county manuals.

(b) Disobedience of any legal directive or order issued by any office member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

### 108.5.2 ETHICS

(a) Using or disclosing one’s status as a member of the Crawford County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-office business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this office and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical conduct.

### 108.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, or any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

### 108.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one’s official capacity.

(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact with other members, volunteers, contractors or inmates.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with an inmate or with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

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(d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this office.

(e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know, of such criminal activities, except as specifically directed and authorized by this office.

### 108.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without a reasonable excuse.

### 108.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this office.

(b) Disclosing to any unauthorized person any active investigation, inmate or critical incident information.

(c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this [agency/office] for personal or financial gain or without the express authorization of the Sheriff or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away or appropriating any office property for personal use, personal gain or any other improper or unauthorized use or purpose.

(e) Using office resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

### 108.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.

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(d) Unauthorized sleeping during on-duty time or assignments.

(e) Failure to notify the Office within 24 hours of any change in residence address or contact numbers.

(f) Failure to notify the XXXXXX of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

108.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any office record, public record, book, paper or document.

(c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office-related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this office or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on office premises.
2. At any work site, while on-duty or while in uniform, or while using any office equipment or system
3. Gambling activity undertaken as part of a deputy 's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

1. Unauthorized attendance while on-duty at official legislative or political sessions
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on office property, except as expressly authorized by county policy, the collective bargaining agreement or the Sheriff.

(h) Engaging in political activities during assigned working hours except as expressly authorized by county policy, the collective bargaining agreement or the Sheriff.

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(i) Any act on- or off-duty that brings discredit to this office.

108.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this office or the county.

(g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member’s relationship with this office.

(i) Unauthorized possession of, loss of, or damage to office property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of office property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of office property or the property of another person.

(k) Activity that is incompatible with a member’s conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract including fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Sheriff of such action.

(m) Allowing contraband articles including, but not limited to, weapons, cellular telephones or other wireless devices, clothing, food, illegal drugs or tobacco in any jail facility.

(n) Receiving from an inmate any articles to deliver outside the facility

(o) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this [agency/office], is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

108.5.10 SAFETY

(a) Failure to observe or violating office safety standards or safe working practices.

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(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(d) Unsafe firearm or other dangerous weapon handling, including loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority, except as permitted under Wis. Stat. § 175.60(15m)(b).

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic crash.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

108.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

## 108.6 PROHIBITED ITEMS

Crawford County Jail Employees are prohibited from brining any cell phone into the jail. The dispatch area and Kitchen are allowed because that is where they can be securely stored. Crawford County Sheriff's Office will not be held liable or reimburse expenses for any damage to cell phones on Crawford County Jail Property.

Jewelry and Watches may be worn at the Deputy Jailer's own risk. Crawford County Sheriff's Office will not be held liable or reimburse expenses for any damage to these items while worn working in the jail.

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# Discriminatory Harassment

## 109.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent office members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

## 109.2 POLICY

The Crawford County Sheriff's Office is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Office will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Office will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Office may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

## 109.3 DEFINITIONS

Definitions related to this policy include:

### 109.3.1 DISCRIMINATION

The Office prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or office equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to office policy and to a work environment that is free of discrimination.

### 109.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination,

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participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

### 109.3.3 SEXUAL HARASSMENT

The Office prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

### 109.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and State of Wisconsin, Department of Workforce Development, Equal Rights Division.

(b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with county or office rules or regulations, or any other appropriate work-related communication between supervisor and member.

### 109.3.5 STATE DISCRIMINATION LAW

Unlawful employment practices include discrimination against properly qualified individuals by reason of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious or political matters (Wis. Stat. § 111.31).

## 109.4 RESPONSIBILITIES

This policy applies to all office members, who shall follow the intent of these guidelines in a manner that reflects office policy, professional standards, and the best interest of the Office and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Sheriff, the Sheriff, or the County Manager.

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Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

### 109.4.1 QUESTIONS OR CLARIFICATION

Member with questions regarding what constitutes discrimination or sexual harassment are encouraged to contact a supervisor or the Sheriff, for further information, direction or clarification.

### 109.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Sheriff or the Sheriff in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

### 109.4.3 SUPERVISOR’S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory.

Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of the Office and professional jail standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

(c) Supervisors and managers must act promptly and responsibly in handling such situations.

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(d) Supervisors and managers shall make a prompt determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or managerial responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

## 109.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Office that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. Any member involved in the incident or investigation should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

### 109.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

### 109.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation (Wis. Stat. § 111.322(2m)).

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Sheriff, the Sheriff, or the County Manager.

### 109.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Office. Members who believe that they have been harassed, discriminated against, or

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retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

### 109.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations should be thoroughly documented on forms and in a manner designated by the Sheriff. All reports shall be:

(a) Reviewed and approved by the Sheriff

(b) Maintained in accordance with established records retention schedules.

### 109.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during the member's term with the Office.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

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# Grievances

## 110.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Crawford County Sheriff's Office grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

### 110.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- The collective bargaining agreement
- This Custody Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any office employee that, if true, would constitute a violation of office policy or federal, state, or local law, as set forth in the Personnel Complaints Policy.

## 110.2 POLICY

It is the policy of this office to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint, or retaliation against any employee who submits or is otherwise involved in a grievance.

## 110.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process. Except as otherwise required under a collective bargaining agreement, if an employee believes that he/she has a grievance as defined above, that employee shall:

(a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.

(b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the appropriate Jail Administrator.

(c) If a successful resolution is not found with the Jail Administrator, the employee may request a meeting with the Sheriff.

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(d) If the employee and the Sheriff are unable to arrive at a mutual solution, the employee shall proceed as follows:

1. Submit a written statement of the grievance to the Sheriff and provide a copy to the employee's immediate supervisor.
2. Include the following information in the written statement:
   (a) The basis for the grievance (i.e., the facts of the case).
   (b) The allegation of any specific wrongful act and the harm done.
   (c) The specific policies, rules, or regulations at issue.
   (d) The remedy or goal being sought by the grievance.

(e) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.

(f) The Sheriff and the County Manager should review the grievance and respond to the employee within 14 calendar days.

1. The response will be in writing, and will affirm or deny the allegations.
2. The response shall include any remedies, if appropriate.
3. The decision of the Sheriff is considered final.

## 110.4 MEMBER REPRESENTATION

Members may have representation during the grievance process. The member may select any bargaining unit representative or office member as his/her representative.

## 110.5 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administrative Division for inclusion into a secure file for all written grievances. Copies of the documents should also be sent to the XXXXXX.

## 110.6 POLICY OR TRAINING IMPLICATIONS

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Custody Manual, a procedural change, or an immediate training need, the employee should promptly notify the Sheriff in the memorandum.

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# Personnel Complaints

### 111.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Crawford County Sheriff's Office. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 111.2 POLICY

The Crawford County Sheriff's Office takes seriously all complaints regarding the service provided by the Office and the conduct of its members.

The Office will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state, and local laws, municipal and county rules, and the requirements of any collective bargaining or employment agreements.

It is also the policy of this office to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 111.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of office policy or federal, state, or local law, policy, or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate office policy or federal, state, or local law, policy, or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Office.

#### 111.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Shift Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Administrative Lieutenant, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Administrative Lieutenant, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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### 111.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person, or by telephone.

(b) Any office member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

## 111.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

### 111.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the office facility and be accessible through the office website. Forms may also be available at other county facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

### 111.4.2 ACCEPTANCE

All complaints will be courteously accepted by any office member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

## 111.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Jail Administrator should audit the log and send an audit report to the Sheriff or the authorized designee.

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## 111.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

### 111.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Sheriff or the authorized designee may direct that another supervisor or Administrative Lieutenant personnel investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.

1. The original complaint form will be directed to the Shift Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Jail Administrator or the Sheriff, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

1. Follow-up contact with the complainant should be made within 24 hours of the Office receiving the complaint.
2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Commander.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Commander and the Sheriff are notified via the chain of command as soon as practicable.

(e) Promptly contacting the XXXXXX and the Shift Commander for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Shift Commander, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator’s name and the complaint number within three days after assignment.

(h) Investigating a complaint as follows:

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1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed.

(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

### 111.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Administrative Lieutenant, the following applies to members covered by the Law Enforcement Officers' Bill of Rights.

(a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.

(b) Unless waived by the member, interviews of an accused member shall be at the Crawford County Sheriff's Office or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused member.

(d) Prior to any interview, a member should be informed of the nature of the investigation (Wis. Stat. § 164.02(1)(a)).

(e) All interviews should be for a reasonable period and the member's personal needs should be accommodated.

(f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.

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(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview (Wis. Stat. § 164.02(1)(b)). However, to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member should be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (Wis. Stat. § 111.37).

(l) A member shall not be disciplined, retaliated against or threatened with retaliation for exercising his/her rights as described in this policy (Wis. Stat. § 164.03).

### 111.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete, and essentially follow this format:

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date, and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

### 111.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve office members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful, and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

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**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

111.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

111.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

## 111.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other document or equipment.

## 111.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Office, the Sheriff or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any office badge, identification, assigned weapons, and any other office equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

## 111.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff shall be notified as soon as practicable when a member is accused of criminal conduct. The Sheriff may request a criminal investigation by an outside law enforcement agency.

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A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Crawford County Sheriff's Office may release information concerning the arrest or detention of any member, including a deputy, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

## 111.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Sheriff through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Sheriff may accept or modify any classification or recommendation for disciplinary action. Forms of discipline include, but are not limited to, training, counseling, and punitive action.

### 111.10.1 JAIL ADMINISTRATOR RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Jail Administrator of the involved member shall review the entire investigative file, the member's personnel file, and any other relevant materials.

The Jail Administrator may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Sheriff, the Jail Administrator may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Sheriff, the Jail Administrator shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

### 111.10.2 SHERIFF RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Sheriff shall review the recommendation and all accompanying materials. The Sheriff may modify any recommendation and/or may return the file to the Jail Administrator for further investigation or action.

Once the Sheriff is satisfied that no further investigation or action is required by staff, the Sheriff shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Sheriff shall provide the member with a written notice and the following:

(a) Access to all of the materials considered by the Sheriff in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Sheriff within five days of receiving the notice.

    1. Upon a showing of good cause by the member, the Sheriff may grant a reasonable extension of time for the member to respond.

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2. If the member elects to respond orally, the presentation shall be recorded by the Office. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Sheriff shall consider all information received in regard to the recommended discipline. The Sheriff shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Sheriff has issued a written decision, the discipline shall become effective.

111.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Sheriff or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

## 111.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff to consider.

(d) In the event that the Sheriff elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff on the limited issues of information raised in any subsequent materials.

## 111.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

## 111.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement and/or personnel rules (Wis. Stat. § 59.26(8)(b)(6)).

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### 111.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Sheriff or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Sheriff.

### 111.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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# Chapter 2 - Organization and Administration

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# Drug- and Alcohol-Free Workplace

## 200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

## 200.2 POLICY

It is the policy of this office to provide a drug- and alcohol-free workplace for all members.

## 200.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on office time can endanger the health and safety of office members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

### 200.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Office while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

## 200.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on office premises or on office time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

## 200.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the XXXXXX, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

## 200.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Office.

## 200.7 REQUESTING SCREENING TESTS

A supervisor may request an employee to submit to a screening test under any of the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

(b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person or substantial damage to property.

### 200.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

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(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

200.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy.

## 200.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Office will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

## 200.9 CONFIDENTIALITY

The Office recognizes the confidentiality and privacy due its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee’s other personnel files.

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# Financial Practices

### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish financially sound practices to ensure the development and management of a budget plan, conduct appropriate audits and manage the staffing plan and personnel cost for the facility.

### 201.2 POLICY

The Sheriff shall prepare and present an annual budget request identifying the resources and costs associated with the judicious operation of the facility. Budget requests shall be prepared in the manner and detail prescribed by the Office. Service goals and objectives should be delineated in the budget plan.

The Office's responsibilities include the development of a budget plan, submitting the plan to the Crawford County Board of Supervisors , and monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year.

A fiscal system based on established accounting procedures shall be used to monitor ongoing income and expenditures.

### 201.3 TRANSFERRING FUNDS AMONG BUDGET CATEGORIES

Unless otherwise specified, the transfer of funds among budget categories may require the approval of the Sheriff.

### 201.4 FINANCIAL AUDITS

The Sheriff should ensure that a financial audit of the facility is conducted annually. The audit shall conform to generally accepted auditing standards.

#### 201.4.1 FINANCIAL AUDITS OF THE INMATE MEDICAL FUND

An annual financial audit of the Inmate Medical Fund shall be conducted on any monies placed into the Inmate Welfare Fund.

#### 201.4.2 POSITION CONTROL

Position control is the process used by the Office to exercise control over the size and cost of its workforce. It ensures that any new, regular employee added to an agency's payroll basis is filling a position that has been approved and budgeted, and that the rate of pay for the position is within the salary range for the job classification in which the position resides.

In order to exercise control of payroll expenditures, the Office will utilize a system of position control as part of its ongoing budget process.

### 201.5 STAFFING PLAN

The Jail Administrator should maintain an up-to-date staffing plan for the purpose of exercising position control. The staffing plan should include a comprehensive list of all positions in this facility.

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Each position has a descriptive job title that is associated with a description of the position's duties and responsibilities. Each position will have a written job description for all position classifications and post assignments that define responsibilities, duties and qualifications

The Jail Administrator should adhere to the following strategies for the management of position control and personnel costs:

(a) Ensure that this facility is staffed with the appropriate number and type of staff. The proper allocation and deployment of staff across shifts and functional units is essential. In addition, the availability of the right classification of staff (e.g., custody staff supervising inmates, maintenance staff performing maintenance, food service staff preparing meals) with the appropriate job skills and training enhances efficiency.

(b) Strategically time the filling of newly authorized positions or vacancies in current positions. Strategic timing is important throughout the budget year to create vacancy savings that can be used to address current budget year shortfalls.

(c) Manage the use of overtime carefully. The historical use of overtime should be tracked to make the case for additional staff and/or to provide sufficient funding in an overtime line item. The use of overtime should also be monitored at regular intervals to verify that it is being used within projected levels.

(d) Manage the use of part-time staff. The number of hours worked by part-time staff should be monitored to ensure that part-time employees are not working in excess of what has been authorized (e.g., a part-time employee should be working no more than an average of 20 hours per week).

(e) Establish and maintain procedures to ensure the accuracy and integrity of payroll documentation. Time cards, time sheets and related documentation should reflect actual hours worked.

(f) Consider the impact of position upgrades on the entire job classification. An upgrade for one position may set the stage for upgrades of similar positions within the same job classification.

### 201.5.1 INSURANCE REQUIREMENTS

The Crawford County Clerk's Office shall ensure the Office has adequate liability coverage for its jail operations including:

- Civil liability
- Public employee blanket bond
- Vehicle
- Workers’ compensation

Coverage may include self-insurance if authorized by the county.

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## 201.6 INDIGENT INMATE FUNDS

The Crawford County Administrative Assistant shall establish a definition and procedures to define indigence and a debit accounting procedure to recoup fees from indigent inmates who received services that would normally have been charged to a non-indigent inmate’s fund.

Indigence is defined by the Crawford County Sheriff's Office as having a negative amount in the inmates account.

1.Anything below $0 is indigence.

2. They must not have placed a canteen order for the prior week

3. They must be in the facility for at least a week.

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# Supervision of Inmates - Minimum Requirements

## 202.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the safety and security of the facility through the application of appropriate staffing levels.

## 202.2 POLICY

It is the policy of this facility to provide for the safety and security of citizens, staff and inmates through appropriate staffing levels that are sufficient to operate the facility and perform functions related to the safety, security, custody and supervision of inmates.

## 202.3 SUPERVISION OF INMATES

There shall be, at all times, sufficient staff designated to remain in the facility for the supervision and welfare of inmates, to ensure the implementation and operation of all programs and activities, as required by minimum jail standards, and to respond to emergencies when needed. Such staff must not leave the facility while inmates are present and should not be assigned duties that could conflict with the supervision of inmates (Wis. Stat. § 302.42).

When both male and female inmates are held at this facility, a minimum of one male and one female deputy should be on-duty in the jail at all times (Wis. Stat. § 302.41).

Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite sex in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the inmates. Staff used as program resource personnel with inmates should be of the same sex as the inmates when reasonably available. However, at least one staff member of the same sex as the inmates should be on-duty and available to the inmates during all such activities.

To the extent reasonably practicable, inmate bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised.

The Jail Administrator or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules.

## 202.4 SEPARATION OF DUTIES

Maintenance personnel are employed to perform preventive, routine and emergency maintenance functions. Custody staff will not be given physical plant maintenance duties that distract from their primary responsibility of supervising inmates.

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# Prohibition on Inmate Control

### 203.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the inmate population under their supervision and should prevent inmates from controlling other inmates within the facility.

### 203.2 POLICY

All staff, including support staff, contractors and volunteers should exercise control and supervision of all inmates under their control. It is the policy of this office to prohibit any staff member to implicitly allow, or by dereliction of duty allow, any inmate to exercise authority, control, discipline or rule over any other inmate.

### 203.3 EDUCATION, DRUG OR ALCOHOL PROGRAM ASSISTANTS

Nothing in the policy is intended to restrict the legitimate use of inmates to assist in the instruction of educational or drug and alcohol programs. Any use of inmates in this manner will be expressly authorized by the Jail Administrator in a legally prescribed manner. Any program that uses inmates to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize an inmate program assistant to engage in disciplining other inmates.

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# Equipment Inventory and Supplies

### 204.1 PURPOSE AND SCOPE

This facility must have the materials, supplies and equipment that are necessary to maintain effective and efficient operations. This policy establishes responsibilities and requirements for purchasing, storing and inventory of those items.

### 204.2 POLICY

The Jail Administrator shall ensure that all jail property and fixed assets are inventoried and that all supplies purchased are reconciled with the invoice prior to payment.

The Jail maintains a secure storage area for the purpose of storing supplies and equipment. The Jail Administrator shall maintain oversight of the area.

With the exception of medical supplies, which are ordered by the medical staff, the Supply Officer is responsible for the purchasing and acquisition of materials and equipment for this facility. Supplies and equipment that are not needed for immediate use should be stored in a secure storage area.

The Jail Administrator, in conformance with established policies, is responsible for negotiating all other purchases.

### 204.3 PURCHASING

The Jail Administrator, along with the Finance Commitee, is responsible for managing the purchasing process to ensure that amounts and types of purchases fall within budget parameters. The Jail Administrator must also ensure that this facility's purchasing process complies with applicable laws, regulations and office policies.

With approval of the Jail Administrator and the Sheriff , small purchases of under $100 that are a critical need may be procured by way of a  Crawford County Credit Card.

Personnel with spending authority should adhere to the following strategies:

(a) Be knowledgeable about the county's requirements and procedures for purchasing goods and services.

(b) Establish a working relationship with this facility’s purchasing agent.

(c) Provide the purchasing agent with information describing the types of goods and services required to operate the facility.

(d) Ensure that staff with spending authority follow procedures that outline the process for submission and approval of purchase requisitions.

(e) Review purchase requisitions to verify the need, urgency and priority.

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(f) Monitor service contracts to ensure that this facility is receiving the scope and quality of services specified in the contract.

(g) Regularly monitor expenditures to make certain the purchase of goods and services is charged to the appropriate accounts and within budget limits.

(h) Keep purchase records to maintain the integrity and availability of purchasing documents, including requisitions, purchase orders, receiving reports and invoices.

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# Tool and Culinary Equipment Control

## 205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the inmate population. While there are times that specific inmate workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff.

## 205.2 POLICY

It is the policy of this facility to securely store, inventory, control and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items (Wis. Admin Code DOC § 350.11(20); Wis. Admin. Code DOC § 350.18(10).

### 205.2.1 CUSTODY TOOLS

Tools include all implements that are maintained within the secure perimeter of the facility to complete specific tasks. These tools include, but are not limited to, mops, brooms, dustpans and floor polishers.

All tools, culinary items or medical equipment shall be locked in secure cabinets or storage rooms when not in use.

Any time tools are brought into a secure area where inmates are present, staff supervising the area shall count the number of tools brought in to ensure that the same number of tools are taken out.

Any tool that is used within the secure perimeter of the facility must be closely monitored and controlled by the staff supervising the area so that it cannot be used as a weapon. Inmates who are assigned tasks that require these tools shall be closely supervised.

An inventory of all tools used and stored within the secure perimeter of the facility shall be developed and maintained by the Jail Administrator. Tools will be inventoried by an assigned staff member at least once every 24 hours. The loss of any tool will be immediately reported to the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool, including:

(a) Detaining and searching any inmate who had access to the tool.

(b) Conducting a thorough search of the immediate area for the missing item.

(c) Initiating a facility-wide search.

The staff member responsible for the supervision of the use of missing tool will prepare and submit a report to the Shift Commander documenting the specific tool that is missing and the circumstances of the disappearance. The report will be forwarded to the Jail Administrator. All staff members involved in the search will submit a report to the on-duty supervisor documenting their findings.

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### 205.2.2 MAINTENANCE OR CONSTRUCTION TOOLS

Maintenance or construction tools are those tools and equipment that are brought into and out of the secure perimeter of the facility by employees or contractors to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the facility. All tools and equipment will be inventoried and a list of the tools will be provided to the control booth prior to any tools or equipment being brought inside the secure perimeter.

A staff member will check the tools being brought into this facility against the inventory list. Prior to entering the secure perimeter of the facility, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where inmates are present, the inmates shall be locked down by staff supervising the area.

When the person has finished working in the area, a deputy will ensure that all tools are accounted for. In the event of a discrepancy, the on-duty supervisor shall be immediately notified and appropriate action taken to locate or account for the items. Once all tools have been accounted for, the inmates may be released from lockdown.

### 205.2.3 EXTERIOR-USE TOOLS

Exterior-use tools are those that are used by inmate workers outside of the secure perimeter. These tools include, but are not limited to, the following:

- Handheld tools
- Power tools
- Landscape maintenance tools
- Farm equipment

Only inmate workers who are classified to work outside the secure perimeter of the facility will be allowed to possess exterior-use tools. The deputy responsible for supervising inmate workers on outside work crews will inventory all tools assigned for this purpose at the beginning of the shift.

Any tool issued to an inmate will be logged with the inmate’s name, the tool type and serial number documented. When an inmate worker is finished with that tool, the responsible staff member shall check the tool against the check-out log and document its return. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of a deputy.

All tools will be checked-in and noted on the log and returned to the tool storage area at the end of each shift. Inmate workers should not be released from the work assignment until all tools are accounted for.

In the event that an exterior-use tool is missing, the deputy shall immediately notify a supervisor. A thorough search for the tool will be undertaken and an incident report shall be completed. Inmates may only be released from their work assignments when it has been determined that it is safe to do so, and upon the approval of the supervisor. The incident report with all relevant information shall be forwarded to the Jail Administrator.

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### 205.2.4 KITCHEN EQUIPMENT

Culinary tools are located in the kitchen and include common tools used in the preparation, service and delivery of meals.

All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet (Wis. Admin. Code DOC § 350.11(20)). There shall be an outline of the tool's assigned location in the cabinet so that any tool missing from the cabinet can be easily identified. When in use, all knives shall be tethered to the work area. All tools shall be returned to the secure cabinet when not in use.

The deputy assigned to the kitchen shall inventory all kitchen tools at the beginning of his/her shift and prior to the arrival of inmate workers. Kitchen tools will only be issued to inmates who have been classified as inmate workers. Staff will supervise inmates at all times when the inmates are using tools.

Each tool issued will be assigned to an individual inmate and logged. The inmate's name and the tool type will be documented. When an inmate worker is finished with a tool, the tool shall be checked in with the deputy and documented. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of a deputy.

All tools will be returned to the kitchen tool cabinet at the end of each shift and all tools must be accounted for prior to any inmate worker being released from the work assignment.

In the event that a kitchen tool is missing, the deputy shall immediately notify the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and an incident report shall be completed by the deputy responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Jail Administrator.

### 205.2.5 SERVING AND INDIVIDUAL EATING TOOLS

Serving tools and individual eating tools are those culinary tools located outside of the kitchen. Only inmate workers who are assigned to serve food shall be in control of serving tools. These tools shall be assigned to each inmate worker by the kitchen deputy prior to leaving the kitchen. The tool type shall be documented. Upon returning to the kitchen from serving meals, the inmate workers shall individually check their tools in with the kitchen deputy, who shall document each one.

In the event that a serving tool is missing, the kitchen deputy shall notify a supervisor and a search for the tool shall be initiated.

Eating utensils (forks/spoons/sporks) shall be counted by the deputy supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing unit shall be immediately locked down and a supervisor notified. A thorough search of the housing unit shall be initiated to locate the tool.

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# Disposition of Evidence

### 206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide direction regarding the proper handling and disposition of contraband and evidence to ensure that the chain of custody is maintained so that evidence is admissible in a court of law or disciplinary hearing.

### 206.2 POLICY

It is the policy of the Crawford County Sheriff's Office to seize evidence and contraband in accordance with current constitutional and search-and-seizure law. Members of this office shall properly handle all contraband and evidence in order to maintain its admissibility. All contraband and evidence shall be handled in a safe manner and in a way that will maintain the chain of custody.

### 206.3 INITIAL SEIZURE OF EVIDENCE

Any staff member who first comes into possession of any evidence should retain such evidence in his/her possession until it is properly tagged and booked. When handling evidence, staff should observe the following safety precautions:

(a) Unload any firearm located in the approved loading/unloading area outside of the facility. If it is a revolver, the cylinder should be left open. If it is a semi-automatic pistol, the magazine shall be removed and the slide locked back in an open position. The cartridges and/or magazine will be packaged separately and booked with the firearm.

(b) Sheath any knife or other stabbing instrument in its holster (if any), or attach (tape) stiff cardboard to completely cover the blade.

(c) Place needles, such as syringes, into a hard plastic container that cannot be punctured by the needle.

(d) If the contraband is a suspected "home brew" alcoholic beverage, the handling deputy shall place a sample of the liquid in a plastic container that can be safely sealed. The remainder of the liquid will be treated as a biohazard and carefully disposed of as recommended by the environmental health official.

### 206.4 PROPERTY BOOKING PROCEDURE

All property shall be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

(a) Complete the property form describing each item of property separately, listing all serial numbers, owner’s name, finder’s name and other identifying information or markings.

(b) Mark each item of evidence with the booking employee’s initials and the date booked using the appropriate method to prevent defacing or damaging the value of the property.

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(c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.

(d) Place the case number in the upper right corner of the bag or in the appropriate field of the evidence/property tag.

(e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if it is stored somewhere other than a property locker.

(f) When the property is too large to be placed in a locker, the item may be retained in the secure supply room or another area that can be secured from unauthorized entry. Place the completed property form into a numbered locker indicating the location of the property.

### 206.4.1 CONTROLLED SUBSTANCES

All controlled substances shall be booked separately using a separate property form. Paraphernalia shall also be booked separately. All controlled substances shall be properly weighed by the booking staff member. The weight of all controlled substances shall be documented on the booking form. A copy of the booking form shall be placed with the evidence in the designated locker and shall also be distributed in accordance with current evidence booking procedures.

### 206.4.2 EXCEPTIONAL HANDLING

Certain property items require a separate process. Bodily fluids, such as blood or semen stains, shall be air-dried prior to booking.

### 206.4.3 RECORDING OF PROPERTY

The evidence technician receiving custody of evidence or property shall record on the property control card his/her signature, the date and time the property was received and where the property will be stored.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Office shall be noted in the property log book.

### 206.4.4 PROPERTY CONTROL

Every time property is released or received, an appropriate entry on the evidence package and property control card shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from a supervisor or the employee who is managing the case.

Deputies desiring property for court shall contact the evidence technician at least one day prior to the court day.

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Request for analysis for items other than controlled substances shall be completed on the appropriate forms and submitted to the evidence technician. This request may be filled out any time after booking the property or evidence.

### 206.4.5 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property control card, and complete a request for laboratory analysis.

The evidence technician releasing the evidence must complete the required information on the property control card. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item, the deputy will record the delivery time on both copies and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Administrative Assistant for filing with the case.

### 206.4.6 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to a law enforcement authority for investigative purposes or for court shall be noted on the property control card, stating the date, time and to whom it was released.

The evidence technician shall obtain the signature of the person to whom the property was released and the reason for release. Any employee receiving property shall be responsible for such property until it is returned to property or released to another authorized person or entity.

The return of the property should be recorded on the property control card, indicating date, time and the name of the person who returned the property.

## 206.5 RELEASE OR DISPOSITION OF UNCLAIMED FUNDS AND PROPERTY

The employee managing the case or a supervisor shall authorize the disposition or release of all evidence and property coming into the care and custody of the Office.

All reasonable attempts should be made to return unclaimed property, found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form. The release authorization shall be signed by the approving staff member and must match the items listed on the property form or must specify the items to be released. A signature of the person receiving the property shall be recorded on the original property form. Upon release, the proper entry shall be documented on the property control card log and related forms.

The Property supervisor shall ensure that all cash not needed as evidence or funds that are left unclaimed by an inmate, are transferred as soon as practical to the Finance Department. A record of the transfer shall be kept in the appropriate inmate file.

The Property supervisor or the authorized designee shall submit a report of presumed abandoned property or funds once a year to the Sheriff and the Finance Department, or more frequently as

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directed. The Property supervisor may dispose of property in compliance with existing laws upon receipt of proper authorization from the Sheriff (Wis. Stat. § 59.66).

If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed in accordance with applicable law. The final disposition of all such property shall be fully documented in related reports and on the property control card.

The evidence technician shall release the property upon proper identification presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. Upon release, the proper entry shall be documented in the property log.

After release of all property listed on the property control card, the card shall be forwarded to the Administrative Assistant for filing with the case. If some items have not been released, the property card will remain in the property section.

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# Records and Data

### 207.1 PURPOSE AND SCOPE

This policy establishes guidelines for the control and access of confidential records by staff, contractors and volunteers.

### 207.2 ACCESS TO CRIMINAL RECORDS

Official files, documents, records, electronic data, video and audio recordings and information held by the Crawford County Sheriff's Office or in the custody or control of office employees, volunteers or contractors are regarded as non-public and/or confidential.

Access to confidential paper or electronically generated records in this facility is restricted at various locations according to job function and the need to know. Employees working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Office shall be forwarded to the Jail Administrator or a designee.

Custody staff, volunteers and contractors shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, video or audio recordings or other confidential information except as required in the performance of their official duties and in accordance with office policies, statutes, ordinances and regulations related to data practices.

Custody staff, volunteers and contractors who are uncertain of the confidentiality status of any document should consult with a supervisor or Jail Administrator to determine the status of the documents in question.

### 207.3 STAFF TRAINING

Prior to being allowed to work inside this facility, all custody staff, volunteers and contractors will receive training on office records, policies and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes.

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# Research Involving Inmates

### 208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safeguards and guidelines to protect inmates from being used as research subjects in medical and other research experiments based only on their status as inmates and without proper approval, review or informed consent.

### 208.2 POLICY

The Crawford County Sheriff's Office will conduct and support research that improves operations, enhances professional knowledge, decreases recidivism and advances the office’s mission in accordance with existing laws and with appropriate protection of all inmates. However, the use of inmates for medical, pharmaceutical or cosmetic experiments is prohibited.

### 208.3 AUTHORIZATION REQUIREMENTS

Prior to initiating any approved research, all persons conducting research in this facility must agree to abide by all office policies relating to the security and confidentiality of inmate files. Based upon the intended use of the research, guidelines will be established regarding what information shall be accessible to the researcher or the research organization.

Any requests for an exception shall include a response to the following questions as part of the proposed research project:

- Who is conducting the research?
- What is the purpose of the research?
- What is the methodology?
- Do the researchers or persons advocating research involving the use of inmates have an understanding of their ethical responsibilities, including considerations for the establishment of an Institutional Review Board (IRB), as described in 45 CFR 46.301 et seq.
- Any other information as deemed appropriate by the Jail Administrator or Sheriff.

Inquiries regarding proposed research projects from local, state and federal executive and legislative bodies/agencies will be brought to the attention of the Sheriff immediately by the employee who receives the request. At the direction of the Sheriff, an appropriate and timely response will be made to each legitimate inquiry.

Research or studies involving more than the information identified as public information may require signed release/waiver forms from the involved inmates. The Sheriff should consult and seek guidance from the legal counsel serving the Office or other legal expert in these matters.

Inmates are not precluded from individual treatment based on the need for a specific medical procedure that is not generally available. An inmate’s treatment with a new medical procedure

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by the inmate's own physician shall be undertaken only after the inmate has received a full explanation of the positive and negative features of the treatment, and only with the inmate's informed consent.

### 208.4 LEGAL CONSIDERATIONS

Any research conducted or supported by the United States Department of Health and Human Services will be required to comply with the provisions of 45 CFR 46.301 et seq.

### 208.5 INMATES IN COMMUNITY-BASED RESEARCH

When inmates who are participants in a community-based research protocol are admitted to the facility, the following shall occur:

(a) The intake nurse shall collect all relevant data including name and contact information of the treating physician, and all available detail about the treatment regimen and the condition being treated.

(b) The responsible physician shall be contacted prior to the initiation of treatment.

(c) Consultation with community researchers shall be made by the responsible physician to determine the intent of the study and any necessary parameters to measure as the treatment period progresses.

(d) Necessary information shall be obtained so that withdrawal from the research protocol is done without harming the health of the inmate.

### 208.6 HUMAN RESEARCH STUDIES

This office does not endorse enrolling inmates into human research studies. Requests to enroll inmates in human research studies will not ordinarily be approved. However, any request to enroll an inmate into such a study must be reviewed by the Sheriff, the Responsible Physician and legal counsel, and authorization provided prior to enrollment. Any authorized enrollments shall comply with all state and federal guidelines.

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# Inmate Records

## 209.1 PURPOSE AND SCOPE

This policy establishes the procedures required to create and maintain accurate records of all persons booked and confined in this facility.

## 209.2 POLICY

It is the policy of this office that all records shall be complete and comprehensive, resulting in reliable data that provides information about each inmate's period of confinement (Wis. Stat § 59.27(2); Wis. Admin. Code DOC § 350.10(1)), as well as histories of previous confinement in this facility. All inmate records are official office documents and should be used for official business only. Inmate records are a vital component of the criminal justice system and should only be released to authorized persons.

### 209.2.1 RECORD MAINTENANCE

It shall be the responsibility of the Administrative Assistant to maintain the following records on all persons who have been committed or assigned to this facility, including, but not limited to, the following (Wis. Stat. § 59.27(2); Wis. Admin. Code DOC § 350.10(1):

- Information gathered during the admission process as provided in the Inmate Reception Policy.
- Photographs and fingerprints cross referenced to the booking number
- Duration of confinement
- Cash and property inventory and receipts
- Classification records, including inmate classification levels and housing restrictions
- Housing history records
- Reports of disciplinary events and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Special visit forms
- Court appearances, court orders, judge, documents and the disposition of hearings
- Work documentation
- Program documentation
- Visitation records
- Telephone records

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- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments and medications
- Release authority and the time of release
- Time and manner of any inmate escape

The Jail Administrator or the authorized designee shall establish a procedure for managing inmate records.

209.2.2 RECORDS SECURITY
Inmate records shall be maintained in a secure area (Wis. Admin. Code DOC § 350.10(2)) and accessed only by authorized personnel.

209.2.3 JUVENILE RECORDS
Juvenile records shall be maintained separately from adult inmate records and retained confidentially, in accordance with Wis. Stat. § 938.396 and any other federal or state law (Wis. Admin. Code DOC § 350.10(2)).

209.2.4 RELEASE OF INMATE RECORDS
Inmate records are confidential and shall be used for official business only. Any release of inmate records shall be made only in compliance with a lawful court order or as authorized by state and federal law to persons having a legitimate criminal justice need, or with a consent form signed by the inmate. A copy of the release authorization document shall be maintained in the inmate record file.

209.2.5 ELECTRONIC RECORD MAINTENANCE
All inmate records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting by name, date and time any person who has accessed the information. The Jail Administrator shall be responsible for working with the information technology personnel to ensure the security of the data and to develop and maintain a copy of the security plan.

209.2.6 RECORDS RETENTION
Inmate records shall be maintained consistent with the established records retention schedule.

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# Report Preparation

### 210.1 PURPOSE AND SCOPE

Report preparation is a major part of each deputy's job. The purpose of these reports is to document incidents at the facility, refresh the deputy's memory and provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

### 210.2 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. Reports shall be prepared by the staff assigned to investigate or document an incident, approved by a supervisor and submitted to the Jail Administrator or the authorized designee in a timely manner. Any incident resulting in death, injury or endangerment to staff or a visitor, serious injury to an inmate, escape, a major disturbance, a facility emergency or an unsafe condition at the facility shall be submitted to the Jail Administratorby the end of your shift. It is the responsibility of the assigned employee to ensure that all the above listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications or resolution, investigative leads or an inmate disciplinary proceeding.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

### 210.3 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate office-approved form unless otherwise approved by a supervisor.

#### 210.3.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documentation.

#### 210.3.2 INCIDENT REPORTING

Incident reports generally serve as an in-house documentation of occurrences in the facility and to initiate, document and support the inmate disciplinary process. The Office shall establish a filing system that differentiates between incident reports, crime reports and disciplinary actions. This

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policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include:

(a) Non-criminal incidents of rule violations by inmates.

(b) Attempted suicide or suicidal ideation on the part of an inmate, if known.

(c) Non-criminal breaches of security or evidence of an escape attempt.

(d) Non-criminal security threats, including intelligence related to jail activities.

(e) Significant incidents related to medical issues, health or safety in the jail.

(f) Discovery of contraband in the possession of inmates or their housing areas.

(g) Detaining or handcuffing any visitor at the facility.

(h) Traffic collisions involving office vehicles.

(i) Risk management incidents to include injuries to inmates and lost or damaged property.

(j) Accidental injuries of staff, inmates or the public.

#### 210.3.3 DEATHS

All deaths shall be investigated and a report completed by a qualified investigating officer to determine the manner of death and to gather information, including statements of inmates and staff who were in the area at the time the death occurred.

Reporting of deaths will be handled in accordance with the Reporting Inmate Deaths Policy.

#### 210.3.4 INJURY OR DAMAGE BY OFFICE PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of an employee. Reports shall be taken involving damage to office property or equipment.

#### 210.3.5 USE OF FORCE

Reports related to the use of force shall be made in accordance with the Use of Force Policy.

### 210.4 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

#### 210.4.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports in which there is a long narrative should be typed or dictated.

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Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for office consistency.

210.4.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

## 210.5 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting employee for correction as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

## 210.6 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Administrative Assistant for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Administrative Assistant may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, these should be the responsibility of the authoring employee.

## 210.7 ELECTRONIC SIGNATURES

The Jail has established an electronic signature procedure for use by all employees of the Jail. The Jail Administrator or the authorized designee shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature. The system use and design shall follow the requirements of (Wis. Stat. § 137.12 et seq.) when applicable

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

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# Key and Electronic Access Device Control

## 211.1 PURPOSE AND SCOPE

The control and accountability of facility keys and electronic access devices is a vital factor in maintaining a safe and secure environment for inmates, staff, volunteers, contractors and the public. This policy outlines the methods that the Office will use in maintaining strict security of its keys and electronic access devices. For ease of reference, the term “key” as used in this policy includes all physical means of access to or exit from the secure areas of the facility.

## 211.2 POLICY

It is the policy of this office that all keys used to access secure areas of the facility or to exit the secure areas of the facility are strictly controlled. Employees and supervisors will be held accountable for the security and safety of the facility. All key control activities shall be accurately documented on a monthly basis.

### 211.2.1 KEY CONTROL

All facility keys shall be maintained in a locked key box within the Dispatch room and readily accessible in case of an emergency (Wis. Admin. Code DOC § 350.18(8)).

This room shall have controlled access for staff only. Each person assigned to the facility shall be issued key tags bearing his/her employee number. Keysets will be exchanged for key tags to maintain a record of which employee has which set. At the end of a shift, employees shall exchange all keys for their key tags.

Under no circumstances shall an employee pass a key or keyset to another employee. All keys must be checked out through the control process. Employees shall not possess any key for which they have not been authorized.

Employees shall not duplicate, mark, alter or manufacture any key without written authorization from the Jail Administrator or the authorized designee.

Supervisors shall, at the beginning and end of their respective shifts, inventory the key box and its contents. All keys must be accounted for before the supervisor may end his/her shift.

Under no circumstances will security keys be made available to inmates regardless of their status (Wis. Admin Code DOC § 350.18(8)).

### 211.2.2 LOCK POLICY

All security perimeter entrances, Dispatch doors and cell doors shall be kept locked, except when used for admission or exit of employees, inmates or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, the officer must submit a written report to the on-duty supervisor prior to the end of his/her shift.

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### 211.2.3 TESTING

Locks to security doors or gates shall be tested for proper function at least monthly to ensure proper operation. This testing shall be documented and a monthly report forwarded to the Jail Administrator (Wis. Admin. Code DOC § 350.18(7)).

### 211.2.4 EXTERIOR DOOR AND ARMORY KEYS

Keys for exterior doors to the facility and the armory shall be kept in a locked cabinet in a secure location, outside of the facility's secure perimeter. Supervisors shall, at the beginning and end of their respective shifts, inventory and account for these keys.

### 211.2.5 EMERGENCY KEY SET

At least one key set containing every key for the facility shall be kept separate from all other key sets in a secure location and made accessible only to the Jail Administrator Shift Commander, supervisor or the authorized designee in the event of an emergency.

### 211.2.6 KEY INVENTORY

All issued keys shall be inventoried and accounted for on each shift (Wis. Admin. Code DOC § 350.18(8)).

### 211.2.7 MISSING KEYS

Any staff member who discovers that a key or keyset is missing shall immediately make a verbal report to a supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate the key fails, the supervisor shall order a lockdown of the facility. All inmates shall be locked in their cells/housing units and a headcount conducted. Inmates shall not be allowed to pass into or out of the facility without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the Jail Administrator regarding the loss of the key, when it was discovered and the circumstances involved.

A methodical and thorough search of the entire facility will be made by the on-duty staff. Additional staff may be called to assist with the search. If, after a thorough search, the key or keyset is not located, the Jail Administrator will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

The Jail Administrator shall initiate an investigation into the disappearance of the keys to reexamine the procedures for key control, and shall notify the Sheriff of his/her findings. Based upon the findings of the investigation and any recommendations, the procedures governing this policy may be amended.

### 211.2.8 DAMAGED KEYS OR LOCKS

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Shift Commander, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock

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is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No inmate shall be secured in a cell, detention room or area that has inoperable locks.

### 211.3 KEY CONTROL RECORDS

A shift roster will be maintained for the accounting and security of all keysets. Each shift is responsible for reporting any key malfunctions or missing keysets. Key control measures shall be documented by the control room staff on logs and forms, and the records retained in accordance with established records retention schedules.

### 211.4 ELECTRONIC ACCESS DEVICES

Proximity cards, fobs or other devices may be issued to staff to allow access to restricted or controlled areas of the facility. In the event of a lost or stolen device, an employee shall notify his/her supervisor as soon as it is known the device is missing. The device shall be immediately deactivated to prevent unauthorized use.

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# Daily Activity Logs and Shift Reports

## 212.1 PURPOSE AND SCOPE

Accurate and legible records are vital to the management of the facility. They provide a means for managers to review events and emergency situations that have occurred within the facility.

This policy provides guidance for creating and maintaining accurate and legible records necessary for the management of the facility.

## 212.2 POLICY

This policy establishes the requirement for the preparation, maintenance and retention of permanent logs and shift reports to provide a record of both routine activities and unusual events such as emergencies or other notable occurrences.

## 212.3 RESPONSIBILITIES AND PROCEDURES

Deputies assigned to a security post shall prepare an accurate daily activity log and shift report. The daily activity log and shift report is a permanent record of the daily activities. Employees who falsify any jail document may be subject to disciplinary action, up to and including termination, as well as criminal prosecution.

All facility employees will adhere to the following procedures when preparing a daily activity log or shift report:

(a) Black ink pen shall be used, unless entries are logged into an electronic record.

(b) Entries should be legible and provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.

(c) Entries shall include the name and badge number of the individual making the entry.

(d) Entries shall reflect the date and time of the event logged.

(e) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.

(f) Handwritten log entries requiring modification shall be crossed out with one line and a new entry made, noting that it is a correction.

## 212.4 SHIFT ACTIVITY LOG

Deputies shall enter all pertinent information into the daily activity log when any of the following occur:

- Bookings or releases
- Formal counts

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- Safety checks, security checks and inspections and routine activities
- All searches/shakedowns
- Inmate movement within the facility and inmates received at a housing assignment
- Meal service
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or inmate complaint of illness or injury and the action taken
- Disciplinary actions
- Unusual inmate behavior
- Discovered contraband
- Activities and programs offered and the attendees
- Unusual occurrences
- Use of emergency equipment
- Any use of force
- Sanitation inspections
- Key counts
- Jail Checks

### 212.5 SHIFT REPORT

Each deputy assigned to a security post, as well as the supervisor, shall prepare a verbal shift report for the oncoming staff. This report shall include the following:

- The formal inmate count at the beginning and end of each shift
- Key count and exchange
- Money count (at whatever post money is handled)
- Exchange of security equipment (duress alarm, radio)
- The time the supervisor made rounds
- Information that would assist the oncoming staff
- Unusual occurrences

The shift log will be retained in accordance with established records retention schedules.

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# Personnel Records

## 213.1 PURPOSE AND SCOPE

This policy governs the maintenance, retention and access to the personnel files of employees in accordance with established law. The personnel records of all employees contain confidential information and shall not be released or information disclosed from them except as prescribed below. This policy applies to personnel files of applicants and past and current employees.

### 213.1.1 PERSONNEL FILES DEFINED

**Personnel records** - Any file maintained under an individual's name by his/her employing agency and containing records relating to any of the following:

(a) Personal data, including marital status, family members, educational and employment history, home address or similar information

(b) Medical or psychological history

(c) Election of employee benefits or affiliations

(d) Employee advancement, appraisal, discipline, training or employee performance reports

(e) Complaints or investigation of complaints against the employee alleging misconduct or performance deficiencies, whether filed by a citizen, another agency or department

(f) Any dispositions of such complaints

(g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy

## 213.2 PERSONNEL RECORD LOCATIONS

Employee records will generally be maintained in any of the following:

**Office file** - That file which is maintained in the office of the Sheriff as a permanent record of an employee’s service with this office.

**Division file** - Any file that is separately maintained internally by an employee’s supervisor for the purpose of completing timely performance evaluations.

**Supervisor log entries** - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this office.

**Training file** - Any file that documents the training records of an employee.

**Internal affairs file** - Those files that contain complaints of employee misconduct and all materials relating to an investigation into such allegations, regardless of disposition.

**Medical file** - The file that contains only medical information relating to an employee’s ability to perform the essential functions of his/her job or other health-related matters. This file is maintained separately from any other files.

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## 213.3 REQUESTS FOR DISCLOSURE OF PERSONNEL FILES

Only written requests for the disclosure of any information contained in any personnel record will be considered. Since the format of such requests may be strictly governed by law with specific responses required, all such requests shall be promptly brought to the attention of the Shift Commander, the custodian of records or other person charged with the maintenance of such records.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases this will require assistance of legal counsel, as the disclosure of personnel, medical and similar files can constitute an unwarranted invasion of personal privacy or be subject to other protections.

All requests for disclosure that result in access to an employee’s personnel file shall be logged in the corresponding file.

### 213.3.1 SUBPOENAS

Personnel files may be subpoenaed by a third party. If employment records are subpoenaed under state authority the employee may be notified and has the right to object to production of the records under certain circumstances.

Any subpoena duces tecum should be promptly provided to a supervisor for review and processing. While a subpoena duces tecum may ultimately be subject to compliance it is not an order from the court that will automatically require the release of the requested information.

All questions regarding compliance with any subpoena or subpoena duces tecum should be promptly referred to legal counsel for the Office so that a timely response can be prepared.

### 213.3.2 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, information contained in any personnel file shall not be disclosed to any unauthorized person without the prior written consent of the involved employee, written authorization of the Sheriff or the authorized designee, or unless otherwise required by law.

Any person who willfully, maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates or otherwise discloses confidential personnel information without legal authority may be subject to prosecution and disciplinary action.

### 213.3.3 REQUESTS FOR DISCLOSURE OF FORMER EMPLOYEE FILES

Members receiving requests for information from another agency regarding allegations of sexual abuse or sexual harassment involving a former employee should work with counsel to ensure compliance with Prison Rape Elimination Act (PREA) requirements (28 CFR 115.17).

## 213.4 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file during normal business hours. The request should be directed to the individual responsible for maintaining such files and can

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be made once a year. Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Sheriff through the chain of command. The Office may thereafter remove any such item if appropriate, or within 30 days provide the employee with a written explanation as to why the contested item will not be removed. If the contested item is not removed, the employee's request and the office's written response shall be retained with the contested item in the employee's personnel file.

Employees may be restricted from accessing files containing:

(a) Ongoing internal affairs investigations to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the employee of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the employee.

(c) Records relating to the investigation of a possible criminal investigation.

(d) Letters of reference.

(e) Ratings, reports or records that were obtained prior to the employee's employment.

(f) Ratings, reports or records that were prepared by identifiable examination committee members, or were obtained in connection with a promotional exam; this includes test questions, scoring keys and other examination data used for employment .

Employees, former employees and job applicants, upon request, may receive a copy of any instrument the person signed that is related to his/her application or employment.

## 213.5 TYPES OF PERSONNEL FILES

Employee personnel files can be located in any of the following places.

### 213.5.1 OFFICE FILE

The Office file should contain, but is not limited to, the following:

(a) Performance evaluation reports regularly completed by the appropriate supervisors and signed by the affected employee shall be permanently maintained.

(b) Records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education:

1. It shall be the responsibility of the involved employee to provide the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

2. The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's office file.

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(c) Disciplinary action:

1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained in the individual employee's office file at least two years.

2. Investigations of complaints that result in a finding of not-sustained, unfounded or exonerated shall not be placed in the employee's office file, but will be separately maintained for the appropriate retention period in the internal affairs file.

(d) Adverse comments, such as supervisor log entries, may be retained in the office file or division file, after the employee has had the opportunity to read and initial the comment, for a period up to two years.

1. Any such employee response shall be attached to and retained with the original adverse comment.

2. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee's file.

(e) Commendations shall be retained in the employee's office file, with a copy provided to the employee.

(f) Personnel action reports reflecting assignments, promotions and other changes in the employee's employment status shall be maintained in the office file.

### 213.5.2 DIVISION FILE

The Division File should contain, but is not limited to:

(a) Supervisor log entries, notices to correct and other materials intended to serve as a foundation for the completion of timely performance evaluations.

1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file.

2. Duplicate copies of items that will also be included in the employee's office file may be placed in this interim file in anticipation of completing any upcoming performance evaluation.

3. Once the permanent performance evaluation form has been finalized, the underlying foundation material and/or duplicate copies may be purged in accordance with this policy.

All rules of confidentiality and disclosure shall apply equally to the division file.

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### 213.5.3 ADMINISTRATIVE LIEUTENANT FILE

Internal affairs files shall be maintained under the exclusive control of the Administrative Lieutenant in conjunction with the office of the Sheriff. Access to these files may only be approved by the Sheriff or the supervisor of the Administrative Lieutenant. These files shall contain:

(a) The complete investigation of all formal complaints of employee misconduct, regardless of disposition.

1. Each investigation file shall be sequentially numbered within a calendar year (e.g., yy-001, yy-002).

2. Investigation files arising from a complaint regarding any employee shall be maintained no less than two years.

(b) Investigations that result in other than a sustained finding shall be maintained for the minimum statutory period but may not be used by the Office to adversely affect an employee’s career.

### 213.5.4 TRAINING FILES

An individual training file shall be maintained by the Training Services for each employee. Training files will contain records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education.

(a) It shall be the responsibility of the involved employee to provide the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee’s training file.

### 213.5.5 MEDICAL FILE

A medical file shall be maintained separately from all other files and shall contain all documents relating to the employee’s medical condition and history, including, but not limited to:

(a) Materials relating to medical leaves of absence.

(b) Documents relating to workers' compensation claims or receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

(d) Medical release forms, doctor’s slips and attendance records that reveal an employee’s medical condition.

(e) Any other documents or material that reveals the employee’s medical history or medical condition, including past, present or potential psychological or physical limitations.

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### 213.6 PURGING OF FILES

All disciplinary files and investigations of complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than two years (unless approved by the Sheriff) from the underlying complaint date.

(a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Sheriff.

(c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. If, in the opinion of the Sheriff, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to resolution.

### 213.7 BRADY MATERIAL IN PERSONNEL FILES

The purpose of this section is to establish a procedure for releasing potentially exculpatory information (*Brady* material) contained within personnel files.

If an employee is a material witness in a criminal case, a person or persons designated by the Sheriff may examine the subject deputy's personnel file to determine whether it contains *Brady* material.

*Brady* material includes all material evidence and facts that are reasonably believed to be exculpatory to any individual in a case (to impeach a witness, for example). Evidence or facts are considered material if there is a reasonable probability that they may affect the result of any criminal proceeding, including sentencing. If potential *Brady* material is located, the prosecuting attorney shall be notified.

Because a determination of what is or is not *Brady* material will often require legal or even judicial review, any questions should be resolved by the prosecuting attorney.

Prior to the release of any materials pursuant to this process, the custodian of records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

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# Employee Compensation

### 214.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for reviewing compensation and benefit levels for all facility personnel when a collective bargaining or other methodology does not exist. The goal of a compensation and benefit package should be to establish competitive salary and benefits to ensure the ability to recruit, hire and retain qualified staff.

### 214.2 POLICY

Whenever fiscal conditions permit, the compensation and benefits of deputies employed by this office should be equal to those of deputies providing the same or similar services within the region.

All compensation actions shall be in accordance with civil service rules, labor codes collective bargaining agreements for pay and benefits, and subject to fiscal conditions.

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# Administrative and Supervisory Inspections

## 215.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. This is to encourage contact with staff and inmates and to observe inmate living and working conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility.

## 215.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the jail at least weekly to facilitate and encourage communication among administrators, managers, supervisors, staff employees, inmates and the visiting public.

## 215.3 INSPECTIONS

The Jail Administrator is responsible for ensuring that scheduled and unscheduled inspections, visits and contacts are implemented to minimally include:

(a) The general conditions and overall climate of the facility.

(b) The living and working conditions of inmates.

(c) Communication between administrators, managers, supervisors, staff, inmates and the visiting public.

(d) Compliance with policies.

(e) Safety, security and sanitation concerns.

(f) Inmate concerns.

(g) Meal services.

### 215.3.1 AREAS TO BE INSPECTED

Supervisor inspections should occur in all occupied areas of the facility . Inspections should be conducted randomly and special effort should be given to tour and informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Exercise yard and recreation areas
- Visiting and program areas
- Medical and dental service areas
- Vocational work areas, e.g., the kitchen, janitorial closets

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- Sallyports and transportation staging areas

### 215.4 INSPECTIONS OF SECURITY EQUIPMENT

The Jail Administrator shall ensure that weekly inspections of all security devices are conducted and shall have documented all actions taken to correct identified deficiencies, including maintenance records, and shall retain those records in accordance with established records retention schedules.

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# Perimeter Security

## 216.1 PURPOSE AND SCOPE

The purpose of this policy is to establish this facility's security perimeters, to ensure that incarcerated inmates remain inside the perimeter, and that visitor, vendor, volunteer and employee access is granted only with proper authorization and through designated safety vestibules and sallyports. The secure perimeter of this facility will provide protection from the escape of persons being processed, held or housed, and will act as a defense against the entry of unauthorized persons. It shall also be maintained to prevent contraband from entering the secure areas of the facility.

## 216.2 POLICY

All entry points to the secure perimeter of the facility shall be monitored and controlled continuously by Dispatch staff. The entire perimeter shall be inspected, maintained, monitored and continuously assessed to ensure its physical integrity and prevent unauthorized entry, inmate escape and contraband from entering the facility.

### 216.2.1 VISITORS

This facility shall be maintained as a secure area and no person shall enter any portion of the inner perimeter without specific authorization from the Jail Administrator or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver license, valid passport or military identification. Visitors shall be required to sign in on the visitor log and state the reason for the visit. Visitors must wear a visitor's badge at all times and shall be escorted by one or more staff members at all times, while they are in the secure areas of the facility.

## 216.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff as well as a contracted law enforcement agency. The Jail Administrator or the authorized designee shall ensure that a staffing plan is in place to monitor the secure perimeter of this facility. Suspicious activity at or near the perimeter shall immediately be reported to the Shift Commander and Dispatch. Dispatch staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Warrant checks should be conducted on all individuals who are on the property without proper authorization. Individuals found to be loitering on or around the perimeter of the facility will be stopped and questioned to determine the circumstances of their presence. They may be denied entrance into the facility.

Dispatch staff shall identify all persons seeking to gain access to the secure perimeter of the facility. Persons delivering goods or services shall identify themselves to Dispatch staff prior to being allowed access to the delivery area.

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## *Perimeter Security*

Materials delivered to or transported from the facility's secure perimeter shall be inspected for contraband. Vendors making deliveries into the secure area of the facility will do so under the supervision of custody staff.

Keys to the secure perimeter shall be easily identifiable and issued only in emergency situations or with the authorization of the Jail Administrator.

Weapons lockers are provided outside all secure perimeter entrances. All weapons must be secured prior to an individual being allowed to enter the facility.

The sallyport and the secure garage are to be used for the transfer of inmates.

Operation of the sallyport doors will be done in such a manner as to effectively control movement into and out of the secure perimeter of this facility. Dispatch staff are responsible for ensuring all perimeter surveillance equipment is in good working order and shall immediately report malfunctions or failures to the on-duty supervisor.

Outer perimeter security may be accomplished by using fencing or another type of barrier. These barriers should be designed to route vehicular and pedestrian traffic away from non-public areas. Outer perimeter lighting should be designed to illuminate all areas of the exterior to allow visual inspection by video monitor or perimeter patrols.

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# Accessibility - Facility and Equipment

## 217.1 PURPOSE AND SCOPE

This policy is intended to ensure that staff and the general public have access to the facility, in compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, 29 USC § 794.

### 217.1.1 DISABILITY DEFINED

A disability is any physical or mental impairment that substantially limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity. Additionally, disability includes a physical or mental impairment that would inhibit a person's ability to meet the requirements established by the Office for conducting visitation or other business in the facility.

## 217.2 POLICY

The Crawford County Sheriff's Office prohibits discrimination of persons with disabilities. The Crawford County Sheriff's Office adheres to the ADA and all other applicable federal and state laws, regulations and guidelines in providing reasonable accommodations to ensure that the facility is reasonably accessible to and usable by individuals.

### 217.2.1 ACCOMMODATIONS

As part of the compliance with the ADA and the commitment to provide access to persons with disabilities, the Office will provide reasonable accommodations in areas that include, but are not limited to:

- Vehicle parking areas that accommodate cars and vans or other vehicles with wheelchair lifts.
- Public areas that are wheelchair accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- Restroom areas that are wheelchair compliant and meet ADA standards for accessibility.
- Search areas and metal detection devices, including private areas where alternative search methods may be performed.
- Services and equipment for the deaf and hard of hearing.
- Visitor check-in areas.
- Visitation areas, including attorney interview rooms that can accommodate wheelchairs and other mobility devices.

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### 217.2.2 ADA COORDINATOR

The Jail Administrator should appoint a staff member to serve as the ADA Coordinator, whose primary responsibilities include, but are not limited to, coordinating compliance with ADA requirements. The ADA Coordinator should be knowledgeable and experienced in a variety of areas, including:

- The office structure, activities and employees, including special issues relating to the requirements of the jail.
- The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act, 29 USC § 794.
- The accommodation needs of people with a broad range of disabilities.
- Alternative formats and technologies that enable staff, inmates and the public with disabilities to communicate, participate and perform tasks related to jail activities.
- Construction and remodeling requirements with respect to ADA design standards.
- Working cooperatively with staff, inmates and the public with disabilities.
- Local disability advocacy groups or other disability groups.
- Negotiation and mediation.

### 217.2.3 TRAINING

The ADA Coordinator should work with the Training Sergeant as appropriate, developing training regarding issues specifically related, but not limited to:

- The requirements of Section 504 of the Rehabilitation Act, 29 USC § 794.
- Office policies and procedures relating to ADA requirements.

### 217.2.4 DISSEMINATION OF INFORMATION

The ADA Coordinator will be responsible for the dissemination of information to staff and visitors on issues specifically related, but not limited to:

- Services available to members of the public who are disabled.
- Accessing services to accommodate disabilities.
- Registering complaints or grievances relating to issues involving the ADA.

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# News Media Relations

## 218.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to this facility's incidents and general public information.

## 218.2 POLICY

It is the policy of this office that the ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. However, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, the Jail Administrator or designated Chief Deputy may prepare and release information to the media in accordance with this policy and applicable law.

### 218.2.1 MEDIA REQUEST

Any media request for information or access to this facility shall be referred to the designated Chief Deputy, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this office make any comment or release any official information to the media without prior approval from a supervisor or the designated Chief Deputy.

(b) In any situation involving a law enforcement agency, reasonable efforts shall be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this office.

(c) Under no circumstance should any member of this office make any comment to the media regarding any law enforcement or corrections-related incident that does not involve this office without prior approval of the Sheriff or the authorized designee.

## 218.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, investigations, emergencies and other law enforcement activities related to this facility, subject to the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.

(b) Media representatives may be prevented from interfering with emergency operations and investigations.

1. In situations where media access would reasonably appear to interfere with the facility's security, emergency operations or an investigation, every reasonable effort should be made to provide media representatives with information regarding the incident in such a manner that does not compromise the safety

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and security of the inmates, staff or the facility itself. All information released to the media should be coordinated through the Chief Deputy or other designated spokesperson.

(c) No member of this office shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody. The supervisor shall obtain a signed waiver from the inmate prior to being interviewed, photographed or videotaped.

218.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of personnel working in this facility, advance information about planned actions by custody personnel, such as movement of persons in custody or the execution of a mass arrest in which field booking is arranged, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of this facility's legitimate purposes. Prior to approving any exception, the Sheriff will consider, at minimum, whether the release of information or the presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

## 218.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Office will maintain a daily log of individuals who are currently in custody or were recently booked. Unless restricted by law and except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation, the following information on inmates and persons booked is considered public information and can be released upon request:

(a) The full name and occupation of the inmate

(b) The inmate's physical description, including date of birth

(c) Date and time of arrest

(d) Date and time of booking

(e) Location of arrest

(f) The factual circumstances surrounding the inmate's arrest

(g) All charges the inmate is being held on, including outstanding warrants, probation/ parole holds

(h) Amount of bail

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(i) The time and manner of the inmate’s release or the location where the inmate is currently being held

(j) Court appearance dates

(k) Arresting agency

Information on this facility’s policies and procedures regarding non-security related matters, (i.e., programs, facility rules and regulations, visitation, health care, religious services) can be released to the general public by an an open records request. A copy of the applicable portions of this facility’s policy and procedures manual can be made available for public review with the approval of the Sheriff.

Any information related to the safety, security and maintenance of order shall be redacted before being provided to the general public. Applicable regulations for the operation of a custody facility can be made available for review by the public and inmates. Inmates can request a copy through the inmate programs staff.

Information related to escapes, suicides or crimes occurring in this facility shall only be released with the approval of the Jail Administrator or the authorized designee.

Identifying information pertaining to a juvenile detainee shall not be publicly released without prior approval of a competent court, except as otherwise authorized by law. Information concerning incidents involving certain sex crimes and other offenses set forth in all applicable laws shall be restricted.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or until otherwise cleared by the coroner’s/medical examiner’s office or otherwise required by law.

### 218.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the Jail Administrator or the authorized designee to ensure that restricted information is not inappropriately released to the media by this office. When in doubt, authorized and available legal counsel should be consulted.

Examples of such restricted information include, but are not limited to:

(a) Confidential personnel information concerning staff and volunteers of the Office.

1. The identities of custody personnel involved in major incidents may only be released to the media pursuant to consent of the involved personnel or upon a request processed in accordance with the public records laws at Wis.Stat. § 19.31 et seq.

(b) Criminal history information.

(c) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

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(d) Information pertaining to pending litigation involving this office.

(e) Information obtained in confidence.

(f) Any information that is otherwise privileged or restricted under state or federal law.

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# Community Relations and Public Information

## 219.1 PURPOSE AND SCOPE

This policy provides guidelines to custody personnel when dealing with the public or interested groups when requests are received to share information generated within the facility. It guides personnel in their interactions with the community and with inmates.

This policy is intended to provide custody personnel with guidelines for processing information requests during routine contacts, as well as in the event of an incident or emergency (See the News Media Relations Policy for guidance on media releases).

## 219.2 RESPONSIBILITIES

The Jail Administrator is responsible for ensuring that the following information is public and available to all who inquire about it. It includes:

(a) Visitation schedule; this should include days and times visiting is allowed and how many visits inmates may receive, as well as reasons why visiting may be restricted.

(b) Telephone and correspondence rules and availability to inmates.

(c) A brief description of the education programs.

(d) Facility rules and limits of discipline.

(e) Access to personal care items for the indigent inmate.

(f) Access to medical, mental health and dental care.

(g) The process by which inmates are oriented to the facility.

This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility’s library or provided by other means for use by inmates. At the discretion of the Sheriff, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

## 219.3 PROHIBITED MATERIALS

Policies, procedures and other information and materials related to the safety and security of inmates, custody personnel, the facility or the maintenance of order should not be provided as a part of the public information material unless directed by the Jail Administrator.

## 219.4 TOURS OF THE CUSTODY FACILITY

Tours of this facility may be arranged through the Jail Administrator. Authorized tours are subject to facility rules and restrictions:

(a) Persons who tour this facility must be of an appropriate age as determined by the Sheriff.

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(b) A short application form must be completed and a background check for warrants will be conducted before an applicant is approved to participate in a tour.

A record of all facility tours should be maintained in accordance with applicable retention requirements.

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# Victim Notification of Inmate Release

### 220.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure victims of crimes receive notice when an inmate held for those crimes is released.

### 220.2 POLICY

It is the policy of this office to facilitate victim notification.

### 220.3 PROCEDURE

The Jail Administrator should ensure that a system is in place for individuals to request release notification on any inmate housed in this facility.

### 220.4 NOTIFICATION

Members tasked with the release of an inmate or with investigating an escape should verify that the information necessary for a release notification is processed appropriately.

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# Community Service

### 221.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing community service programs that are intended to provide work opportunities for inmates and needed services to the community.

### 221.2 POLICY

It is the policy of the Crawford County Sheriff's Office to promote community service programs that provide work opportunities for inmates and will support public works projects, such as maintenance to county roadways or parks. Activities that benefit individuals, businesses or other private entities that are not considered a public works project are prohibited.

### 221.3 PROGRAM GUIDELINES

Any community service program is subject to the approval of the Jail Administrator or the authorized designee.

Any such program shall be subject to the following guidelines:

(a) The program complies with all statutes, ordinances, regulations, labor agreements, permissions or restrictions relating to inmates whenever they are assigned to public works and community service projects.

(b) There is an availability of inmates who, as a matter of classification, are deemed to be eligible for participation in the community service program.

(c) The number of work opportunities available in the community will determine the availability of opportunities to participate in the community service program.

(d) Staff assigned to manage the program should strive to develop work assignments that give inmates an opportunity to develop good work habits and attitudes that can be applied to jobs obtained after release.

(e) Victim and community input should be considered when developing community service programs.

(f) Inmates shall receive appropriate training for the work assignment and the use of any related tools or equipment.

(g) The inmate workday should approximate the typical workday in the community for the type of work being performed. The normal work hours should not exceed eight hours per shift and must include adequate break and meal time. Anything over 8 hours has to be authorized through the jail staff.

(h) Inmate performance while in the program should be regularly evaluated and recorded. Poor performance in the work program or violation of rules may render the inmate ineligible to participate in the work program. Any violation of work rules may result in

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disciplinary action that may include the loss of credits previously awarded for good behavior and work time. Inmates who do not comply with program rules, or for any reason cannot work, will be reclassified in accordance with the policies and procedures of the Crawford County Sheriff's Office.

(i) The working conditions for any inmate must comply with all applicable federal, state or local work safety laws and regulations.

### 221.4 SELECTION PROCESS

Participation in any community service program is strictly voluntary. A classification process that clearly describes the criteria for program participation will be developed by the supervisor in charge of the program.

Any inmate desiring to participate in a community service program is subject to the following:

(a) The inmate must submit to a screening process, including a criminal history check, to ensure that his/her criminal history is compatible with work in non-secure areas.

(b) The inmate must agree in writing to participate in a community service program.

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# Vehicle Safety

## 222.1 PURPOSE AND SCOPE

It is the policy of this office to maintain and operate the vehicles assigned to this facility in a lawful and safe manner. The Office utilizes office-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that office-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term “office-owned” as used in this section also refers to any vehicle leased or rented by the Office.

## 222.2 USE AND SECURITY OF OFFICE VEHICLES

All staff members who operate office-owned or leased vehicles must comply with all applicable state laws and must possess a valid driver license endorsed for the type of vehicle operated.

A list of individuals who are authorized to drive office vehicles shall be maintained by the Jail Administrator. The list shall be updated monthly to ensure that only qualified personnel who are in possession of a current and appropriately endorsed operator’s license are on the list.

### 222.2.1 USE OF SEAT BELTS

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all members operating or riding in office vehicles.

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this office, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

Whenever possible, inmates should be secured in a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts. The inmate should be in the seating position for which seat belts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

No person shall operate any office vehicle in which the seat belt in the driver’s position is inoperable. No person shall be transported in a seated position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff who shall do so only with the express authorization of the Sheriff.

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Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

222.2.2 VEHICLE SECURITY
Office vehicles will be locked and the keys will be secured when not in use. The staff will make every effort to ensure that the vehicles are parked in a secure location.

Under no circumstances will inmates be allowed to operate a vehicle or have possession of any vehicle keys.

The loss of any vehicle key shall be promptly reported, in writing, to the on-duty supervisor.

## 222.3 VEHICLE INSPECTIONS
All office-owned vehicles are subject to inspection and or search at any time by a supervisor. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or any of its contents, regardless of who owns the contents.

## 222.4 VEHICLE SAFETY REPAIRS
Anyone authorized to drive office vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained and refueled and present a clean appearance.

Anyone authorized to drive office vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of his/her shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles that are deemed as unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted before the operator checks out a replacement vehicle. The Jail Administrator or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

## 222.5 USE OF PERSONAL VEHICLES
The use of personal vehicles for official business must be approved by the Jail Administrator, sheriff, or the Chief Deputy. The personal vehicle's insurance must meet the county wide policy to be used for official business.

## 222.6 COLLISION DAMAGE, ABUSE AND MISUSE
When any office-owned or leased vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. The member shall complete a written report.

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When a collision involves any office vehicle or when a member of this office is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death or potentially involves any criminal charge, an outside agency should be summoned to handle the investigation. If the member is incapable of completing a written report, a supervisor shall complete the report.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented in report format and forwarded to the Shift Commander. An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

## 222.7 TOLL ROAD USE

Law enforcement vehicles are not routinely exempt from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads while on-duty are exempt from paying the toll.

Commuting or returning to the Office after an emergency does not qualify for this exemption; personnel using office-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, all members operating a office-owned vehicle on a toll road shall adhere to the following:

(a) Members operating office-owned vehicles for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge.

(b) Members may submit for reimbursement from the Office for any toll fees

(c) Members driving office-owned vehicles through a toll plaza or booth during a response to an emergency shall draft a memo to his/her supervisor within five working days, explaining the circumstances.

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# Fitness for Duty

### 223.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all deputies of this office are fit for duty and able to perform their job functions upon hire, and remain fit for duty throughout their employment.

### 223.2 POLICY

This policy requires all deputies to be free from any physical, emotional or mental condition that might adversely affect their ability to effectively perform their duties throughout their employment.

(a) It shall be the responsibility of each employee of this office to maintain physical, emotional and mental condition sufficient to safely and properly perform the essential duties of his/her job classification.

(b) Each employee of this office shall perform his/her respective duties without physical, emotional and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive and capable of performing the assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

### 223.3 SUPERVISOR RESPONSIBILITIES

(a) A supervisor observing an employee, or receiving a report of an employee who is perceived as being unable to safely perform his/her duties due to a physical, emotional or mental condition, shall take prompt and appropriate action to resolve the situation.

(b) Whenever reasonably feasible, the supervisor shall attempt to ascertain the reason or source of the problem. In all cases a preliminary evaluation should be made to determine the employee’s level of inability to perform his/her duties.

(c) In the event the employee appears to be in need of immediate medical or mental health treatment, all reasonable efforts should be made to provide such care.

(d) The employee's Shift Commander or the Jail Administrator should determine whether the employee should be temporarily relieved of duty.

(e) The Jail Administrator shall be promptly notified in the event that any employee is relieved of duty.

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### 223.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off to obtain medical treatment or other reasonable relief from symptoms. If the condition is a serious health condition of the employee or a qualified family member, the employee's supervisor should facilitate the employee's contact with the appropriate person to initiate the leave process under the Family and Medical Leave Act.

### 223.5 WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants temporary relief from duty shall comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Shift Commander or supervisor, and with the concurrence of the Jail Administrator, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee, and until such time as the following may be completed:

(a) A preliminary determination indicates that the employee's conduct appears to be in compliance with policy and appropriate for the circumstances.

(b) The employee has had the opportunity to receive necessary counseling and any necessary or required psychological or medical clearance to return to full duty.

### 223.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that the employee may be unfit for duty, the Jail Administrator or the authorized designee may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Sheriff to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

(b) The examining physician or therapist will provide the Office with a report indicating whether the employee is fit for duty. If the employee is not fit for duty, the report should list any functional limitations that restrict his/her ability to perform the job duties. If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any information that is relevant to such proceedings.

(c) In order to facilitate the examination of any employee, the Office will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

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(e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist, including signing of releases, may be deemed insubordination and shall be subject to discipline, up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

## 223.7 APPEALS

An employee who is deemed unable to work due to a fitness-for-duty exam shall be entitled to an administrative appeal.

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# Staffing

## 224.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive staffing plan and analysis to identify staffing needs sufficient to maintain the safety and security of the facility, staff, visitors, inmates and the public.

## 224.2 STAFFING ANALYSIS

The Sheriff or the authorized designee shall complete an annual comprehensive staffing analysis to evaluate personnel requirements and available staffing levels. The staffing analysis will be used to determine staffing needs and to develop staffing plans.

This analysis shall include information gathered in collaboration with the health care provider in each facility regarding staffing requirements. The analysis relating to health care personnel shall be annually reviewed for adequacy by the health authority.

The Jail Administrator, in conjunction with the PREA Coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and office policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

(a) Operational changes

(b) Equipment requirements

(c) Additional training

(d) Supervisory intervention

(e) Additional personnel

### 224.2.1 DATA COLLECTION FOR ANALYSIS

Data that should be collected for the annual staffing analysis include:

- All categories of leave usage for each staff member working in the jail.
- Date of hire or assignment to a jail position for each employee.
- Date of transfer from the jail to another non-custody position for each member.
- Annual hours of authorized overtime expended during the previous year.

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- Number of part-time or extra personnel hired during the previous year.
- Details of any unusual occurrence or significant medical issues in the jail that were related to staffing during the previous year.
- Details of claims or litigation, if any, that were related to staffing levels and were initiated against the facility in the previous year.
- Labor contracts/collective bargaining agreements relating to corrections and medical personnel.
- Annual training requirements that affected staffing levels in the jail.
- Concerns expressed by members of the public.
- Any investigations or reports by the grand jury or other government agency, jail monitor or ombudsman.
- Other data that may influence the number of personnel available to occupy posted positions.

### 224.3 REPORTING

The Sheriff will cause a report of the findings of the staff analysis to be submitted to the officials responsible for funding the jail operation.

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# Employee Speech, Expression and Social Networking

## 225.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the legitimate needs of the Office.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

### 225.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

## 225.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this office be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Crawford County Sheriff's Office will carefully balance the individual employee’s rights against the Office’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

## 225.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Crawford County Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee’s family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

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- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow deputy.
- Otherwise disclosing where another deputy can be located off-duty.

### 225.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the office's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Office or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Office and tends to compromise or damage the mission, function, reputation or professionalism of the Office or its employees. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitution.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the jail. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to this office's Code of Ethics.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the jail for financial or personal gain, or any disclosure of such materials without the expressed authorization of the Sheriff or the authorized designee.

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Office on any

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personal or social networking or other website or web page, without the express authorization of the Sheriff.

(h) Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff.

(i) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or office-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks, however, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

### 225.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit, employees may not represent the Crawford County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Crawford County Sheriff's Office in order to do any of the following, unless specifically authorized by the Sheriff:

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this office, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Office.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using

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their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

It should be noted while off duty, deputies are free to support whatever political canidate that they choose. However while on duty deputies may not campaign for any political canidate via electronic device or in person support.

### 225.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace).

The Office also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Office, including the office e-mail system, computer network or any information placed into storage on any office system or device.

All messages, pictures and attachments transmitted, accessed or received over office networks are considered office records and, therefore, are the property of the Office. The Office reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any office system or device, or any such information placed into any office storage area or device. This includes records of all key strokes or web-browsing history made at any office computer or over any office network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through office computers or networks.

### 225.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Office or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Office.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Office.

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## 225.7 TRAINING

Subject to available resources, the Office should provide training regarding employee speech and the use of social networking to all members of the office.

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# Required Reporting

### 226.1 PURPOSE AND SCOPE

This policy clarifies the office's responsibilities when required to make reports or notifications to any other government agency regarding jail incidents.

This policy is not meant to replicate reporting mandates already addressed more appropriately in other policies.

### 226.2 POLICY

It is the policy of this office to comply with the reporting requirements established by law. The Jail Administrator or the authorized designee shall ensure that these mandates are met.

### 226.3 PROCEDURE

The Jail Administrator or the authorized designee shall report to a Wisconsin Department of Corrections (DOC) regional Detention Facilities Specialist within 48 hours after any of the following events occur (Wis. Admin. Code DOC § 350.10):

(a) An inmate death.

(b) An inmate suicide attempt resulting in a hospital admission or medical treatment for a life-threatening injury. This does not include an emergency room admission for injuries that are not life threatening, or an admission for detention and evaluation under Wis. Stat. § 51.001 et seq.

(c) Hospitalization of an inmate or staff member due to an injury caused by assault or use of force.

(d) An escape or attempted escape from secure custody.

(e) Significant damage to the jail affecting the safety or security of the jail

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# Information Technology Use

## 227.1 PURPOSE AND SCOPE

This purpose of this policy is to provide guidelines for the proper use of office information technology resources, including computers, electronic devices, hardware, software and systems.

### 227.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Crawford County Sheriff's Office that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Office or office funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications including "shareware." This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

## 227.2 POLICY

Crawford County Sheriff's Office members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Office in a professional manner and in accordance with this policy.

## 227.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any office technology system.

The Office reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Office, including the office e-mail system, computer network or any information placed into storage on any office system or device. This includes records of all key strokes or web-browsing history made at any office computer or over any office network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through office computers, electronic devices or networks.

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## 227.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to the Shift Commander.

Members shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by the Shift Commander.

### 227.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software infection, members shall not install any unlicensed or unauthorized software on any office computer. Members shall not install personal copies of any software on any office computer. Any files or software that a member finds necessary to install on office computers or networks shall be installed only with the approval of office information systems technology (IT) staff and only after being properly scanned for malicious attachments.

When related to criminal investigations, software program files may be downloaded only with the approval of IT staff and with the authorization of the Sheriff or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Office while on office premises, computer system or electronic device. Such unauthorized use of software exposes the Office and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of office- or county-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff.

### 227.4.2 HARDWARE

Access to technology resources provided by or through the Office shall be strictly limited to office-related activities. Data stored on or available through office computer systems shall only be accessed by authorized members who are engaged in an active investigation, assisting in an active investigation, or who otherwise have a legitimate law enforcement or office-related purpose to access such data. Any exceptions to this policy must be approved by the Shift Commander.

### 227.4.3 INTERNET USE

Internet access shall be used only on appropriate websites that the Jail Administrator, Sheriff, or Chief Deputy would not deem inaporopriate.

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### 227.4.4 OFF-DUTY USE

Members shall only use technological resources related to their job while on-duty or in conjunction with specific on-call assignments unless specifically authorized by the Shift Commander. This includes the use of telephones, cell phones, texting, e-mail or any other “off-the-clock” work-related activities.

## 227.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure office computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by the Shift Commander and shall be changed at intervals as directed by IT staff or the Shift Commander.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to the Shift Commander.

## 227.6 INSPECTION OR REVIEW

The Shift Commander or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Office involving one of its members or a member's duties, an alleged or suspected violation of any office policy, request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the office computer system when requested by the Shift Commander or during the course of regular duties that require such information.

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# Safety and Health Program

## 228.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Crawford County Sheriff's Office, in accordance with the requirements of Wis. Stat. § 101.055 and Wis. Admin. Code § SPS 332.15.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Custody Manual.

This policy does not supersede, but supplements any related county-wide safety efforts.

## 228.2 POLICY

The Crawford County Sheriff's Office is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Office will establish and maintain a Safety and Health Program and will provide tools, training, and safeguards designed to reduce the potential for accidents, illness, and injuries. It is the intent of the Office to comply with all laws and regulations related to occupational safety.

## 228.3 SAFETY AND HEALTH PROGRAM

The Administrative Chief Deputy is responsible for developing an illness and injury prevention plan that shall include (Wis. Admin. Code § SPS 332.203):

(a) Workplace safety and health training programs.

(b) Regularly scheduled safety meetings.

(c) Posted or distributed safety information.

(d) A system for members to anonymously inform management about workplace hazards.

(e) Establishment of a safety and health committee that will:

1. Meet regularly.
2. Prepare a written record of safety and health committee meetings.
3. Review the results of periodic scheduled inspections.
4. Review investigations of accidents and exposures.
5. Make suggestions to command staff for the prevention of future incidents.
6. Review investigations of alleged hazardous conditions.
7. Submit recommendations to assist in the evaluation of member safety suggestions.
8. Assess the effectiveness of efforts made by the Office to meet applicable standards.

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(f) Establishing a process to ensure illnesses and injuries are reported as required under Wis. Stat. § 101.055 and Wis. Admin. Code § SPS 332.50.

### 228.4 DIVISIONADMIN DIVISIONCOMMANDER RESPONSIBILITIES

The responsibilities of the Administrative Chief Deputy include but are not limited to:

(a) Managing and implementing a plan to reduce the incidence of member illness and injury.

(b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:

1. New member orientation that includes a discussion of safety and health policies and procedures.
2. Regular member review of the Safety and Health Program.

(c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.

(d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:

1. Informing members of the safety and health program guidelines.
2. Recognizing members who perform safe work practices.
3. Ensuring that the member evaluation process includes member safety performance.
4. Ensuring office compliance to meet standards regarding the following (Wis. Stat. § 101.055):
    (a) Maintenance of records related to work-related injuries, illnesses, and exposure to toxic/harmful substances.
    (b) Prompt notification to employees of qualifying exposures.
    (c) Notification to employees of their protections and rights regarding employee safety, including posting a summary of these protections and rights at the Office.
    (d) Assistance is provided to inspectors of the Wisconsin Department of Safety and Professional Services and required information is provided to them.
    (e) Notification is made to collective bargaining units of inspectors by the Wisconsin Department of Safety and Professional Services.
    (f) Protection is provided to employees exercising their rights to reporting safety issues.
    (g) Meet or exceed Public Employment Safety and Health requirements of Wis. Admin. Code § SPS 332.15 et seq. to include:

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1. Communicable diseases (Wis. Stat. § 101.055; Wis. Admin. Code § SPS 332.15).
2. Respiratory protection (29 CFR 1910.134; Wis. Admin. Code § SPS 332.15).
3. Emergency Action Plan (see the Fire Safety and Evacuation policies) (29 CFR 1910.38; Wis. Admin. Code § SPS 332.15).

(e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.

(f) Making available a form to document individual incidents or accidents.

(g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.

(h) Conducting and documenting a regular review of the health and safety plan.

## 228.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

(a) Ensuring member compliance with the Safety and Health Program guidelines and answering questions from members about this policy.

(b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.

(c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.

(d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Jail Administrator.

(e) Notifying the Jail Administrator when:

1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
2. New, previously unidentified hazards are recognized.
3. Occupational illnesses and injuries occur.
4. New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
5. Workplace conditions warrant an inspection.

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## 228.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Jail Administrator via the chain of command.

The Jail Administrator will take appropriate action to ensure the Safety and Health Program addresses potential hazards upon such notification.

## 228.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Administrative Chief Deputy shall ensure that the appropriate documentation is completed for each inspection.

### 228.7.1 EQUIPMENT

Members are charged with daily inspections of their assigned areas and of their PPE as described in the Sanitation Inspections and Daily Activity Logs and Shift Reports policies. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

## 228.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

(a) A visit to the accident scene as soon as possible.

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(b) An interview of the injured member and witnesses.

(c) An examination of the workplace for factors associated with the accident/exposure.

(d) Determination of the cause of the accident/exposure.

(e) Corrective action to prevent the accident/exposure from reoccurring.

(f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

## 228.9 TRAINING

The Jail Administrator should work with the Training Sergeant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

(a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.

(b) To all members with respect to hazards specific to each member’s job assignment.

(c) To all members given new job assignments for which training has not previously been provided.

(d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.

(e) Whenever the Office is made aware of a new or previously unrecognized hazard.

### 228.9.1 TRAINING TOPICS

The Training Sergeant shall ensure that training includes:

(a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.

(b) Use of appropriate clothing, including gloves and footwear.

(c) Use of respiratory equipment.

(d) Availability of toilet, hand-washing, and drinking-water facilities.

(e) Provisions for medical services and first aid.

(f) Handling of bloodborne pathogens and other biological hazards.

(g) Prevention of heat and cold stress.

(h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).

(i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.

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(j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

(k) Back exercises/stretches and proper lifting techniques.

(l) Avoidance of slips and falls.

(m) Good housekeeping and fire prevention.

(n) Other job-specific safety concerns.

## 228.10 RECORDS

Records and training documentation relating to the Safety and Health Program will be maintained in accordance with the established records retention schedule.

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# Temporary Modified-Duty Assignment

## 229.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, county rules, or current collective bargaining agreements. For example, nothing in this policy affects the obligation of the Office to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

## 229.2 POLICY

Subject to operational considerations, the Crawford County Sheriff's Office may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Office with a productive employee during the temporary period.

## 229.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Wisconsin Fair Employment Act (Wis. Stat. § 111.31 et. seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Crawford County Sheriff's Office shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Office. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee’s ability to perform in a modified-duty assignment.

The Sheriff or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an office-owned vehicle, or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

## 229.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to the Jail Administrator or the authorized designee. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.

(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Jail Administrator will make a recommendation through the chain of command to the Sheriff regarding temporary modified-duty assignments that may be available based on the needs of the Office and the limitations of the employee. The Sheriff or the authorized designee shall confer with the XXXXXX or the Corporation Counsel as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Chief Deputy or the Jail Administrator, with notice to the Sheriff.

## 229.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate office operations and the employee’s medical appointments, as mutually agreed upon with the Jail Administrator.

### 229.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include but are not limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Jail Administrator that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

### 229.5.2 SUPERVISOR RESPONSIBILITIES

The employee’s immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

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The responsibilities of supervisors shall include but are not limited to:

(a) Periodically apprising the Jail Administrator of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Jail Administrator and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

## 229.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Office may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

## 229.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

### 229.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the county’s personnel rules and regulations regarding family and medical care leave.

## 229.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

## 229.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

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# Payroll Records

### 230.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of office members who are eligible for the payment of wages.

### 230.2 POLICY

The Crawford County Sheriff's Office maintains timely and accurate payroll records.

### 230.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

### 230.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administrative as established by the county payroll procedures.

### 230.5 RECORDS

The Jail Administrator shall ensure that accurate and timely payroll records for each employee that contains the required statutory information (Wis. Admin. Code DWD § 272.11(1)), and is maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

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# Occupational Disease and Work-Related Injury Reporting

## 231.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

### 231.1.1 DEFINITIONS

Definitions related to this policy include:

**Occupational disease or work-related injury** - Any mental or physical harm to an employee caused by accident or disease (Wis. Stat. § 102.01(2)(c)).

## 231.2 POLICY

The Crawford County Sheriff's Office will address occupational diseases, some mental health issues, and work-related injuries appropriately, and will comply with applicable state worker's compensation requirements (Wis. Stat. § 102.01 et seq.).

## 231.3 RESPONSIBILITIES

### 231.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (Wis. Stat. § 102.12).

### 231.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding worker's compensation are completed and forwarded promptly. Any related countywide illness- or injury- reporting protocol shall also be followed.

Supervisors shall determine whether the Safety and Health Policy applies and take additional action as required.

### 231.3.3 FACILITYMANAGER RESPONSIBILITIES

The Jail Administrator who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Sheriff, the county's risk management entity, and the Administrative Chief Deputy to ensure any required Department of Safety and Professional Services reporting is made as required in the safety and health program identified in the Safety and Health Program Policy.

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### 231.3.4 AGENCYHEAD RESPONSIBILITIES

The Sheriff shall review and forward copies of the report to the XXXXXX. Copies of the report and related documents retained by the Office shall be filed in the member’s confidential medical file.

## 231.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for worker’s compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Chief Deputy through the chain of command and a copy sent to the Administrative Chief Deputy.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

## 231.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company, or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

### 231.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Sheriff with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Sheriff. The purpose of such notice is to permit the county to determine whether the offered settlement will affect any claim the county may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the county's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

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# Chapter 3 - Recruitment, Selection and Planning

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# Employee Orientation

### 300.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation. The purpose of the orientation is to provide new employees with basic information about the facility and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance or regulations.

### 300.2 NEW EMPLOYEE ORIENTATION

All new employees shall participate in a pre-service office orientation prior to assuming his/her duties. The orientation shall include, but not necessarily be limited to, the following:

- Facility tour
- Policy, procedures and job description resources
- Organizational chart
- Office mission, vision and values statement
- Office culture
- Staff rules and regulations
- Code of ethics

### 300.3 EMPLOYEE ACKNOWLEDGEMENTS

Office personnel assigned to provide the new employee orientation will ensure that each new employee is given copies of work rules and regulations, office ethics, and any other office documents, for which the employee will be held accountable.

A staff member will collect a signature page from the employee, acknowledging receipt, review and understanding of the documents that shall be retained in the employee's personnel file in accordance with established records retention schedules.

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# Continuing Professional Education

## 301.1 PURPOSE AND SCOPE

This policy is designed to support the ongoing professional education of office personnel at all levels. Continuing professional education provides a broad view of the world and by extension enhances the understanding of the correctional mission as it applies to the Office and the community.

### 301.1.1 PHILOSOPHY

The Office seeks to encourage continuing education whenever practical. All continuing education programs will be within the framework of negotiated employee agreements and the availability of funds to provide ongoing efforts for self improvement.

The Office encourages all personnel to participate in formal education on a continuing basis.

## 301.2 OBJECTIVES

Training involves activities whereby deputies, professional staff, support and contractor personnel learn and demonstrate an understanding of the specific job skills required for each position.

Individuals who engage in furthering their education in conjunction with skills-based training make for well-rounded employees who can better serve the mission of the Office and the community.

Supervisors should accommodate, to the extent feasible and schedules permitting, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education efforts.

## 301.3 REQUIRED TRAINING

Deputies shall receive 24 hours of documented jail officer recertification training each year (Wis. Stat. § 165.85(4).

Deputies shall receive documented annual training on inmate health care policies and procedures, administration of medications and medical screening (Wis. Admin. Code DOC § 350.14(6); Wis. Admin. Code DOC § 350.16(2)) (see the Suicide Prevention and Intervention Policy for the requirement for suicide prevention training).

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# Jail Training Officer

## 302.1 PURPOSE AND SCOPE

The jail training officer program is intended to provide a standardized program to facilitate the deputy's transition from the academic setting to the actual performance of general corrections duties.

## 302.2 POLICY

It is the policy of this office to assign all new deputies to a structured jail training officer program that is designed to prepare the new deputy to perform in a custody assignment, and to provide training on all skills needed to operate in a safe, productive and professional manner.

## 302.3 TRAINING OFFICER

The Training Officer (TO) is an experienced deputy trained in the art and science of supervising, training and evaluating entry-level deputies in the application of their previously acquired knowledge and skills.

### 302.3.1 SELECTION PROCESS

Training officers will be selected based on certain requirements, including:

(a) A desire to perform the training mission.

(b) A minimum of three years as a deputy.

(c) A demonstrated ability to be a positive role model.

(d) Successfully passed an interval oral interview selection process.

(e) An evaluation by supervisors and current TOs.

(f) A certificate from the state's law enforcement certifying agency, where applicable.

## 302.4 TRAINING OFFICER RESPONSIBILITIES

(a) TOs shall review the performance evaluations with the trainee each day.

(b)

## 302.5 TRAINING OFFICER PROGRAM SUPERVISOR

The TO program supervisor will be selected from the rank of sergeant or above by the Jail Administrator or the authorized designee The supervisor's responsibilities include the following:

(a) Assign trainees to TOs.

(b) Conduct TO meetings.

(c) Maintain and ensure TO/trainee performance evaluations are completed in a timely manner.

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(d) Monitor individual TO performance.

(e) Monitor the overall TO program.

(f) Develop ongoing training for TOs.

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# Recruitment and Selection

## 303.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Crawford County Sheriff's Office and that are promulgated and maintained by the Crawford County Union Contract

## 303.2 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Office and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position’s essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The XXXXXX should maintain validated standards for all positions.

### 303.2.1 STANDARDS FOR OFFICER_DEPUTIES

Candidates shall meet the minimum standards established by Wisconsin law, including those provided in Wis. Stat. § 165.85; Wis. Admin. Code § LES 2.01; Wis. Admin. Code § LES 2.02:

- Possess a valid Wisconsin driver’s license
- Be free of any felony convictions, misdemeanor crime of domestic violence, or of any offense which if committed in Wisconsin could be punished as a felony unless an absolute and unconditional pardon has been granted
- Be at least 18 years of age
- Be a citizen of the United States (Wis. Stat. § 66.0501(1))
- Submit to a local, state, and national fingerprint check
- Possess good moral character as determined by a thorough background investigation
- Possess a high school diploma or GED equivalent
- Possess a two-year associate degree or a minimum of 60 fully accredited college level credits. Candidates who have not met this standard at the time of initial employment must meet the standard by the end of their fifth year of employment.
- Be free from any physical, emotional, or mental condition which might adversely affect the performance as a deputy
- Undergo a physical assessment by a licensed physician, physician assistant, or nurse practitioner to verify the deputy can meet the required physical standards
- Complete a satisfactory oral interview

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- Submit to a drug test upon hire

The Crawford County Sheriff's Office may establish additional standards for selection of a candidate for the position of deputy (Wis. Stat. § 165.85(4)).

## 303.3 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators, candidate information, and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate’s qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

### 303.3.1 MANDATORY DISQUALIFICATION

No members or contractors shall be hired who have (28 CFR 115.17):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 USC § 1997).

(b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent, or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

The Office shall ask all candidates who may have contact with inmates to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

The Office shall make reasonable efforts to contact prior institutions that the candidate has been employed by to inquire about sexual abuse allegations in accordance with 28 CFR 115.17.

## 303.4 POLICY

In accordance with applicable federal, state, and local law, the Crawford County Sheriff's Office provides equal opportunities for applicants and employees, regardless of actual or perceived

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race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Office does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Office will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### 303.5 RECRUITMENT

The Administrative Chief Deputy should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates. The strategy should include:

(a) Identification of racially and culturally diverse target markets.

(b) Use of marketing strategies to target diverse applicant pools.

(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive office website and the use of office-managed social networking sites, if resources permit.

(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.

(e) Employee referral and recruitment incentive programs.

(f) Consideration of shared or collaborative regional testing processes.

The Administrative Chief Deputy shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Administrative Chief Deputy should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

### 303.6 SELECTION PROCESS

The Office shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects.

Minimally, the Office should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

(b) Driving record

(c) Reference checks

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(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state, and federal criminal history record checks

(h) Polygraph or voice stress analyzer examination (when legally permissible) (Wis. Stat. § 111.37)

(i) Medical and psychological examination (may only be given after a conditional offer of employment)

(j) Review board or selection committee assessment

#### 303.6.1 POLYGRAPH EXAMINATION REQUIREMENTS

If a polygraph examination is used as part of the selection process, candidates should be notified at the time of application of the following:

(a) That a polygraph test will be required as part of the application process

(b) The general subject areas that may be covered during the polygraph test

The polygraph examination shall be undertaken in accordance with the requirements of Wis. Stat. § 111.37.

In no case shall the results of a polygraph examination serve as the sole reason for denial of employment (Wis. Stat. § 111.37(6)).

#### 303.6.2 EXAMINER QUALIFICATIONS

If a polygraph examination is used, the examiner should be appropriately trained in the administration of polygraph examinations in the employment setting.

#### 303.6.3 VETERAN PREFERENCE

The Office will provide veteran preference points as required (Wis. Stat. § 63.08(1)).

### 303.7 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Crawford County Sheriff's Office (Wis. Admin. Code § LES 2.01).

#### 303.7.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

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### 303.7.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Office should not require candidates to provide passwords, account information, or access to password-protected social media accounts (Wis. Stat. § 995.55).

The Administrative Chief Deputy should consider utilizing the services of an appropriately trained and experienced third party to conduct open-source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.

(b) Material and information to be considered are verified, accurate, and validated.

(c) The Office fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Office should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

### 303.7.3 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

### 303.7.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

## 303.8 PROBATIONARY PERIODS

The Administrative Chief Deputy should coordinate with the Crawford XXXXXX to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.

(b) Assessing the level of performance required to complete probation.

(c) Extending probation.

(d) Documenting successful or unsuccessful completion of probation.

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# Training

### 304.1 PURPOSE AND SCOPE

It is the policy of this office to assign all new deputies to a structured jail training program designed to prepare the new deputy to perform in a correctional assignment with the skills needed to operate in a safe, productive and professional manner.

### 304.2 MINIMUM TRAINING REQUIREMENTS

All deputies, full- or part-time, shall successfully complete 160 hours of a preparatory program of jail officer training within one year of employment. A minimum of 12 hours of the training shall be devoted to methods of supervision of special needs inmates, including inmates who may be emotionally distressed, mentally ill, suicidal, developmentally disabled, or alcohol or drug abusers (Wis. Stat. § 165.85(4)).

### 304.3 PROBATIONARY PERIOD EVALUATION

Probationary employees will receive a written evaluation of their job skills and learning progress at least once a month or at the completion of each phase of training, whichever occurs first. Prior to being permanently appointed, each probationary employee will receive a final evaluation. These evaluations shall be in writing and discussed with the employee by his/her supervisor. The final evaluation shall be made a part of the employee's personnel record.

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# Specialized Training

### 305.1 PURPOSE AND SCOPE

Deputies who are assigned to specialized response units will receive training commensurate with the complexity of their specialty and must be able to demonstrate proficiency in the specific skills related to their specialized function.

### 305.2 QUALIFICATIONS

To be eligible for assignment to a specialized emergency unit, deputies are required to be off probation and to have at least three years of experience as a deputy.

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# Firearms Training

### 306.1 PURPOSE AND SCOPE

This policy is intended to ensure that all personnel with a firearm will develop proficiency in the use, care and safety of firearms through a regular training schedule in accordance with all laws and regulations.

### 306.2 POLICY

All personnel authorized to use firearms shall receive training in accordance with state law.

Notwithstanding any statutory and regulatory requirements, at a minimum, firearms training will include the use and care of firearms, knowledge of the Office Use of Force Policy and of relevant state and federal regulations involving the use of firearms.

### 306.3 FIREARMS TRAINING

Whenever training is provided by the Office, the Range Instructor should ensure that a course outline and/or lesson plan, a roster signed and dated by those in attendance and the name of the person coordinating the event are on file.

Personnel who are authorized to carry a firearm in the performance of their duties are required to maintain proficiency with firearms used in the course of their assignment. All custody personnel who carry firearms are required to qualify quarterly with their duty weapon on an approved range course.

The Range Instructor shall keep accurate records of quarterly qualifications, repairs, maintenance, and training records as directed by the Training Sergeant. In addition to regular qualification schedules, the Range Instructor shall be responsible for providing all affected personnel with annual practical training that is designed to simulate situations that may occur in a custody facility setting. At least annually, all personnel carrying a firearm will receive training on the Use of Force Policy and demonstrate their knowledge and understanding by passing either a performance or written test.

### 306.4 FIREARMS NON-QUALIFICATION

If any staff member is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that staff member shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from the assignment that authorized a firearm; appropriate disciplinary action may follow.

Personnel who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated, and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated

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(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

(c) No range credit will be given for the following:

1. Unauthorized range makeup
2. Failure to qualify after remedial training

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# Chemical Agents

### 307.1 PURPOSE AND SCOPE

This policy establishes the required training for deputies to be authorized to carry and use chemical agents and identifies the appropriate medical treatment of individuals exposed to a chemical agent.

### 307.2 POLICY

The Office authorizes the use of selected chemical agents. Chemical agents are weapons used to minimize the potential for injury to deputies, inmates and others. Chemical agents should only be used in situations where such force reasonably appears justified and necessary.

### 307.3 CHEMICAL AGENT TRAINING

Only deputies trained and having shown adequate proficiency in the use of any chemical agent and the Use of Force Policy are authorized to carry the device.

(a) The Training Sergeant shall ensure that appropriate training for all chemical agents occurs.

(b) All initial and proficiency training for chemical agents will be documented in the deputy's training file.

(c) Deputies failing to demonstrate continuing proficiency with chemical agents or knowledge of the Use of Force Policy will lose their authorization to carry or use the devices and will be provided remedial training. If, after two remedial training sessions, a deputy fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the deputy may be subject to discipline.

(d) The Training Sergeant shall be responsible for ensuring that all personnel who are authorized to use chemical agents have also been trained in the proper medical treatment of persons who have been affected by the use of chemical agents. Training should include the initial treatment, (e.g., providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.

### 307.4 PROFICIENCY TESTING

The Training Sergeant shall ensure that all training delivered to staff should also test proficiency in order to document that the employee understands the subject matter, and that proficiency training is monitored and documented by a certified weapons or tactical instructor.

### 307.5 TRAINING RECORDS

It shall be the responsibility of the Training Sergeant to ensure that the following is maintained on file for all training provided by the Office:

- A training sheet signed and dated by those in attendance

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- The name of the person coordinating the training

The Training Sergeant shall ensure that copies of such training records are placed in the employee’s training file and retained in accordance with established records retention schedules.

### 307.6 REVIEW, INSPECTION AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the Range Instructor or the designated instructor for a particular device.

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# Prison Rape Elimination Act Training

### 308.1 PURPOSE AND SCOPE

This policy establishes an education and training process related to implementation of the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation (PREA Rule) (28 CFR 115.5 et seq.).

### 308.2 POLICY

The Crawford County Sheriff's Office endeavors to comply with the training standards in the PREA Rule and to ensure that all staff, volunteers and contractors are aware of their responsibilities and that staff, volunteers, contractors and inmates are aware of the policies and procedures of the facility as they relate to PREA.

### 308.3 MEMBER TRAINING

All staff, volunteers and contractors who may have contact with inmates shall receive office-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Sergeant shall ensure that the staff receives training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and inmates may have regarding sexual assault or abuse, and that they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Sergeant shall be responsible for developing and administering this training, covering at minimum (28 CFR 115.31; 28 CFR 115.32):

(a) The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.

(b) The dynamics of sexual abuse and sexual harassment in confinement.

(c) The common reactions of sexual abuse and sexual harassment victims.

(d) Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the jail.

(e) Procedures for the investigation of a report of sexual abuse and/or sexual harassment.

(f) Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.

(g) An individual’s right to be free from sexual abuse and sexual harassment.

(h) The right of inmates to be free from retaliation for reporting sexual abuse and sexual harassment.

(i) How to detect and respond to signs of threatened and actual sexual abuse.

(j) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender non-conforming inmates.

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(k) How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.

(l) How to avoid inappropriate relationships with inmates.

Training shall be tailored according to the sex of the inmates at the facility. Staff should receive additional training on security measures and the separation of male and female populations in the same facility if the staff has been reassigned from a facility that houses only male or female inmates.

Training should include written testing to validate knowledge and understanding of the material. The Training Sergeant shall document, through signature or electronic verification, that staff, volunteers and contractors have received and understand the training. The Training Services will maintain training records on all those receiving training in accordance with procedures developed by the Training Sergeant.

The Training Sergeant shall ensure that members undergo annual refresher training that covers the office's sexual abuse and sexual harassment policies and related procedures (28 CFR 115.31).

## 308.4 SPECIALIZED MEDICAL TRAINING

All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all of the member training listed above, as well as training that includes (28 CFR 115.35):

(a) Detecting and assessing signs of sexual abuse and sexual harassment.

(b) Preserving physical evidence of sexual abuse.

(c) Responding effectively and professionally to victims of sexual abuse and sexual harassment.

(d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by this facility conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The Training Sergeant shall maintain documentation that the facility's health care and mental health professionals have received the training referenced above, either from this office or elsewhere.

## 308.5 SPECIALIZED INVESTIGATIVE TRAINING

Specialized investigative training for investigators shall include the uniform evidence protocol to maximize potential for obtaining useable physical evidence; techniques for interviewing sexual abuse victims; proper use of *Miranda* and *Garrity* warnings; sexual abuse evidence collection in confinement settings; and the criteria and evidence required to substantiate a case for administrative action or referral for prosecution (28 CFR 115.21; 28 CFR 115.34).

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# Health Care Staff Orientation

### 309.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an orientation period for all new health care staff working in the facility, in cooperation with the health authority. The goal is to improve the competency of the health care staff and the effectiveness of the care delivered, as well as to maintain the safety and security of the custody environment and to comply with all applicable laws, regulations and national health care standards observed by the Office.

### 309.2 NEW HEALTH CARE STAFF ORIENTATION

All health care staff shall complete an orientation program prior to performing services on behalf of the Office. At a minimum, the orientation program shall include:

- A facility tour
- Staff responsibilities
- Inmate rights and responsibilities
- Safety and security
- Emergency procedures
- Policy, procedures and job description resources
- Guidelines for conduct with inmates
- Health care delivery protocols
- Universal precautions
- Disposal of biohazard waste
- Aspects and dynamics of health services within a custody environment

### 309.3 HEALTH CARE STAFF REFRESHER TRAINING

All health care staff shall meet refresher-training requirements as established by the local public health entity or the minimum licensing requirements as established by the state licensing body.

### 309.4 FACILITY-SPECIFIC TRAINING

The Training Sergeant should include these staff members in training and training exercises relative to facility safety and security including, but not limited to, the following:

- Emergency medical triage in the facility
- Emergency evacuation routes and procedures
- Communication systems during facility emergencies
- Security during facility emergencies

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- Qualified health care professional response during “officer down” incidents
- Responding to critical facility emergencies
- Facility hostage policy and medical response tactics
- Medical emergency transportation procedures
- Media relations

### 309.5 TESTING

All training delivered to qualified health care professionals should include a testing component to document that the employees understand the subject material.

### 309.6 TRAINING RECORDS

The Training Sergeant, in coordination with the Responsible Physician, shall be responsible for developing and maintaining training records in accordance with established records retention schedules. The Training Sergeant shall also maintain a file of professional licensure and certifications for each member of the health care staff.

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# Volunteers

## 310.1 PURPOSE AND SCOPE

It is the policy of this office to use qualified volunteers to assist in the daily operation through their contribution of services to the inmates and the families of inmates, and to serve as a link between the facility and the community. Volunteers are intended to supplement and support, rather than supplant deputies and other personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to corrections institutions (Wis. Admin. Code DOC § 350.31(1)).

### 310.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve deputies, interns and persons providing administrative support.

## 310.2 VOLUNTEER PROGRAM MANAGEMENT

### 310.2.1 PROGRAM COORDINATOR

The program coordinator shall be appointed by the Jail Administrator. The function of the program coordinator is to provide a central coordinating point for effective program management within the Office, and to direct and assist staff and volunteer efforts to provide more productive services. The program coordinator should work with other Office staff on an ongoing basis to assist in the development and implementation of volunteer positions.

The program coordinator or the authorized designee shall be responsible for:

(a) Developing and maintaining a volunteer recruiting plan.

(b) Developing and maintaining a handbook that minimally identifies expectations and the lines of authority, responsibility and accountability for the various volunteer assignments.

(c) Recruiting, selecting and training qualified volunteers for various positions.

(d) Facilitating the implementation of new volunteer activities and assignments.

(e) Maintaining records for each volunteer.

(f) Tracking and evaluating the contribution of volunteers.

(g) Maintaining a record of volunteer schedules and work hours.

(h) Completion and dissemination as appropriate of all necessary paperwork and information.

(i) Planning periodic recognition events.

(j) Administering discipline when warranted.

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(k) Maintaining liaison with other community programs that use volunteers and assisting in community efforts to recognize and promote volunteering.

310.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with office policy on equal opportunity non-discriminatory employment. A primary qualification for participation should be an interest in, and an ability to assist the Office in serving the public.

A. Program Visitors such as GED/HSED Instructors, Bible Study Leaders, Parenting Instructors, A.A. Mentor/Instructors, Reformers Unanimous Instructors, Pastors/Priest/Rabbis, etc… will have to complete a Crawford County Jail Volunteer Application Form. They will also be asked to read, abide and sign the Crawford County Jail Volunteer Agreement. This form will be located on the S drive of the Sheriff's Office computer network.

Crawford County Jail

Volunteer Application Form

Identifying/Background Information

(Please type or use black ink and write legibly. Complete entire application. Thank you.)

Name: _____ Date of Birth: _____

(Last) (First) (Middle Initial)

Address:

_____

Home Phone: _____ Cell Phone:

_____

In case of an emergency while performing volunteer work, call:

Name:_____ Relationship:

_____

Address:

_____

Phone:

_____

Name of Volunteer Group or Business: _____

Supervisor:

_____

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Criminal Record History

(The information requested is essential to conduct the record check. You are not legally required to supply this information. However, if you choose to withhold this information, a final decision on your application cannot be made.)

Gender: __ Male __ Female Racial Identity: _____

List any other names by which you are known as or have ever been known: _____

_____

Have you ever been convicted of a law violation other than a minor traffic offense? __Yes __No

If yes, please describe:

_____

Date of Conviction:

_____

Have you ever been incarcerated in the Crawford County Jail or any other jail or prison in the United States or elsewhere? __Yes __No

If Yes, list location(s) of facility(ies) and date(s) of incarceration.

Are you now or have you been under supervision with the Department of Corrections?

__ Yes __No If so, what is/was your date of discharge? : _____

Do you have any friends or relatives currently incarcerated in the Crawford County Jail or any other prison or jail within the State of Wisconsin? ___ Yes ___ No

If Yes, Please list name(s) and relationship(s):

_____

_____

Additional Information

Please list any additional information you feel would be of value in assessing your application for a volunteer position with the Crawford County Jail: _____

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Acknowledgement And Permission To Conduct Record Check

I declare that all of the information that I have provided is true and correct to the best of my knowledge. I understand that any false or misleading information given by me will disqualify me from consideration or result in my termination if discovered at a later date.

I hereby give my permission for the Crawford County Jail to conduct a criminal record check on me and to obtain other reference information necessary for the purpose of assessing my volunteer application.

Signature of Applicant: _____ Date: _____

This Section To Be Completed By Jail Staff

Background of Applicant completed by _____ on _____, 20__ .

Applicant was _____ Approved _____ Declined Date: _____

Volunteer/Security orientation completed. Date: _____

Sheriff's Approval:

_____

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Crawford County Jail

Volunteer Agreement

1. I agree to participate in and satisfactorily complete orientation and training arranged by the Crawford County Jail before I will be allowed to participate in any volunteer activities.

2. I agree to follow the instructions given to me by the Jail staff.

3. I understand that I am subject to random pat down searches by members of the Jail staff at the time of entry into or departure from the Jail. I further understand should I refuse a search I will not be admitted into the Jail and my volunteer status may be terminated.

4. I understand that I will never leave inmates unsupervised.

5. I understand that inmates under my supervision are to remain under control at all times and that I will immediately report inappropriate or disruptive behavior to the Jail staff.

6. I will not take anything in or out of the Jail at an inmate's request, including letters, notes or any type of message verbal or written.

7. I will not give or let inmates use anything unless approved by Jail staff.

8. For my own protection, and that of my family, I will not give inmates any personal identity information, including home/business address, telephone numbers or e-mail address, etc…

9. I will not bring in items or personal property that is not pertinent to the program for which I'm volunteering. Handouts of any kind must be approved in advance by Jail staff.

10. I will not bring food or beverage items for inmates or myself.

11. If I have a medical condition which requires medication be kept on my person for emergency purposes, I will notify Jail staff before entering into Jail.

12. I will not take anything from the Jail other than the items that I came with.

13. I agree to wear clothes that are appropriate for the Jail setting. There will be no halter tops, tube tops, short shorts, short skirts, wife beater shirts and clothing of that type will not be allowed. The Jail staff has the discretion and the authority to deny entry to inappropriately dressed volunteers.

14. I understand that I will not be allowed entrance into the Jail if I have been drinking or am under the influence of a controlled substance. The Jail staff may use a Preliminary Breath Test on any volunteer suspected of drinking. A positive test or refusal will result in the immediate termination of my volunteer status.

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15. I agree to limit any type of physical contact between the inmate and myself. I understand that this for my own protection and safety and for the purpose of Jail security.

16. I understand it may be necessary to cancel volunteers programs with short or no notice in case of an emergency.

17. I will inform the Jail staff of any suspicious behavior between inmates and of any requests or solicitations made to me by an inmate(s).

The information contained in this agreement has been explained to me and I certify that I understand the contents. I agree to abide by the terms of this agreement and acknowledge that I received a copy of this agreement.

I understand that any violation of rules set for the conduct of volunteers may result in suspension and/or termination of volunteer status.

I understand that the terms and conditions of both the Volunteer Application and the Volunteer Agreement are subject to revision or change without advance notice.

I am aware of the nature of the Jail as a correctional facility and will exercise due caution in the performance of my duties. I agree to assume the risk of any injuries I may sustain in pursuit of my volunteer activities and release Crawford County Jail involving my activities as a volunteer.

Volunteer’s Signature Date

Jailer’s Signature Date

### 310.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The program coordinator or the authorized designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following (Wis. Admin. Code DOC § 350.31.(3); Wis. Admin. Code DOC § 350.32(4)):

(a) Obtaining fingerprints from applicants and conducting traffic and criminal background checks

(b) Employment

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(c) References

(d) Credit check

A truth verification exam may be required of each applicant depending on the type of assignment.

### 310.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Office shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Office, normally the program coordinator. No volunteer should begin any assignment until he/she has been officially accepted for the position. Each volunteer should complete all required enrollment paperwork and will receive a copy of his/her position description and agreement of service with the Office.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the facility.

### 310.2.5 TRAINING

The program coordinator or the authorized designee shall be responsible for developing and maintaining training curriculum and any related forms specific to volunteer assignments. The program coordinator or the authorized designee shall be responsible for ensuring that volunteers are provided with an orientation program to acquaint them with the Office, personnel, and policies and procedures that have a direct impact on their work assignment. The training/orientation will include, but not be limited to, the following topics (Wis. Admin. Code DOC § 350.31(4); Wis. Admin. Code DOC § 350.32(5)):

(a) Office policies and procedures

(b) Rules related to contraband in the facility

(c) Prohibition on carrying weapons in the facility

(d) Volunteer/offender relationship and general rules of conduct

(e) Safety and emergency information

(f) An overview and history of the Office

The program coordinator shall be responsible for creating and maintaining records of all training provided to each volunteer.

Volunteers should receive position training by their immediate supervisor to ensure they have adequate knowledge and skills to complete tasks required by the position. They should receive periodic ongoing training as deemed appropriate by their supervisor or the program coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer, that they are deputies or other employees of the Office. They shall always represent themselves as volunteers.

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All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office.

### 310.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her mental or physical condition has been impaired by alcohol, medication or other substances, or when the volunteer is experiencing illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

(a) Driver license status, if driving is part of the duties of the assignment

(b) Any medical condition that might impair the volunteer's ability to perform the duties of the position

(c) Arrests

(d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this office regarding drug and alcohol use.

### 310.2.7 DRESS CODE

As representatives of the Office, volunteers should present a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to office-approved dress in accordance with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by deputies. The uniform or identifiable parts of the uniform shall not be worn while off-duty. However, volunteers may choose to wear the uniform while in transit to or from official office assignments or functions, provided an outer garment is worn over the uniform shirt to avoid bringing attention to the volunteer while he/she is off-duty.

Volunteers shall be required to return any issued uniform or office property at the termination of service.

## 310.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Office and assigned to the jail must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned and act as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. The following are some considerations to keep in mind while supervising volunteers:

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(a) Take the time to introduce volunteers to employees on all levels.

(b) Ensure volunteers have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

### 310.4 HEALTH CARE VOLUNTEERS

The program coordinator will coordinate volunteer activities with the health care staff. Health care volunteers will be subject to all of the volunteer, recruitment, selection and training requirements of the Office. The qualified health care professionals may have additional requirements and training for health care volunteers.

The program coordinator shall ensure that health care volunteers have completed required training and possess appropriate credentials for the services being provided. Health care volunteers must sign an agreement to maintain the security and confidentiality of information as required by office policy and state and federal laws. The signed agreement shall be maintained on file with the Office.

The program coordinator shall also ensure that volunteers performing health care duties have received specific training in topics that including fire, safety, security, contraband and inmate culture.

### 310.5 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor or office policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know, as determined by office policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Office. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Office, or maintain that they represent the Office in such matters without permission from the proper office personnel.

### 310.6 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty.

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Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

#### 310.6.1 VEHICLE USE

Volunteers assigned to duties that require the use of a vehicle must first complete:

(a) A safety briefing and office-approved driver-safety course.

(b) Verification that the volunteer possesses a valid driver license.

(c) Verification that the volunteer carries current vehicle insurance.

The program coordinator should ensure that all volunteers receive safety briefing updates, and should verify their license and insurance at least once a year.

When operating any office vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all office vehicles.

#### 310.6.2 TELECOMMUNICATION SYSTEMS USAGE

Volunteers with access to law enforcement telecommunication systems shall successfully complete all mandated access training and radio procedures training prior to using any such equipment. Volunteers shall comply with all policies and procedures related to the use of such equipment. The program coordinator should ensure that appropriate training is provided for volunteers whenever necessary.

### 310.7 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Sheriff, Jail Administrator or the program coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with the Office at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

#### 310.7.1 EXIT INTERVIEWS

Exit interviews, when practicable, should be conducted with volunteers who are leaving their positions. The interview should attempt to ascertain the reason for leaving the position and solicit the volunteer’s suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Office.

### 310.8 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the program coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

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## 310.9 VOLUNTEER IDENTIFICATION

All volunteers shall be issued an identification card indicating his/her volunteer status within the Office. An identification record shall be kept for each volunteer that includes the volunteer's:

- Photograph.
- Address.
- Contact telephone number.
- Background certification.
- Training/orientation certifications.
- List of special skills or volunteer specialty.
- Languages spoken.

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# Briefing

### 311.1 PURPOSE AND SCOPE

Briefingis generally conducted at the beginning of the deputy’s assigned shift. Briefing provides an opportunity for an important exchange of information between employees and supervisors.

### 311.2 POLICY

Briefing covers a wide range of topics selected by the previous jail shift and possible additions from the jail administrator.

The seniored deputy conducting briefing is responsible for the preparation of the materials necessary for the meeting. .

### 311.3 COMPUTER-BASED TRAINING OPTIONS

The Lexipol Daily Training Bulletins (DTBs) is a web-based system that provides training on the Crawford County Sheriff's Office Custody Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Jail Administrator or designee.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Office.

Employees who are assigned to participate in the DTB program should complete each DTB by the end of thier work week. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-active computer, employees shall only take DTBs as part of their on-duty assignment as there will be no authorization for taking or viewing DTBs while off-duty.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

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# Training Plan

## 312.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally manage the inmate population.

## 312.2 POLICY

The Training Sergeant shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Training Sergeant to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Sergeant.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Training Sergeant will execute the training plan on behalf of the Sheriff.

## 312.3 TRAINING SERGEANT

A qualified individual shall be appointed by the Sheriff or the authorized designee to serve as the Training Sergeant, who shall report to the Sheriff or the authorized designee.

Full-time employees who are assigned to be trainers shall receive specialized instruction, which at a minimum shall include a 40-hour train-the-trainers course.

The Training Sergeant is responsible for developing an annual training plan. The plan should ensure that employees meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff.

## 312.4 TRAINING RECORDS

An individual training file shall be maintained by the Training Sergeant or the authorized designee for each employee. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all employees.

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The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.34).

Whenever an employee obtains training that is not provided by this office, it shall be the responsibility of the employee to provide his/her immediate supervisor or the Training Sergeant evidence of completed training or education in a timely manner.

The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Sergeant shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing.

## 312.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at minimum, provides:

- A complete description of the course, including the number of certified training hours achieved.
- A curriculum including job-related topics, and content and performance objectives.

Training should not be comprised only of the minimum number of hours required annually but also of instruction specific to tasks performed by employees in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

## 312.6 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend as scheduled, unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:

1. Court appearances
2. Authorized vacation

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3. Sick leave
4. Physical limitations preventing the employee's participation
5. Emergency situations

(b) When an employee is unable to attend mandatory training, that employee shall:

1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
2. Make arrangements through the supervisor and the Training Sergeant to attend the required training on an alternate date.

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# Support Personnel Orientation and Training

### 313.1 PURPOSE AND SCOPE

The Office has developed an orientation and training program for support and contractor personnel, whether full- or part-time, to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their position as it relates to this facility. This policy establishes minimum training guidelines for those employees and contractors.

### 313.2 TRAINING SERGEANT RESPONSIBILITIES

The Training Sergeant is responsible for coordinating training and will ensure that the training and orientation given to all support or contract personnel is properly documented and placed in the worker’s training file. At a minimum the record should contain the name of the individual, the assignment, the date the orientation and training was presented, the orientation outline indicating the subject material and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record.

### 313.3 PART-TIME PERSONNEL

Part time jailers are held to the training responsibilities to keep current state certifications.

### 313.4 TESTING

All training delivered to support personnel should include testing to document that the employee understands the subject material presented.

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# Chapter 4 - Emergency Planning

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# Facility Emergencies

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan to appropriately respond to emergencies within the facility and to ensure all affected personnel receive timely training regarding emergency response. This policy is intended to protect the community, employees, visitors, inmates and all others who enter the jail, while allowing the facility to fulfill its primary purpose.

Facility emergencies related to fire will be addressed in the Fire Safety Policy.

### 400.2 POLICY

It is the policy of this office to have emergency response plans in place to quickly and effectively respond to and minimize the severity of any emergency within the facility.

### 400.3 PROCEDURE

The facility emergency plan is intended to provide the staff with current methods, guidelines and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, inmates or the community.

The Jail Administrator should develop, publish and review emergency response plans that address the following:

(a) Civil disturbances

(b) Natural disasters

(c) Periodic testing of emergency equipment

(d) Other emergencies as needs are identified

The facility emergency response plans are intended to provide the staff with current methods, guidelines and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, inmates or the community.

The emergency response plans are intended to provide information on specific assignments and tasks for personnel. Where appropriate, the emergency response plans will include persons and emergency departments to be notified.

The emergency response plans should include procedures for continuing to house inmates in the facility; the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities; inmate transportation options; and contact information for allied agencies.

The emergency response plans shall be made available to the staff, volunteers and contractors working in the facility as needed.

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### 400.4 LOCKDOWN

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Dispatch and the Shift Commander. The Shift Commander, or in his/her absence Dispatch, may determine whether to order a partial or full lockdown of the facility and shall notify the Jail Administrator as soon as practicable.

If a lockdown is ordered, all inmates will be directed back to their housing units/cells. All inmates in transit within the facility will either be escorted back to their housing units/cells or to another secure location (holding cell). The Shift Commander should instruct any staff not directly involved in the lockdown to escort any visitors and non-essential contractors out of the facility.

A headcount shall be immediately conducted for all inmates, visitors, contractors and staff. The Shift Commander shall be immediately notified of the status of the headcount. If any person is unaccounted for the Shift Commander shall direct an immediate search of the facility and notify the Jail Administrator of the situation as soon as practicable.

Lockdown is not to be used as a form of punishment. It may only be used to ensure order.

### 400.5 HUNGER STRIKE

Upon being made aware that one or more inmates is engaging in a hunger strike, the staff will notify the Shift Commander, who will notify the Jail Administrator. The Jail Administrator should evaluate the basis for the strike and seek an appropriate resolution.

Should the Jail Administrator be unable to resolve the grievance leading to the strike, the Jail Administrator will notify the Sheriff and provide updates on the status of the hunger strike.

#### 400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Jail Administrator or the authorized designee should notify the Responsible Physician to review, coordinate and document any medical actions taken, based upon protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of inmates involved in the hunger strike and make recommendations to the Jail Administrator or the supervisory staff responsible for oversight of the incident.

If an inmate is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental illness will be followed.

#### 400.5.2 RESPONSE TO HUNGER STRIKES

Beginning at the line staff level, a resolution to grievances should be sought at the lowest level. The Inmate Grievances Policy shall guide staff on resolving inmate grievances.

If the hunger strike remains unresolved, the Jail Administrator may direct the appropriate staff to examine the inmate commissary purchases made in advance of the hunger strike, and to monitor commissary purchases made during the hunger strike. Additional staff should be directed

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to observe the cell area, including trash containers, of the inmates involved for evidence of food items purchased from the commissary and of food hoarding.

400.5.3 LEGAL GUIDANCE
If attempts to resolve the grievance are unsuccessful or not reasonably possible, the Sheriff should consider consulting with legal resources as appropriate to develop other steps to resolve the issues.

## 400.6 RESPONSE TO DISTURBANCES

The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The staff should immediately notify the Shift Commander or the Jail Administrator of the incident. The Shift Commander or Jail Administrator may direct additional staff as needed to resolve the disturbance.

400.6.1 NOTIFICATIONS
The Shift Commander should notify the Jail Administrator of the disturbance as soon as practicable. Based on the seriousness of the event, the Jail Administrator should notify the Sheriff.

400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS
The Jail Administrator or the authorized designee should notify the appropriate qualified health care professionals in order to review, coordinate and document medical actions based upon protocols and/or at the direction of the Responsible Physician.

400.6.3 REPORTING
The Shift Commander or Jail Administrator should direct that an incident report be completed containing the details of the disturbance no later than the end of the shift. If appropriate, a crime report shall be initiated and prosecution sought.

## 400.7 RIOTS

Riots occur when an unruly inmate or inmates forcibly and/or violently take control or attempt to take control of any area within the confines of the jail.

Staff should make reasonable attempts to prevent inmate-on-inmate violence but should take measures to avoid being engulfed in the problem, thereby exacerbating the situation.

400.7.1 RESPONSE TO RIOTS
Once the area of the disturbance is secured and isolated from other areas of the facility, time is generally on the side of staff. If possible, the process of quelling the disturbance should slow down in order for staff to develop response plans, to ensure there are adequate facility personnel to effectively take the required actions, and that responding staff are appropriately equipped with protective gear.

Staff should evaluate their response given the totality of circumstances in any situation, but generally should not enter the space where a riot is occurring until sufficient staff members are

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present to safely suppress the riot. Nothing in this policy shall prohibit any staff member from assisting staff members who are being assaulted.

All inmates who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured inmates shall receive a medical evaluation and treatment. If the injured inmate is medically cleared to remain in the jail, he/she will be reclassified and moved to appropriate housing.

Other housing units must be secured, with sufficient staff remaining at their posts to continue to supervise the unaffected units. When the riot has been suppressed, all involved staff must immediately return to their assigned posts.

### 400.7.2 QUALIFIED HEALTH CARE PROFESSIONAL RESPONSE

A supervisor or the authorized designee should notify the qualified health care professionals and identify a staging area for medical emergency responders and for medical triage should it appear to be necessary.

The Responsible Physician or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

### 400.7.3 NOTIFICATIONS

As soon as practicable, the Shift Commander or a responsible staff member shall notify the Jail Administrator, who in turn, shall notify the Sheriff.

### 400.7.4 REPORTING

The Jail Administrator or Shift Commander shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the responsible law enforcement agency.

### 400.7.5 DEBRIEFING

All responding staff, including medical responders, shall be debriefed on the incident as soon as practicable after the conclusion of the emergency incident. The staff shall examine the incident from the perspective of what worked, what actions were less than optimal and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facility disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator should be used to ensure that no individual or group involved in the response is publicly ridiculed.

For debriefing contact Crawford County Emergency Managment and that department will set up all debriefings.

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## 400.8 HOSTAGES

The Office does not recognize the taking of hostages as a reason to relinquish control of the jail environment.

It is the policy of the Crawford County Sheriff's Office to use all available resources necessary to bring about a successful end to a hostage situation.

### 400.8.1 RESPONSE TO HOSTAGE INCIDENT

Dispatch should immediately be notified at the earliest sign of a hostage incident. Dispatch shall notify the Shift Commander and Jail Administrator. The Jail Administrator will notify the Sheriff as soon as practicable.

The Shift Commander or Jail Administrator shall make every effort to ensure that the hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded.

### 400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

At the direction of the Shift Commander or the authorized designee, the qualified health care professionals should be notified in order to identify a location and form a logistical plan for medical triage. The location also shall serve as a medical staging area for other medical emergency responders.

### 400.8.3 HOSTAGE RESCUE

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the staff to open doors will not be met. A hostage rescue team should be immediately summoned and the established protocols for resolving the situation shall be implemented. The Jail Administrator and Sheriff should be consulted regarding decisions faced by the hostage rescue team.

The hostage rescue team shall be the current tactical operations team that represents Crawford County.

### 400.8.4 REPORTING AND DEBRIEFING

Following the conclusion of a hostage incident, the Jail Administrator should direct that an incident report be completed by the end of the shift. All aspects of the incident should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

## 400.9 ESCAPES

Upon being made aware that an escape may have occurred, or did in fact occur, the staff member should immediately notify Dispatch. Dispatch should notify the Shift Commander or Jail Administrator. As soon as practicable, the Jail Administrator should notify the Sheriff.

Once the escape is verified and immediate actions taken inside the facility (lockdown, etc.), the Shift Commander should notify all local law enforcement agencies.

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400.9.1 INMATE COUNTS
As soon as the facility is fully locked down, a full inmate/wristband count should be taken.

All inmates who are outside of the secure perimeter of the facility (e.g., court, work details) should be located and identified. Any missing inmate should have his/her identity disclosed and his/her facility record should be accessed by the Jail Administrator.

400.9.2 SEARCH
Concurrent with the lockdown, the area surrounding the facility should be searched for the escapee. Areas where an inmate may be hiding or may have discarded jail clothing should be searched first. Any witnesses should be interviewed.

Classification officers will develop a flyer with the inmate's name, description, the inmate's latest picture, classification status and charges, and supply it to the custody staff and local law enforcement. Local law enforcement should also be given the inmate's last known address and a list of his/her associates.

400.9.3 REPORTING
The Shift Commander or a designated staff member should submit an incident report to the Jail Administrator. A crime report should also be written regarding the escape. The incident report should focus on events and physical plant weaknesses that contributed to the escape. The Jail Administrator should review the reports, interview involved parties and develop action plans to minimize the risk of future occurrences.

## 400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL
Upon being notified that jail space will be needed in response to a civil disturbance involving mass arrests, the Shift Commander should notify the Jail Administrator. The Jail Administrator should make the determination regarding the magnitude of the event and whether it warrants notification of the Sheriff.

The size of the event may also require a lockdown, suspension of any programs that are not critical to jail operations, and/or implementation of alternate staffing plans. To accommodate the influx of inmates, the Shift Commander should develop a housing plan that will not adversely affect the safety and security of the facility. Program spaces, such as exercise yards, classrooms and dayrooms, may be used to temporarily house a limited number of additional inmates.

In the event that the jail can no longer accept additional inmates without compromising the safety and security of the facility, mutual aid may be requested from allied counties.

## 400.11 REVIEW OF EMERGENCY PROCEDURES
The Jail Administrator should ensure that there is a review of emergency procedures at least annually. This review should be documented with reports submitted to the Jail Administrator or the authorized designee within 10 days of the review for approval. This review should also include the signatures or initials of the facility staff responsible for the review. At a minimum, the review shall include:

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- Assignment of persons to specific tasks in emergency situations.
- Instructions in the use of the alarm systems and signals.
- Systems for the notification of appropriate persons outside of the facility.
- Information on the location and use of emergency equipment in the facility.
- Specification of evacuation routes and procedures.

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# Emergency Staffing

## 401.1 PURPOSE AND SCOPE

The facility must operate at all times as a safe and secure environment, regardless of staffing levels. Consequently, contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing appropriate emergency staffing training to supervisory and management personnel, and identifying an update schedule and distribution list for the plan, as identified by the Sheriff or the authorized designee.

## 401.2 POLICY

It is the policy of this office to be prepared to operate a safe and secure facility in the event of a staffing emergency. Staffing emergencies that could negatively affect the good order the facility may include, but are not limited to, an outbreak of infectious disease, a work stoppage or strike by the staff, a natural disaster or other disruption. The Sheriff, Jail Administrator or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists.

### 401.2.1 EMERGENCY STAFFING

In the event the Jail Administrator becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts. The Jail Administrator will notify the Sheriff. Plans should include measures to achieve minimum staffing for the facility within four hours of a staffing emergency and may include the following operational adjustments:

- The facility may go to a lockdown. Minimum activities, including visiting, exercise and other programs will be suspended only if necessary. Meals, cleaning, medical services, court transportation and attorney visits will continue. Other activities will be assessed by the Jail Administrator on a case-by-case basis.
- Supervisory and management personnel may have time-off cancelled or rescheduled for the duration of the staffing emergency.
- Staff from other areas of the office who have custody experience may be used to fill vacancies in the facility.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facility.
- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facility.
- In the event of a health-related staffing emergency, the office Exposure Control Officer and medical staff shall be notified in accordance with the Communicable Diseases Policy.

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### 401.2.2 LEGAL ASSISTANCE

In cases where the Jail Administrator becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the employees' representatives may also be necessary to prevent or conclude the job action.

### 401.2.3 TRAINING

The Jail Administrator or the authorized designee should be responsible for:

(a) Establishing a distribution list for the contingency plan.

(b) Establishing a periodic review and update of the plan.

(c) Ensuring that all supervisors and managers are periodically trained on the plan.

(d) Ensuring that all supervisors and managers are provided a copy of the plan and/or a means to access it in the event of an emergency.

(e) Documenting all training.

(f) Maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the plan.

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# Fire Safety

## 402.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the facility represents a significant risk to the safety and security of the community, the staff, inmates, volunteers, contractors and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state and/or local fire safety codes, and to establish a process of creating, disseminating and training all individuals in the facility on the emergency plans for fire safety and evacuation.

## 402.2 POLICY

It is the policy of this office that fire prevention strategies are a high priority.

The Jail Administrator shall ensure that a fire alarm and detection and suppression system, as required by law, are installed, maintained and periodically tested. Any variance, exception or equivalency issues must be approved by the fire jurisdiction authorities, and must not constitute a serious life-safety threat to the occupants of the facility (Wis. Admin. Code DOC § 350.19).

### 402.2.1 FIRE CODES

The Office shall comply with all federal, state and local fire codes (Wis. Admin. Code DOC §.350.19(1)).

### 402.2.2 FIRE PREVENTION RESPONSIBILITY

All staff, volunteers and contractors who work in the facility are responsible for the prevention of fires. They should be trained and given the tools to carry out the tasks necessary to reduce the risk of fire.

## 402.3 FIRE SUPPRESSION PRE-PLANNING

Pursuant to (Wis. Admin. Code DOC § 350.19(2), the Jail Administrator shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan shall include, but not be limited to:

(a) A fire suppression pre-plan by the local fire department, to be included as part of this policy.

(b) Fire prevention, safety inspection plans and record retention schedules developed by designated staff or as required by applicable law.

(c) Documentation of all fire prevention inspections, all orders to correct and all proofs of correction should be maintained for a minimum of two years or as otherwise required by law.

(d) An evacuation (see the Evacuation Plan Policy).

(e) A plan for the emergency housing of inmates in case of fire.

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(f) The cross-training of responders and facility staff via drills, should occur at least quarterly, if practicable.

402.3.1 SPRINKLER HEADS
Sprinkler heads accessible to inmates, who are not under direct supervision, shall be tamper and suicide proof (Wis. Admin. Code DOC § 350.19(7)).

## 402.4 FIRE PREVENTION EQUIPMENT

All required fire alarms, sprinklers and detection devices shall be in good working order at all times.

Should such a device become inoperative, the Jail Administrator or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as possible and that staff is provided with an alternative emergency fire safety and evacuation plan.

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the facility shall not be inhabited by inmates or staff.

## 402.5 FIREFIGHTING EQUIPMENT

The Jail Administrator shall ensure that the facility is equipped with the necessary firefighting equipment (e.g. fire hoses, extinguishers) in an amount and in a location as recommended by the local fire authority or other qualified entity (Wis. Admin. Code DOC § 350.19(1)). The locations of firefighting equipment will be shown on the facility fire plan (schematic).

While the staff is not trained as fully qualified firefighters, the Jail Administrator or the authorized designee will ensure that the staff is trained to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary (Wis. Admin. Code DOC § 350.19(1)).

402.5.1 SELF-CONTAINED BREATHING APPARATUS (SCBA)
The facility should maintain sufficient quantities of self-contained breathing apparatus (SCBA) for staff to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary. The Jail Administrator or the authorized designee is responsible for developing and implementing a written respiratory protection program that includes fit testing and training.

## 402.6 FIRE TRAINING

The Training Sergeant is responsible for ensuring that within the first six months of assignment to the facility all staff members receive training on the use of the SCBA sufficient to demonstrate proficiency. The staff should also be trained in the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff should receive refresher training at least annually on the use of firefighting equipment (Wis. Admin. Code DOC § 350.19(4)).

Each shift will have at least one designated staff member who is trained to maintain the facility's firefighting equipment, including the SCBA.

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## 402.7 INSPECTIONS

The Office shall be inspected by an appointed staff member, who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained. These inspections will be focused on, but not limited to, fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, SCBA use, emergency response, fire safety equipment use and the evacuation plan.

The Jail Administrator or the authorized designee shall ensure that staff conduct documented monthly fire and safety inspections of the facility (Wis. Admin. Code DOC § 350.19) and that all fire safety equipment is tested at least quarterly.

A staff member shall be assigned to coordinate with local or state fire officials for an inspection of the facility at least every 12 months (Wis. Admin. Code DOC § 350.19(5)). The result of all fire inspections and fire equipment testing shall be provided to the Jail Administrator and the Sheriff and maintained for a minimum of two years.

### 402.7.1 FURNISHINGS

All furnishings allowed in the facility shall meet fire authority standards for fire performance characteristics. Prior to the introduction of any furnishing into the facility, the staff shall receive clearance from the local fire authority as to its appropriateness.

### 402.7.2 FLAMMABLE, TOXIC AND CAUSTIC MATERIALS

The Jail Administrator, in collaboration with the local environmental health expert, will review the type of materials introduced into the facility to ensure that they are controlled and used safely. All such materials will be safely stored and only used by inmates under the direction of the staff.

## 402.8 EMERGENCY HOUSING OF INMATES

The Jail Administrator or the authorized designee shall develop a plan for the emergency housing of inmates in the event of a fire. The plan should include procedures for continuing to house inmates in the facility, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

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# Emergency Power and Communications

## 403.1 PURPOSE AND SCOPE

The Crawford County Sheriff's Office facility must continue to operate as a safe and secure environment regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding back-up power and communication systems, and the inspection, preventive maintenance and testing of the systems to ensure a seamless transition in the event of a loss of power.

## 403.2 POLICY

It is the policy of this office to ensure that power to critical systems and communications continues to operate within the facility in the event of a loss of power.

### 403.2.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Sheriff and Jail Administrator to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the facility to operate continuously for a three-day period, if necessary, without external resources.

The emergency power system should be inspected, tested and maintained as necessary. In the event that the system fails, the Jail Administrator or Shift Commander should contact the designated maintenance authority or repair company, to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source until the repair or replacement of the primary system occurs.

### 403.2.2 SAFETY AND SECURITY

Inoperable or malfunctioning safety and/or security equipment shall be immediately repaired or replaced. In the event that safety and/or security equipment become inoperable or damaged and it is not safe to operate a secure portion of the facility, that portion of the facility should be vacated and the inmates housed elsewhere. Or, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

### 403.2.3 INSPECTION AND TESTING

The Jail Administrator is responsible for scheduled testing of emergency power systems. The power system manufacturer should be contacted for the required testing intervals and load information. The emergency power system should be load-tested in accordance with the manufacturer’s recommendations or at least quarterly.

All emergency equipment and systems should be inspected by a qualified individual at least quarterly.

Power generators should be inspected and tested by a qualified individual at least weekly.

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All testing and inspections shall be documented and the results included in a report to the Jail Administrator.

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# Evacuation

### 404.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities and training requirements for the staff of the Crawford County Sheriff's Office Jail in case of fire and other emergency evacuations.

### 404.2 POLICY

The community, staff, volunteers, contractors and inmates should have a well-researched and validated evacuation plan that can be implemented in the event any portion of this facility requires evacuating due to an emergency (e.g. fire, smoke, flood and storm) (Wis. Admin. Code DOC § 350.19). All custody staff should be knowledgeable about the evacuation plan, policy and procedures.

### 404.3 EVACUATION PLAN

The Crawford County Sheriff's Office maintains an evacuation plan to be implemented in the event of a fire, natural disaster or other emergency (Wis. Admin. Code DOC § 350.19). At minimum the evacuation plan shall address the following:

- Location of facility building and floor plans
- Procedures on how inmates are to be released from locked areas
- Relocation areas to be used for housing inmates in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for staff
- Reporting requirements

The Jail Administrator should ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy at least annually by a qualified independent inspector and in coordination with the local fire authority.

A current copy of the evacuation plan shall be maintained in the Administrative office and in the command area of each annex facility.

I. Deputy duties upon discovery of a fire or a fire alarm in the jail.

A. Immediately notify all Deputies on duty, as well as Dispatch to make them aware of the situation so they can monitor and contact assistance to the jail, the Fire Department and E.M.S.

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B. Determine the severity of the fire and extinguish if possible and if necessary, don a self-contained breathing apparatus (SCBA).

Protect Yourself!!!!

C. If the fire is severe enough, notify Dispatch that an evacuation of the effected cellblocks is needed and all available staff should be summoned to that location.

D. Inmates will be escorted by staff to an unaffected cellblock or if necessary to receiving cells or Intox. cell.

E. If possible when assistance arrives one Deputy or Officer will man the command center to allow for emergency personnel into the jail and to also monitor cameras and control locks on exits.

1. Always wait until there are Two Deputies properly equipped before entering and evacuating a cell block. Your life comes first and then the life of your partner and then those who you are trying to save.

2. Caution should be used if a fire extinguishing device is used around inmates. These devices can be used as weapons.

3. Huber inmates shall be directed to courtyard or dispatch area until jail is secured.

4. Unsentenced inmates and those awaiting transport to prison will need special attention to ensure that no escape attempt can be carried out.

5. If the fire is wide spread in the jail all inmates will be taken to Library, Garage, Security Corridor Hallway once to one of these locations, inmates shall be shackled together in groups of four, if possible. Inmates will then be escorted outside the jail to a safe location (Courtyard, Parking Lot). If weather is inclement the inmates may be moved to Sheriff's Garage area or Jail Garage area until further instructions are given.

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**** If the inmates are evacuated outside the secured area of the jail then all available Deputies/Officers should be summoned to assist with the evacuation. ****

6. Due to the close proximity of the Prairie du Chien Fire and Police Departments, help should arrive by the time you evacuate the first inmates.

F. If feasible, attempt to put out the fire with fire extinguisher.

1. Deputies should familiarize themselves with the locations and how to use all fire protection equipment in the jail.

2. Make sure the extinguisher is of the right class to put out the type of fire you have.

a. Class “A” – paper, wood and similar combustibles.

b. Class “B” – petroleum, grease, oil type combustibles.

c. Class “C” – electrical fires.

d. Class “D” – flammable metal type fires.

3. Remember proper utilization of the fire extinguisher based on the “PPPS” theory.

a. While standing a comfortable distance from the fire source:

“P” – Pull the safety pin.

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"P" – Point the nozzle at the base of the fire.

"P" – Press the valve to release contents.

"S" – In a sweeping motion with the nozzle, approach the fire and when done step back to comfortable distance in case of flare up.

I. Dispatcher Duties upon Discovery of a Fire.

A. Page the Prairie du Chien Fire Department for a fire at the jail.

B. Radio all available County and City squad(s) and have them report to the jail to provide security and assistance.

C. Notify the Sheriff, Chief Deputy and Jail Administrator as soon as possible.

D. Call any available off-duty deputies to assist at the jail if necessary.

E. Monitor all jail activity via camera and radio.

II. Jail Keys.

A. There is one set of Jail keys in the Sheriff's Office closet.

B. Dispatch has a key to enter the jail through Lieutenant's office, from there you may access key from key locker #9, located on wall facing Huber in central command room (old dispatch area). These keys will open all doors within the jail.

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C. In the event that the fire has rendered the command center (old dispatch) area useless, emergency personnel may obtain keys from Sheriff’s office and enter jail through Rear entry, Security Corridor, Huber Entrance or through Laundry room in basement near Emergency Government.

III. Weapons.

A. Firearms are not allowed in the jail.

B. Secure all firearms during evacuation.

IV. Notifications.

A. Notify the Jail Inspector as soon as possible.

B. Jail Inspector: Nathan White, Office Phone: (608) 240-5050.

404.3.1 EXITS
All facility exits should be marked with signs that clearly indicate the direction of traffic.

Except for temporary reasons, such as maintenance or repairs, all exits to the facility shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff to remove any obstructions that block, either partially or completely, staff’s ability to observe or use any exit.

404.3.2 EVACUATION PLANS AND ROUTES
Plans for evacuation routes will be posted in all public areas of the facility. All custody staff will be familiar with evacuation routes for inmates.

404.3.3 EMERGENCY HOUSING OF INMATES
The Jail Administrator or the authorized designee shall develop a plan on the emergency housing of inmates in the event of a full or partial evacuation of the facility. The plan will address when inmates should be housed in place, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

**404.4 TRAINING DRILLS**
The Jail Administrator should ensure that drills of the evacuation plan are conducted at least annually, or more often if required by code, for each shift and at all facility locations (Wis. Admin. Code DOC § 350.19).

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## *Evacuation*

Drills will include staff and volunteers. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant inmates may participate. Violent and/or dangerous inmates or those known to be a flight risk will not be involved in the drills.

Drills should be designed to ensure that all staff members are proficient in their duties during each type of evacuation. Each drill should be documented as to its scope and participants. Upon completion of the drill, each staff member will be required to complete a written test to document knowledge and to show proficiency.

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# Chapter 5 - Inmate Management

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# Population Management

## 500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of inmate population accounting that promotes the safety and security of the facility on a daily operational basis. It assembles data that enables the Office to forecast staffing and facility growth needs into the future, and to plan for the associated expenditures.

## 500.2 POLICY

It is the policy of this facility that an inmate population management system should be established and maintained to account for the admission, processing and release of inmates. The Jail Administrator or the authorized designee is responsible for ensuring that detailed daily reports of the facility's inmate population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced inmates by categories of adult male, adult female, juvenile male and juvenile female. This shall be accomplished by Crawford County's Jail Record Management System (JMS).

### 500.2.1 DATA COLLECTION

For each reporting period, the report should include, but will not be limited to:

(a) Current number of beds in:

1. Compliance with local or state standards
2. General housing

(b) Average Daily Population (ADP) for:

1. Minimum security
2. Maximum security
3. High security
4. Administrative segregation

(c) Highest one-day inmate population

(d) Number and percentage of:

1. Bookings
2. Male inmates
3. Female inmates
4. Non-sentenced inmates
5. Felony inmates
6. pretrial inmates released

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(e) Number of inmates:

1. Enrolled in work release program
2. Assigned to home electronic monitoring program

(f) Number of:

1. Inmate-on-inmate assaults
2. Inmate-on-staff assaults
3. Escapes/attempted escapes
4. Inmate grievances and dispositions
5. Inmate disciplinary reports and dispositions

(g) Any other demographic information (e.g., gang activity)

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# Inmate Counts

### 501.1 PURPOSE AND SCOPE

Inmate counts are vital to the security of the facility, the safety of the staff and the welfare of the inmates. This policy establishes guidelines for the frequency of inmate counts, which ensures that all inmates and their status can be accounted for at any time.

### 501.2 POLICY

It is the policy of this office to account for all inmates within and under the control of this facility through scheduled and other counts as needed (Wis. Admin. Code DOC § 350.18(4)).

### 501.3 PROCEDURE

The Jail Administrator or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Inmate counts shall be conducted at least three times per day, with a minimum of one count per shift. Emergency counts may be conducted at the direction of the Shift Commander as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log and verified by the Shift Commander. Counts shall include all inmates in custody, including those on work assignments, furlough, education release and those who are off-site, such as the hospital or court.

Any discrepancy in the count should immediately be reported to the Jail Administrator and resolved prior to the release of the shift personnel responsible for the count. A formal count in which all inmates are personally identified by a deputy should be conducted once a day at a time established by the Jail Administrator. The result of the formal count will be used to calculate the average daily population statistics for the facility.

In the event that an escape is discovered during the inmate count, the Shift Commander will initiate action to investigate the escape by promptly notifying law enforcement agencies and the Jail Administrator, initiating a search, and complying with other procedures as needed in accordance with the Facility Emergencies Policy.

A complete report of the incident will be prepared and provided to the Jail Administrator and Sheriff as soon as practicable.

All count sheets shall be signed by the Shift Commander and forwarded to the Administrative Assistant. Count sheets shall be maintained for a period of time prescribed by statute, ordinance or policy (Wis. Admin. Code DOC § 350.18(4)).

Standing Counts are performed at 6:00 AM, 11:00 AM, and 10:30 PM.  A JMS inmate count is ran electronically every night shift.

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# Inmate Reception

## 502.1 PURPOSE AND SCOPE

The Crawford County Sheriff's Office has a legal and methodical process for the reception of arrestees into this facility. 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 office shall use the following standardized policies when receiving arrestees to be booked into this facility. This is to ensure security within the facility 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 Inmates with Disabilities Policy)

(g) Information regarding suicidal statements or actions (Wis. Admin. Code DOC § 350.17(1))

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

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, staff shall make reasonable efforts to investigate the arrestee’s claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

### 502.3.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a

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warrant, affidavit of probable cause or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

### 502.4 SEARCHES BEFORE ADMISSION

A initital search shall be performed by a jail deputy before admitting any inmate or inmate property into the jail. All arrestees and their property shall be searched for contraband by the booking deputy 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 deputy 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 deputy prior to the arrestee being accepted for booking.

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

### 502.5 ADMISSION PROCESS

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

The admission process should include an attempt to gather a comprehensive record of each arrestee, including the following (Wis. Admin. Code DOC § 350.10(1)):

- 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 deputy and transporting deputy, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information and court of jurisdiction
- Sex
- Age
- Date of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact including name, address, telephone number and relationship to the inmate

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- 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 inmate, 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 inmate’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

### 502.5.1 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. This shall be documented on a jail notification form by the arresting officer.

## 502.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION

The senior officer on duty is responsible to ensure only arrestees who qualify are placed into general population cells or housing. Those who will not be placed into general population include:

(a) Arrestees who are eligible for release following citation.

(b) Arrestees who are intoxicated or under the influence of any chemical substance.

(c) Arrestees who are arranging bail. They shall be permitted a reasonable period of time, at the discretion of the Shift Commander, to make telephone calls before being placed in general population.

### 502.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

Withdrawal from alcohol or drugs can become a life-threatening condition requiring professional medical intervention. It is the policy of this office to provide proper medical care to inmates who suffer from drug or alcohol overdose or withdrawal.

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

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors,

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hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

Durring booking a medical screenign sheet shall be completed that covers the possible signs of withdrawl of overdose.

### 502.6.2 INMATE SEPARATION

Inmates should be kept separate from the general population during the admission process. Newly admitted inmates should be separated according to the facility’s classification plan.

## 502.7 INMATE PROPERTY CONTROL

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

Excess personal clothing shall be  placed in an inmate locker, to be given back to the inmate at release or transfer.

### 502.7.1 VERIFICATION OF INMATE’S MONEY

All monies belonging to the inmate and retained by the booking deputy shall be verified in front of the inmate. When possible, the inmate should initial the dollar amount on the booking sheet. All money should be placed in the inmates jail account.e 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 or ziplock bag. 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 inmate 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 Administrator.

## 502.8 INMATE TELEPHONE CALLS

Every inmate, whether adult detained in this facility shall be entitled to at least one telephone callat the discretion of the jail staff.  d. The calls may be of a duration that reasonably allows the inmate to make necessary arrangements for matters that he/she may be unable to complete as a result of being arrested. The callis not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls. If it is determined that the

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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.

There is no obligation for the custody staff to make a telephone call on an inmate’s behalf, for example in the case of a person who is so intoxicated that he/she cannot make a call. The custody staff is 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.

Additional phone calls may be granted at the discretion of on duty jail staff.

### 502.8.1 TELEPHONE CALL PROCEDURES

The inmate will pay for all phonecalls via calling card after they complete thier initial phone call with jail staff.

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored and eavesdropped.

### 502.8.2 ONGOING TELEPHONE ACCESS

Ongoing telephone access for inmates who are housed at this facility will be made avialable in general population, unless requested by an officer to deny phone contact due to an ongoing investigation or court order.

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# Inmate Handbook and Orientation

## 503.1 PURPOSE AND SCOPE

This policy provides for the orientation of inmates booked into the Crawford County Sheriff's Office facility. The purpose of the orientation is to inform inmates of the jail routine, rules, inmate rights and services.

## 503.2 POLICY

The Jail Administrator shall provide an effective method of orienting all incoming inmates that includes an inmate handbook. The orientation should take place within 24 hours of an inmate's admission and in any event prior to the inmate being moved to general population housing, and should be an ongoing process in the housing area so that the information is available to the inmates throughout their entire time in custody.

### 503.2.1 INITIAL ORIENTATION

To assist with the inmate's transition into a custody environment, the orientation will include the following topics, supplemented by a more detailed inmate handbook that will be provided to each inmate:

(a) Facility rules and disciplinary sanctions

(b) Correspondence, visiting and telephone rules

(c) Availability of personal care items and opportunities for personal hygiene

(d) Inmate grievance procedure

(e) Co-pays, fees and charges

(f) Medical, dental and mental health services

(g) Possibilities for pretrial release

(h) Programs and activities, including application procedures

(i) Classification/housing assignments and appeal procedures

(j) Court appearance, where scheduled, if known

(k) Sexual abuse and sexual harassment information including the following (28 CFR 115.33):

1. Facility's zero-tolerance policy
2. Prevention and intervention
3. Instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques

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4. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
5. Treatment and counseling for victims of sexual abuse or sexual harassment
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring and mandatory reporting

(l) Contacting foreign consuls

(m) Requests for religious accommodations

(n) Emergency procedures (e.g., fires, evacuations)

(o) Voting, including registering to vote

In addition to English, orientation information will be provided in the most commonly used languages for the inmate population.

The Jail Administrator should consider enlisting the assistance of volunteers who are qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered.

Interpretive services will be provided to inmates who do not speak English or any of the other languages in which the orientation information is available.

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the inmate’s permanent file (28 CFR 115.33).

### 503.2.2 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED AND DEAF OR HARD-OF-HEARING INMATES

Inmates who cannot read, are visually impaired or have intellectual, psychiatric or speech disabilities or limited reading skills, shall have materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.16).

Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information.

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# Inmate Safety Checks

### 504.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting visual safety checks at least every 60 minutes for all inmates, and for creating and maintaining a log to document all safety checks.

### 504.2 POLICY

It is the policy of the Crawford County Sheriff's Office that all correctional staff shall conduct safety checks at least once every 60 minutes on all inmates, or more frequently as determined by inmate custody status and/or housing classification.

Safety checks shall be made through direct visual observation. Cameras and monitors may supplement the required visual observation safety checks but they shall not replace the need for direct visual observation. Safety checks will be clearly documented on permanent logs in accordance with the office Daily Activity Logs and Shift Reports Policy (Wis. Admin Code DOC § 350.18).

### 504.3 SAFETY CHECKS

The staff shall adhere to the following procedures when conducting safety checks (Wis. Admin. Code DOC § 350.18):

(a) Safety checks shall be conducted at least every 60 minutes and more frequently if necessary.

(b) Safety checks shall be conducted on an irregular schedule (staggered) so that inmates cannot predict when the checks will occur.

(c) Safety checks shall be done by personal observation of the deputy and shall be sufficient to determine whether the inmate is experiencing any stress or trauma.

(d) Cameras and monitors may supplement the required visual observation safety checks but they shall not replace the need for direct visual observation.

(e) Safety checks will be clearly documented on permanent logs in accordance with the office Daily Activity Logs and Shift Reports Policy.

(f) Actual times of the checks and notations should be recorded on the daily activity logs.

(g) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.

(h) Special management Inmates shall be checked more frequently as detailed in the Special Management Inmates Policy.

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# Special Management Inmates

## 505.1 PURPOSE AND SCOPE

Inmates who pose a heightened risk to themselves or others require special management, including frequent interaction and increased supervision by staff. Interaction with special management inmates is essential to maintaining a safe, secure and humane environment. This policy establishes guidelines and procedures for interacting with special management inmates in the custody of the Crawford County Sheriff's Office.

### 505.1.1 DEFINITIONS

Definitions related to this policy include:

**Administrative segregation /confinement-** The physical separation of an inmate who is prone to escape or assault staff or other inmates, or one who is mentally deficient, in need of medical isolation or infirmary status. This is a non-punitive classification process. As outlined by Wis. Admin. Code DOC § 350.25, this includes administrative confinement, which is non-punitive, segregated confinement of an inmate to his/her cell or other designated area, to ensure personal safety and security within the jail.

**Protective custody** - Also considered administrative segregation/confinement. This level of custody either is requested or required for an inmate’s protection from others.

**Special management inmate** - An inmate who falls into either of the previously mentioned classifications.

## 505.2 POLICY

This office shall provide for the secure and segregated housing of any inmate, but shall not impose more deprivation of privileges than is necessary to obtain the objective of protecting the inmate, staff or the public.

## 505.3 SPECIAL MANAGEMENT INMATES HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies inmates who pose a risk to themselves or to others. Inmates who pose such a risk must be promptly and appropriately segregated from the general inmate population until such time that they no longer pose a risk. Staff must have the ability to promptly segregate these inmates pending further review.

Individuals who may be classified as special management inmates include, but are not limited to, inmates who are:

- In protective custody or court-imposed segregation.
- Exhibiting mental health concerns.
- An escape threat.
- A serious violence threat.

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- Known to have gang affiliation.
- A known management problem.
- A suicide risk.
- Exhibiting medical issues.
- Physically impaired.

## 505.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEGREGATION

Inmates will generally be assigned to segregation through the classification process. The Shift Commander or supervisor has the authority to immediately place any inmate into segregation when it reasonably appears necessary to protect the inmate or others (see the Disciplinary Segregation Policy).

Reasons that an inmate may be placed into immediate segregation include the following:

(a) The inmate requests protection or is under court-ordered protection, or the staff has determined that the inmate requires protection.

(b) There is reason to believe the inmate poses a danger to him/herself or others (Wis. Admin. Code DOC § 350.25(1)).

(c) The inmate poses an escape risk.

(d) The inmate requires immediate mental health evaluation and medical housing is not reasonably available.

(e) The inmate is charged with a disciplinary infraction and is awaiting a disciplinary hearing. In the judgment of the staff, the inmate may become disruptive or dangerous if left in general population, or may inhibit a disciplinary investigation (Wis. Admin. Code DOC § 350.25(1).

(f) The inmate is in the process of being transferred to a higher security classification.

(g) Other circumstances where, in the judgment of the staff, the inmate may pose a threat to him/herself, others or the security or order of the facility (Wis. Admin. Code DOC § 350.25(1)).

### 505.4.1 REVIEW PROCESS

The Jail Administrator shall be notified when any inmate is placed in immediate segregation and shall be informed of the circumstances leading to the order to segregate. Within 24 hours of the inmate being placed into segregation, the Jail Administrator or the authorized designee must review the circumstances surrounding the segregation to determine which of the following actions shall be taken:

(a) The inmate is designated for administrative segregation.

(b) The inmate is designated for protective custody.

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(c) The inmate remains segregated pending a disciplinary hearing.

(d) The inmate is returned to general inmate population.

## 505.5 PROTECTIVE CUSTODY

The deputy responsible for assigning classifications to incoming inmates shall clearly document the reason an inmate should be placed into protective custody. Inmates in need of protective custody may be placed in a segregation unit when there is documentation that the protective custody is warranted and segregation is the least restrictive alternative reasonably available.

Inmates who are in protective custody shall receive all services and programs that are available to inmates in general population and that are deemed a privilege. Any deviation from allowing usually authorized items or activities shall be documented on the inmate’s file.

## 505.6 MAINTENANCE OF PRIVILEGES

Inmates who are classified for housing in administrative segregation or protective custody shall, at a minimum, be allowed access to programs and services including, but not limited to, the following:

- Inmate telephones
- Family visitation
- Educational programming appropriate to the inmate classification
- Access to commissary services
- Library and law library services
- Social services
- Faith-based guidance, counseling and religious services
- Recreation activities
- Social and professional visits

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

## 505.7 REVIEW OF STATUS

The Shift Commander, supervisor or classification officer shall review the status of all inmates who are housed in segregation units and designated for administrative segregation or protective custody. This review shall occur every seven days. The review should include information about these inmates to determine whether their status in administrative segregation and protective custody is still warranted. Each review shall be documented (Wis. Admin. Code DOC § 350.25(3)).

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If other reasonable housing options exist that will provide for the safety of the inmate, the inmate should be moved out of segregation. In reviewing an alternative housing decision, the safety of the inmate shall receive the utmost consideration.

## 505.8 SAFETY CHECKS

A staff member shall conduct a face-to-face safety check of all special management inmates, including those housed in administrative segregation or protective custody, at least every 60 minutes on an irregular schedule. Inmates who are violent, have mental health problems or who demonstrate behavior that is easily identified as out of the ordinary or bizarre in nature should be personally observed by the staff every 60 minutes on an irregular schedule.

Inmates who are at risk of suicide shall be under continuous observation and checked every 15 minutes until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional. While on Suicide watch inamtes will be given suicide blanket and smock. All clothing and bedding will be removed from the cell. Suicide watch shall be performed in either a recieving cell or intox cell. All attempts shall be made to make a recieving cell available for the suicide watch.

Special management inmates shall receive increased monitoring to include, at a minimum:

(a) Visits by members of the program staff, upon request.

All management, program staff and qualified health care professional visits shall be documented in the appropriate records and logs and retained in accordance with established records retention schedules.

## 505.9 LOG PROCEDURES

Handwritten logs should be completed in ink. Once an entry is made it should not be modified. If corrections or changes are needed they should be done by way of a supplemental entry. Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Inmate name
- Inmate booking number
- Classification status
- Housing assignment
- Date and time initially housed
- Date and time of entry and exit from the cell
- Reason for the special housing

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- Anticipated time of removal
- Medical, psychological or behavioral considerations
- Counseling for behavior
- Removal date and time from special housing

Log entries should be legible, entered promptly and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate. At minimum, supervisors should enter the date and time of each review.

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check.

### 505.9.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The senior deputy in the jail shall review and evaluate the logs and pass any significant incidents via the chain of command to a supervisor for review.

The logs will be retained by the Office in accordance with established records retention schedules, but in no case less than one year.

## 505.10 DOCUMENTATION IN THE INMATE’S FILE

The reason an inmate is placed in administrative confinement and the length of time the inmate remains in administrative confinement shall be documented in the inmate's file (Wis. Admin. Code DOC § 350.25(4)).

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# Juvenile Housing

### 506.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the safety and security of juvenile inmates who are being prosecuted as adults and housed in the Jail.

506.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile** - A person under the age of 17 (Wis.Stat. § 938.02).

### 506.2 POLICY

It is the policy of this office to prohibit the housing of juveniles, except when the juvenile has been ordered by a court to the custody of this facility.

### 506.3 JUVENILE UNIT

All attempts shall be made to house juveniles separately from adults . The office will seek to provide accommodations and services to juvenile inmates equal to those provided to adults or, when appropriate, modified to benefit a juvenile due to his/her age (28 CFR 115.14).

### 506.4 VISUAL AND AUDITORY CONTACT

Juvenile inmates should have very limited visual or auditory contact with adult inmates. Any incidental or accidental visual or auditory contact should be minimal and brief. Facility staff (trained in the supervision of inmates) shall maintain a constant, side-by-side presence with the minor or the adult to prevent sustained contact (28 CFR 115.14).

### 506.5 RELEASE PROCEDURES

Prior to releasing any juvenile inmate, the unit supervisor should contact the juvenile’s parent or guardian for custody of the juvenile upon release.

506.5.1 PROPERTY RELEASE

The juvenile’s personal clothing and property shall be given to the juvenile upon his/her release. If the juvenile consents prior to release, clothing and property may be released to his/her parent or guardian.

### 506.6 RECREATION PROGRAMS

All juvenile inmates should be allowed comparable recreation as set forth in the adult incarceration exercise schedule specified in the Inmate Exercise and Recreation Policy (28 CFR 115.14).

The Jail Administrator shall develop written procedures to provide a recreation program that shall protect the welfare of minors and other inmates and that recognizes facility security needs.

All juvenile inmates should be provided with unstructured activities daily (e.g., watching television).

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### 506.7 DISCIPLINARY PROCEDURE

The disciplinary procedures for adults in the jail should apply to the juvenile inmates as well, with the following exceptions:

(a) Juvenile inmates requiring disciplinary segregation shall only be housed in an area designed for the detention of minors.

(b) The only permitted forms of discipline are the following:

1. Loss of privileges
2. Disciplinary segregation

(c) Loss of access to visitation and recreation shall only occur after a review by the unit supervisor and shall be reviewed every five days.

(d) A status review by a supervisor shall be conducted every 24 hours for juvenile inmates housed in disciplinary segregation.

(e) Prohibited discipline includes the following:

1. Any discipline that does not fit the violation
2. Corporal punishment
3. Inmate imposed discipline
4. Placement in a safety cell
5. Deprivation of food
6. Imposition of the adult disciplinary detention diet

### 506.8 EDUCATION

Juvenile inmates should be provided with sufficient hours of educational programming per day to mitigate any disruption to their current schooling and/or to comply with any legal requirements. The Jail Administrator should consult with the appropriate education authorities to provide these opportunities.

### 506.9 SERIOUS ILLNESS OR INJURY OF A JUVENILE

In the event that a juvenile becomes seriously ill or injured or attempts suicide, the Jail Administrator or the authorized designee should notify the court of jurisdiction and the parent, guardian or person standing in loco parentis to the juvenile, as soon as practicable. The Suicide Prevention and Intervention Policy, the Reporting Inmate Deaths Policy and the Inmate Death - Clinical Care Review Policy apply to juveniles as well as adults.

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## 506.10 JUVENILES NOT APPROPRIATE FOR THIS FACILITY

A juvenile who is not eligible for admission to this facility should be transferred out of the facility. The juvenile may be held only for the length of time needed for release to a parent or guardian or transfer to an appropriate facility. The juvenile may be held under 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 facility, such as an interview room, lobby or office.

(b) The juvenile shall not be physically secured to a cuffing rail or other stationary object unless secure custody is authorized by the Shift Commander.

(c) The juvenile shall be under continuous visual supervision by a law enforcement officer, facility employee or a designated youth attendant during this brief holding period unless secure custody has been authorized. If secure custody has been authorized, there shall be unscheduled safety checks no less than every 15 minutes. 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 (42 USC § 5633).

(e) 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.

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# Management of Weapons and Control Devices

## 507.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

## 507.2 POLICY

It is the policy of the Crawford County Sheriff's Office that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use those weapons for which they have been trained in and are qualified to use (Wis. Admin. Code DOC § 350.18(9)).

## 507.3 FIREARMS

With the exception described below, armed personnel shall secure all firearms in gun lockers located at the entry points prior to entering the secure perimeter. Firearms shall not be stored inside the secure perimeter at any time.

Firearms shall only be allowed in the secure perimeter of the facility when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public.

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Administrator or authorized designee and under the direct supervision of a supervisor.

## 507.4 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

Office-approved weapons, tools and chemical agents, including, but not limited to, pepper projectiles, batons, TASER device, impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades and similar devices, may be possessed and used only by custody staff members who have received office-authorized training and are qualified to use them.

Office-approved weapons, tools and chemical agents shall only be allowed inside the secure perimeter with the approval of the Jail Administrator or the authorized designee.

## 507.5 STORAGE OF WEAPONS, CHEMICAL AGENTS AND CONTROL DEVICES

The armory shall be located in a secure and readily accessible repository outside of inmate housing and activity areas. It shall be secured at all times. Access to the armory shall be limited by the Jail Administrator or the authorized designee. Only personnel who have received office-approved training in the maintenance of the stored equipment and who have been designated by the Jail Administrator are authorized to be inside the armory.

The following equipment shall be stored and secured in the armory:

(a) All office-approved weapons.

(b) All office-approved control devices and associated supplies, with the exception of the TASER device.

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(c) All security equipment, such as helmets, face shields, stab or protective vests and handheld shields.

(d) All office-approved chemical agents.

Explosive materials will be stored in a safe approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and in compliance with 27 CFR 555.201 et seq.

### 507.5.1 WEAPONS LOCKER

There should be a secure weapons locker located outside of the secure perimeter of the jail.

### 507.5.2 REVIEW, INSPECTION AND APPROVAL

Every control device and chemical agent will be periodically inspected for serviceability and expiration dates by the Range Instructor or the instructor designated to train on the use of a particular control device or chemical agent. The Range Instructor or the designated instructor is responsible to ensure replacement of outdated or unserviceable items.

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# Inmate Classification

## 508.1 PURPOSE AND SCOPE

This policy describes the Crawford County Sheriff's Office's classification process, which is designed to identify security and health issues so that inmates may be held in such a way as to foster a safe and secure facility.

### 508.1.1 DEFINITIONS

Definitions related to this policy include:

**Civil detainee** - Any person held in custody for a reason other than for criminal matters.

## 508.2 POLICY

All arrestees and detainees entering this facility will be processed to determine whether they will be housed in the facility, cited and released, released on their own recognizance (O.R.) or bail, or released back to the community through an appropriate release mechanism, including alternatives to incarceration programs, such as electronic supervision.

It is the policy of this office to properly classify inmates according to security and health risks so that appropriate supervision, temporary holding and housing assignments may be made.

## 508.3 CLASSIFICATION PLAN

The Jail Administrator or the authorized designee should create and maintain a classification plan to guide staff in the processing of individuals brought into the facility. The plan should include an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42). The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, intake and housing forms and a process to ensure that all classification and housing records are maintained in each inmate's permanent file (Wis. Admin. Code DOC § 350.21). The plan should include an evaluation of the following criteria (Wis. Stat. § 302.36):

- Age
- Sex
- Current charges
- Behavior during arrest and intake process
- Criminal and incarceration history
- Emotional and mental condition
- Potential risk of safety to others or self
- Special management inmate status
- Special needs assessment for vulnerable inmates

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- Behavioral or physical limitations or disabilities
- Medical and mental health condition
- Level of sobriety at booking
- Suicidal ideation
- Escape history and degree of escape risk
- Prior assaultive or violent behavior
- The need to be separated from other classifications of inmates (e.g., juvenile offenders gang affiliation, confidential informant, former law enforcement, sexual orientation)
- Prior convictions for sex offenses against an adult or child
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming (see Prison Rape Elimination Act Policy for transgender and intersex definitions)
- Previous sexual victimization
- The inmate’s own perception of his/her vulnerability
- Whether the inmate is detained solely for civil immigration purposes
- Whether the inmate is a foreign national and if so from what country (see Foreign Nationals and Diplomats Policy)
- Prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known to the Office (28 CFR 115.41)
- Any other criteria as deemed appropriate by the Sheriff or the authorized designee

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

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 (28 CFR 115.41).

### 508.3.1 INMATE RESPONSE TO SCREENING

Inmates may not be compelled by threat of discipline to provide information or answers regarding (28 CFR 115.41):

(a) Whether the inmate has a mental, physical or developmental disability.

(b) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming.

(c) Whether the inmate has previously experienced sexual victimization.

(d) The inmate’s own perception of vulnerability.

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## 508.4 INITIAL CLASSIFICATION

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

Inmates should be interviewed by an intake deputy as soon as possible in the booking process. The intake deputy shall complete the initial classification form. The initial classification form should include a place for the intake deputy to make a housing recommendation. This recommendation should be based on the initial classification form, an assessment of the inmate's condition and the inmate's interview.

The initial classification form shall be placed in the inmate's file and provided to the classification deputy, who will, within the limits of available resources, determine the appropriate temporary housing location (Wis. Admin. Code DOC § 350.21(1)).

## 508.5 CLASSIFICATION UPON HOUSING

Once it has been determined that the person arrested will not be released from custody on bail or O.R., a more in-depth classification of the inmate will be conducted as soon as possible but no later than 72 hours after the inmate's arrival at the facility, after which the inmate will be moved to more permanent housing.

### 508.5.1 INTERVIEW

The comprehensive classification process begins with a review of any initial classification information obtained during the reception and booking process, as well as an interview by the classification deputy. The review of initial classification documents and the questions, answers and observations from the inmate's interview will be documented and numerically scored, representing the security level and housing assignment appropriate for each inmate.

Individualized determinations shall be made about how to ensure the safety of each inmate (28 CFR 115.42).

### 508.5.2 PROGRAM ELIGIBILITY

A classification review will be made to determine each inmate's initial eligibility for work assignments, educational and vocational programs and the work release program (Wis. Admin. Code DOC § 350.21(2)). Those who meet the initial eligibility criteria will be referred to the staff member responsible for the appropriate inmate program (see the Inmate Work Program, Inmate Education, Vocation and Rehabilitation, and Work Release Program policies).

### 508.5.3 OVERRIDE

The classification deputy has the authority to override the scores when it appears necessary to more appropriately assign housing. The override capability exists to use the classification deputy's training and expertise in those instances when the numerical scores are not reflective of the

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inmate’s potential security or health risk. All overrides will be reviewed by a supervisor and are intended to be an exception, rather than the rule (Wis. Admin. Code DOC § 350.21).

## 508.6 REVIEWS AND APPEALS

Once an inmate is classified and housed, he/she may appeal the decision of the classification deputy. The appeal process shall begin at the first-line supervisor level. The decision by the supervisor may be appealed to the Jail Administrator or the authorized designee. The decision by the Jail Administrator or the authorized designee is final (Wis. Admin. Code DOC § 350.21(1).

### 508.6.1 PERIODIC CLASSIFICATION REVIEWS

The classification deputy shall review the status of all inmates who have been incarcerated in the facility for more than 30 days. Additional reviews should occur each 30 days thereafter. The review should examine changes in the inmate’s behavior or circumstances and should either raise, lower or maintain the classification status (28 CFR 115.41; Wis. Admin. Code DOC § 350.21).

Housing and program assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats experienced by the inmate (28 CFR 115.42).

Inmate risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the inmate’s risk of sexual victimization or abusiveness (28 CFR 115.41).

### 508.6.2 STAFF REQUESTED REVIEW

At any point during an inmate’s incarceration, a staff member may request a review of the inmate’s classification. The reason for the review, the review itself and the outcome of the review shall be documented in the inmate’s permanent file. Nothing in this section shall prohibit staff from immediately moving an inmate to another location in the facility based on exigent circumstances. Under such circumstances, the staff member moving the inmate must immediately document the action and notify the classification deputy.

### 508.6.3 REVIEW AFTER DISCIPLINE

An inmate’s classification status may be reviewed after discipline is imposed (Wis. Admin. Code DOC § 350.24(4)).

## 508.7 HOUSING ASSIGNMENTS

Inmates should be housed based upon the following criteria:

- Classification level
- Age
- Sex
- Legal status (e.g., pretrial or sentenced)
- Need for protection or separation
- Criminal sophistication

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- Any other criteria identified by the Jail Administrator

508.7.1 SEPARATION
Male and female inmates shall be housed to ensure visual and physical separation.

## 508.8 CLASSIFICATION SPACE ALLOCATION

The classification plan depends on the ability of the facility to physically separate different classes of inmates. To ensure that allocated space meets the current population needs, the Jail Administrator or the authorized designee should periodically meet with representatives of the classification deputies to discuss the fixed resources (e.g., cells, dorms, dayrooms).

## 508.9 SINGLE-OCCUPANCY CELLS

Single-occupancy cells may be used to house the following categories of inmates:

- Maximum security
- Administrative segregation
- Medical condition or disabilities (upon consultation with medical staff and the availability of medical beds)
- Mental condition (upon consultation with mental health staff and the availability of mental health beds)
- Sexual predators
- Any inmate with an elevated risk of being taken advantage, mistreated or becoming a victim of sexual abuse or harassment
- Any other condition of status for single-occupancy housing

The classification supervisor shall notify the Jail Administrator or the authorized designee when single-occupancy cells are not available for housing the above described inmates. In such cases, a risk assessment shall be used to identify inmates in the above categories who may be safely housed together.

## 508.10 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS

Housing, bed, work and program assignments should be made to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Inmates identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other inmates and staff. All inmates identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

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Housing and program assignments of a transgender or intersex inmate shall include individualized consideration for the inmate's health and safety and any related supervisory, management or facility security concerns. A transgender or intersex inmate's views with respect to his/her own safety shall be given serious consideration.

Lesbian, gay, bisexual, transgender or intersex inmates shall not be placed in dedicated facilities, units or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement or legal judgment (28 CFR 115.42).

### 508.11 EDUCATION, WORK AND OTHER RELEASE

Unless an inmate is incarcerated for an offense for which release is prohibited by law or otherwise prohibited by court order, an inmate incarcerated in the jail may be released for a period reasonable and necessary for the following reasons:

- To seek or maintain employment
- To attend education classes
- To obtain medical treatment
- Any other reasonable purpose as determined by the Jail Administrator or the authorized designee

Education and work-release inmates who leave the secure perimeter of the jail to complete programs should be housed separately from inmates in general population.

There should be no contact between the inmates in general population and those being authorized for education, work or other release. This is to minimize the risk of introducing contraband into the jail and to maintain facility security.

### 508.12 STAFF TRAINING IN CLASSIFICATION

Classification deputies should receive training specific to inmate classification before being assigned primary classification duties. Individuals not specifically trained in inmate classification may work in classification provided that they are under the immediate supervision of a trained and qualified staff member (Wis. Admin. Code DOC § 350.21(1)).

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# Conducted Energy Device

## 509.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the TASER® device.

## 509.2 POLICY

The TASER device is intended to control a violent or potentially violent inmate, while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device should result in fewer serious injuries to custody staff and inmates.

Staff members who have completed office-approved training may be issued a TASER device for use during the current assignment. Staff members who have been issued a TASER device shall only use the device consistent with this policy and the Use of Force Policy.

Staff shall only use the TASER device and cartridges that have been issued by the Office. The device may be carried as part of a uniformed deputy’s equipment.

(a) The TASER device shall be maintained in a secure storage location (see the Management of Weapons and Control Devices Policy).

(b) Each TASER device shall be clearly and uniquely numbered.

(c) Upon finishing the shift, each deputy shall turn in the device to the approved secure storage area.

(d) Deputies shall not pass on the devices to oncoming shift members without signing in and signing out the device on the TASER device inventory log.

(e) Deputies shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times. Deputies carrying a TASER device should perform a spark test on the unit prior to every shift.

(f) Deputies should not hold both a firearm and the TASER device at the same time.

(g) The TASER device should be marked with a distinctive color or marking to distinguish it from firearms or any other device.

## 509.3 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the inmate with a reasonable opportunity to voluntarily comply.

(b) Provide other deputies and inmates with a warning that a TASER device may be deployed.

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If, after a verbal warning, an inmate is unwilling to voluntarily comply with a deputy's lawful orders and it appears both reasonable and feasible under the circumstances, the deputy may, but is not required to, display the electrical arc (provided that a cartridge loaded into the device) or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or the reasons it was not given shall be documented by the deputy deploying the device in the related report.

## 509.4 USE OF THE TASER DEVICE

As with any correctional equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device.

Although the TASER device is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options.

### 509.4.1 APPLICATION OF THE TASER DEVICE

Authorized personnel may use the TASER device when circumstances perceived by the deputy at the time indicate that such application is reasonably necessary to control an inmate in any of the following circumstances:

(a) The inmate is violent or physically resisting.

(b) The inmate has demonstrated an intention to be violent or to physically resist and reasonably appears to have the potential to harm deputies, him/herself or others.

### 509.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Inmates who are known to be pregnant.

(b) Elderly inmates.

(c) Inmates with obviously low body mass.

(d) Inmates who are handcuffed or otherwise restrained.

(e) Inmates who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(f) Inmates whose position or activity may result in collateral injury (e.g., falls from height).

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Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between the deputies and the subject, thereby giving deputies time and distance to consider force options or actions.

The TASER device shall not be used to torture, psychologically torment, elicit statements or to punish any inmate.

### 509.4.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid intentionally targeting the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the TASER device probes to a precise target area, deputies should monitor the condition of the inmate if one or more probes strikes the head, neck, chest or groin until the inmate is released to the care of qualified medical personnel.

### 509.4.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Deputies should apply a TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the deputy reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an inmate and if circumstances allow, the deputy should consider certain factors before additional applications of the device, including:

(a) Whether the probes are making proper contact.

(b) Whether the inmate has the ability and has been given a reasonable opportunity to comply.

(c) Whether verbal commands, other options or tactics may be more effective.

Deputies should generally not intentionally apply more than one TASER device at a time against a single subject.

### 509.4.5 DOCUMENTATION

All TASER device discharges shall be documented in the related incident report and on the TASER device report form. Notification shall be made to a supervisor in compliance with the office Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing of a TASER device will also be documented on the TASER device report form. Any report documenting the discharge of a TASER device cartridge will include the cartridge serial number and an explanation of the circumstances surrounding the discharge.

The onboard TASER device memory will be downloaded through the data port by a supervisor or Range Instructor and saved with the related incident report. Photographs of probe sites should be

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taken, confetti tags should be collected and the expended cartridge along with both probes and wire should be submitted into evidence for future reference by the deputy collecting the cartridge. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked “biohazard” if the probes penetrated the inmate’s skin.

(a) Identification of all personnel firing TASER devices.

(b) Identification of all witnesses.

(c) Medical care provided to the inmate.

(d) Observations of the inmate’s physical and physiological actions.

(e) Any known or suspected drug use, intoxication or other medical problems.

The office should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

### 509.4.6 TASER® CAM™

The TASER is equipped with TASER® Cam™, which is an audio-video recording device integrated into the power supply. The TASER Cam is activated anytime the safety is in the off position. The safety should not be in the off position unless the deputy intends to use the device and the guidelines established in this policy are met. Anytime the TASER Cam is activated, the video and audio data should be downloaded in accordance with office evidence procedures and referenced in any related report. All video and audio not booked as evidence will be retained for the period required by established records retention schedules.

## 509.5 MEDICAL TREATMENT

Deputy should remove probes themselves contingent on thier training.Only qualified medical personnel should remove TASER device probes from an inmate’s body if in a sensitive area. Used TASER device probes shall be considered a sharps biohazard, similar to a used hypodermic needle, and handled properly. Universal precautions should be taken accordingly.

All inmates who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to continued processing or housing. Any inmate who falls under any of the following categories should, as soon as practicable, be examined by qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

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(e) The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared.

Any inmate exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be promptly examined by qualified medical personnel or medically evaluated.

If any individual refuses medical attention, such a refusal should be witnessed by another deputy and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

## 509.6 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial office-approved training. Any personnel who have not carried a TASER device as a part of their assignment for a period of six months or more shall be recertified by the office-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of a deputy’s knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant.

Command staff and supervisors should receive TASER device training as appropriate for the investigations they conduct and review.

Deputies who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with deputies who use the device.

The Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

All training and proficiency for TASER devices will be documented in the deputy’s training file.

The Training Sergeant should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

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(c) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

(d) Handcuffing a subject during the application of a TASER device and transitioning to other force options.

(e) Restraint techniques that do not impair respiration following the application of a TASER device.

(f) De-escalation techniques.

509.6.1 TESTING

All training delivered to the staff should include testing to document that the employee understands the subject matter presented.

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# Control of Inmate Movement

### 510.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of inmates between areas within the facility and transportation from the facility to court, medical appointments or other jurisdictions.

### 510.2 POLICY

The staff should be vigilant in the control and movement of inmates between areas within the facility and when transporting inmates outside the secure confines of the facility. Control may be by direct or indirect visual observation. All staff should consider all inmate movement as a high-risk activity. The staff should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

### 510.3 MOVEMENT OF INMATES

Movement of one or more inmates in the facility should be done in an orderly manner with inmates walking in a single-file line. Staff members should have situational awareness during the movement of inmates and should consider the design of the facility, areas of poor visibility and the presence of other inmates being moved. The staff should avoid areas where inmates may have access to contraband items.

At the discretion of on duty jailers, Inmates should be restrained during movement based upon individual security classification, with higher risk inmates in handcuffs, waist chains and leg irons. An exception to this procedure is when an inmate has a physical disability where restraint devices may cause serious injury. Pregnant inmates shall be moved in accordance with the Use of Restraints Policy.

The staff should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

For inmates transported outside of the facility see policy 517.3 Procedures.

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# Use of Force

## 511.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Conducted Energy Device, Use of Restraints, and Electronic Restraints policies (Wis. Admin. Code § DOC 350.22).

### 511.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Any application of force that is reasonably anticipated and intended to create a substantial likelihood of death or great bodily harm.

**Subject behavior that justifies an officer's use of force is:** Behavior which has caused or imminently threatens to cause great bodily harm to you or another person or persons.

**Excessive force** - The use of more force than is objectively reasonable under the circumstances to accomplish a lawful purpose.

**Use of force** - Any application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when the inmate allows him/herself to be searched, escorted, handcuffed or restrained.

**Use of force team technique** - The use of force team technique ordinarily involves trained staff clothed in protective gear, who enter the inmate's area in tandem, each with a specific task, to achieve immediate control of the inmate.

**Choke Hold**- A physical maneuver that restricts an individuals ability to breathe for the purpose of incapacitation.

## 511.2 POLICY

It is the policy of this office to accomplish the department functions with minimal reliance on the use of force and generally as the last alternative (Wis. Admin. Code DOC § 350.22).

A. Recognizing our legal and moral responsibility to use force wisely and judiciously. It is the policy of this department that force shall never be resorted to until officers reasonably believe it is necessary in the performance of legal duties.

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B. This policy is for departmental use only and does not apply to any criminal or civil proceedings. The department policy shall not be construed as a creation of higher legal standard of safety or care in any evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions. Violations of the law will form the basis for civil and criminal sanctions in recognized judicial setting.

## 511.3 USE OF FORCE

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate government purpose as to gain control of the individual; protect and ensure the safety of inmates, members, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and member orders; and ensure the institution’s security and good order.

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate government purpose.

While the ultimate objective of every encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

Force shall never be used as punishment (Wis. Stat. § 302.08).

### 511.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) Immediacy and severity of the threat to deputies or others.

(b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.

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(c) Deputy/individual factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. individuals).

(d) The effects of suspected drug or alcohol use.

(e) The individual’s mental state or capacity.

(f) The individual's ability to understand and comply with deputy commands.

(g) The proximity of weapons or dangerous improvised devices.

(h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.

(i) The availability of other reasonable and feasible options and their possible effectiveness.

(j) The seriousness of the suspected offense or reason for contact with the individual.

(k) The training and experience of the deputy.

(l) The potential for injury to deputies, inmates, and others.

(m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.

(n) The risk and reasonably foreseeable consequences of escape.

(o) The apparent need for immediate control of the individual or a prompt resolution of the situation to maintain or restore order.

(p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.

(q) Prior contacts with the individual or awareness of any propensity for violence.

(r) Any other exigent circumstances.

### 511.3.2 DUTY TO INTERCEDE AND REPORT

Any deputy present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any deputy who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

### 511.3.3 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, deputies should use nonviolent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

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### 511.3.4 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

### 511.3.5 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have successfully completed office-approved training. Deputies utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the individual can comply with the direction or orders of the deputy.

(c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.

### 511.3.6 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following (Wis. Stat. § 66.0511):

(a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.

(b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.

(c) The deputy shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.

(d) Any deputy attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

(e) The use or attempted use of the carotid control hold shall be thoroughly documented by the deputy in any related reports.

### 511.3.7 CHOKE HOLDS

The use of a choke hold, which is the intentional and prolonged application of force to the throat or windpipe, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold (Wis. Stat. § 66.0511).

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## 511.4 USE OF OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

I. AUTHORIZED USE OF FORCE

A. The use of non-deadly force is only authorized when an officer reasonably believes it is needed to control a person under any of the following circumstances:

1. Detaining a person reasonably suspected of criminal involvement

2. Affecting an arrest

3. Overcoming resistance

4. Preventing escape

5. Protecting one's self or another

6. Maintaining order

II. CEASING FORCE

A. Force shall never be used when a person has ceased to resist or attempt escape. (Except mere physical restraints.)

III. DEGREES OF NON-DEADLY FORCE

A. Officers shall only use the degree of force that is reasonable to control the situation. In determining the degree of force that is reasonable, an officer shall consider the following factors:

1. The existence of alternative methods of control

2. Physical size, strength and weaponry of the person as compared to the officers size

3. The nature of the encounter

4. Actions of the person

5. Exigent conditions (i.e. availability of number of persons involved, etc.)

IV. VERBAL COMMANDS

A. Control of a person through verbal commands shall always be the alternative to the use of physical force and/or non-deadly weaponry. It is recognized that this method is not always effective or appropriate in gaining compliance and it then becomes reasonable to escalate the degree of force. When it is determined that verbal commands are neither effective nor appropriate, an officer may escalate the degree of force based on the actions of the person they are attempting to control.

V. ESCALATING/DE-ESCALATING DEGREES OF FORCE

A. The concept of escalating or de-escalating degrees of force is based on an officer's reaction to specific action of the person the officer is attempting to control. See Force Option Continuum, Page 8.

B. Officers are not required to begin a confrontation at the verbal command level and escalate step by step until control is gained if the officer reasonably believes his/her reaction would be

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ineffective/inappropriate based on the actions of the person they are attempting to control. Once a person is under control, officers are required to revert to the lowest degree of force necessary to maintain that control.

I. USE OF HANDCUFFS

A. An officer shall place handcuffs on any individual who is in custody or for whom a warrant or commitment has been issued. It shall be mandatory that all persons who have aggressively resisted or attacked another person be placed in handcuffs. Equipment bearing the trade name flex-cuffs or similar type of product may be used, in case of multiple arrests.

II. RESTRAINTS

A. Combative subjects are subjects being transported by squad car for other than conveyance purposes and should be handcuffed.

B. When restraining a subject, especially in the prone position, officers must continually monitor the subject’s respiratory system for signs of distress.

C. Concern involves “Positional Asphyxia” this can occur when the position of the body interferes with the subject’s ability to breath, due to pressure on the diaphragm. Subjects at risk include, but are not limited to:

1. Obesity-beer belly

2. Psychosis-Paranoia, schizophrenia

3. Drug and Alcohol induced psychotic behavior

4. Pre-existing physical conditions-heart disease, asthma, emphysema, bronchitis, epilepsy, etc.

D. Vigilance and monitoring of the subject during and after restraining him/her is stressed. Any problems observed, summon or render medical assistance.

E. **Respiratory Restraints**

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized. A chokehold is only permitted as a last resort, after all other options have been attempted and/or considered and those options would have been impractical or ineffective.

### 511.4.1 ELECTRONIC CONTROL DEVICES

The use of TASER® devices shall be in accordance with the office Conducted Energy Device Policy.

Other electronic control devices, such as stun cuffs and stun belts, shall only be used when it appears reasonably necessary to control an inmate who poses a serious threat to safety or security, and only with the approval of a supervisor. These devices shall not be used to punish or torment. Only office-trained personnel authorized by the Jail Administrator shall deploy and use these devices.

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Prior judicial approval should be obtained for any use of stun belts in court holding facilities if the device will be worn in the courtroom or will be visible to a jury.

### 511.4.2 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Administrator or the authorized designee. Oleoresin capsicum (OC) spray should not be used in the medical unit or other designated areas where inmates are assigned to respiratory isolation or on any inmate who is under control with or without restraints.

Office-approved OC spray or foam may be possessed and used only by staff members who have received office-authorized training in its use.

Inmates who have been affected by the use of chemical agents shall be promptly provided with the proper solution to decontaminate the affected areas. Those inmates who complain of severe effects shall be examined by a qualified health care professional.

If the inmate refuses to decontaminate, such a refusal shall be documented. If an inmate has been exposed in a cell and not removed from the cell where the exposure occurred, in-cell decontamination shall be afforded to the inmate, including:

(a) Health-trained custody staff advising the inmate how to decontaminate in the cell.

(b) Clean clothing if the inmate’s clothing was contaminated.

(c) Monitoring of the in-cell inmate at least every 15 minutes, for a period of not less than 45 minutes, by health-trained custody staff.

## I. OLEORESIN CAPSICUM (O.C.) AEROSOL WEAPONS SYSTEMS

### A. PURPOSE

1. The O.C. Aerosol Weapons System in an addition to the Defensive Tactics Systems already approved for use by deputies of the Crawford County Sheriff’s Department. Its purpose is to aid and not replace systems or techniques currently in use.

2. Deputies certified in the use of O.C. Aerosol Weapons System are authorized to use this weapons system in a manner consistent with defensive tactics training.

### B. TRAINING

1. Defensive tactics training regarding the use of O.C. Aerosol Weapons Systems will include but it is not necessarily limited to:

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1. The theory of O.C. Aerosol Weapons Systems, application principles, body mechanics, psychomotor skills, justification for use, O.C. spray simulations, department policy, follow-up and documentation.

C. PRACTICAL APPLICATION OF O.C. AEROSAL

1. Situations that warrant the use of O.C. include:

1. The defensive against the threat of an actual attempted battery against him/her self or in defense of a third party.

2. To effect an arrest whenever an officer has probable cause to believe that a suspect is about to resist arrest (whenever there is active resistance or the threat of resistance).

3. In very limited circumstances, to disarm an assailant consistent with the officer’s training.

4. In circumstances not yet anticipated or trained for, provided the officer is acting in good faith, within the scope of his/her lawful authority and his/her actions are consistent with state statutes governing the use of force, given the totality of the circumstances.

2. After Care:

1. The responsibility of the officer after the use of O.C. will include (as soon as practical):

2. After spraying the subjects(s), the officer should allow the O.C. agent to drop (5 to 10 seconds) and verbalize proper commands. Approach the aggressor as you would any dangerous person and use proper restraint and control methods.

3. Subjects who are sprayed with O.C. should be monitored and verbally reassured that they are safe and that they will be all right.

4. Subjects who are sprayed should be removed to fresh air and faced into the wind when possible. They may be allowed to use cool water to rinse the O.C. from their face. Encourage

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them to open their eyes and flush with cool water. Ice may be applied if burning persists. If any subject(s) sprayed with O.C. is wearing contact lenses should be allow to remove them. Using soap and water will remove resins from the skin, which will assist in the recovery process. The subject(s), if wet with O.C., should dry before the subject(s) can get into a vehicle. If the subject(s) is still wet with O.C. Product the transporting officer(s) could become contaminated.

5. Do not allow subject(s) to apply any lotions, salves, and ointment to the face as this can trap the O.C.

6. Get medical attention if the subject(s) request it or if the symptoms persist beyond 45 minutes.

7. Continue to monitor and provide custodial care to the affected person(s).

3. Documentation:

1. The use of O.C. by a deputy of the Crawford County Sheriff's Department will be documented by the deputy in his/her incident report.

511.4.3 IMPACT WEAPONS

The need to immediately incapacitate the inmate must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted with an impact weapon, except when the deputy reasonably believes the inmate may cause serious bodily injury or death to the deputy or others.

## 511.5 IMMEDIATE AND CALCULATED USE OF FORCE

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by a deputy may be necessary to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates. The destruction of government property may require the immediate use of force by a deputy in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

If there is no need for immediate action, deputies should attempt to resolve the situation through voluntary compliance or, if it reasonably appears necessary, the calculated use of force. A calculated use of force is called for when an inmate's presence or conduct poses a threat to safety or security and the inmate is located in an area that can be controlled or isolated, or when time and circumstances permit advance planning, staffing, and organization.

The assistance of available non-custodial members (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

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A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Jail Administrator or the authorized designee for approval and consultation prior to any calculated use of force action.

### 511.6 REPORTING THE USE OF FORCE

Every staff use of force is an incident that shall be reported on the appropriate report form. Any staff member who uses force and any staff directly observing the incident shall make a verbal report to a supervisor as soon as practicable and shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor (Wis. Admin. Code DOC § 350.22(2)).

The documentation will reflect the actions and responses of each staff member participating in the incident, as witnessed by the reporting staff member.

The report should include:

(a) A clear, detailed description of the incident, including any application of weapons or restraints.

(b) The identity of all involved in the incident (e.g., inmates, staff and others).

(c) The specific reasons for the application of force.

(d) The threat as perceived by the staff involved.

(e) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.

(f) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

It shall be the responsibility of any officer who uses physical force or any of the following enumerated weapons, items or devices indicated below to complete an original incident or supplemental report on the incident involved and to specifically note the circumstances necessitating and manner of such use:

1. Firearms (i.e. striking with, pointing of any firearm or removal of a firearm from the holster position when in the presence of any citizen).

2. Police baton (i.e. the striking, blocking or pushing of any person).

3. Restraining devices (i.e. the application or use of any chemical known as tear gas, CN, CS, OC or like substances).

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4. Restraining devices (i.e. the application of handcuffs or other restraining devices).

5. Physical force (i.e. striking, punching, pushing or restraining any person).

The supervisor responsible for gathering the reports may allow a reasonable delay in preparation of a report in consideration of immediate psychological and/or physical condition of the involved deputy.

Crawford County Sheriff's

Department Jail

Use Of Force Report

_____The primary Deputy using the force will complete Part 1 and 2 (if applicable). The Jail Administrator will complete Part 3. All Deputies/Officers involved will complete an Incident Report to be attached to this report.

**********

Deputy/Officer Name: _____

Date of Report: _____ Time: _____

Date of Incident: _____ Time: _____

Part # 1 (To be completed by Deputy/Officer using the force).

Inmates Name:_____ D.O.B.: _____

Sex: ____ Height: _____ Weight: _____

Charges (if applicable) 1. _____ 2. _____ 3. _____

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Alcohol? ___ Y ___ N ___ Unknown  Drugs? ___ Y ___ N ___ Unknown

Circle one: Housed Inmate, At Booking, Visitation, Garage, Library, Hallway

Number of resistive subjects that were encountered? _____

Names & D.O.B. of Inmates Involved:

_____

_____

_____

Specific Location Incident Happened:

__ Booking __ Receiving Cell (East or West) __ Intox. Cell

__ Garage __ Hallway __ Visitation Cell

__ Cell (Huber, Min, MaxR, MaxL, NE, BP, NC, NW,SW __ Other:_____

Number of Deputies/Officers Involved:

_____

Names of Deputies/Officer and Witnesses:

_____

_____

Was the subject injured prior to resisting? __ Y __ N __ Unknown (If YES, describe injuries:)

_____

Type of force applied: __ Empty Hand __ O.C. Spray __ E.C.D (fill Part 2)

__ Other (i.e. Chemical(s), etc…) _____

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*Use of Force*

How was force applied:

Describe injuries to subject if any as result of resisting:

Was inmate afforded the opportunity to be treated for injuries? __ Y __ N

If no, Explain:

If subject refused treatment, list names of witnesses to refusal:

Location and type of medical treatment rendered:

(Obtain a medical release form from Hospital if inmate was treated there and include that with this form).

Did you or other Deputies/Officer(s) seek medical treatment for injuries? __ Y __ N

If no, Why:

(Attach supporting medical documentation)

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*Use of Force*

Were you injured? __ Y __ N If Yes, describe your injuries:

_____

_____

Other Deputies/Officers Injured? __ Y __ N Describe:

_____

_____

Any pictures taken: __ Y __ N

Equipment/Property damaged of malfunctioned? __ Y __ N

Describe:_____

Informed other agencies involved to forward report to Jail Administrator: __ Y __ N

Officers Signature: _____ Date: _____

Part # 2 (E.C.D. Used)

Was E.C.D. spark tested? __ Y __ N Was it documented on E.C.D. log? __ Y __ N

Was E.C.D. displayed? __ Y __ N Was E.C.D. deployed? __ Y __ N

How many cycles were applied? _____

On diagram below indicate where probes attached with an X, also indicate if it was the 1st or 2nd hit.

After completion of Part 1 / 2, forward this form to the Jail Administrator for completion of Part 3.

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Part # 3 (To be completed by Jail Administrator)

Name:_____

Were you at the scene? __ Y __ N Did you witness the incident? __ Y __ N

Did you speak with the Inmate? __ Y __ N

List all witnesses:

_____

_____

Signature: _____ Date: _____ Time: _____

Part # 4 (Administrative Review)

Based on the information available, does it appear the Deputy/Officer(s) were?

Within Department Policy: __ Y __ N

Within Training Guidelines: __ Y __ N

Were circumstances of use of force documented by Deputy/Officer in narrative? __ Y __ N

Did you review DVR of the incident? __ Y __ N Was a copy made? __ Y __ N

Was report obtained from other agencies? __ Y __ N

Incident Report reviewed? __ Y __ N

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DISPOSITION: ____ = Reviewed/ No Issues

____ = Additional Training Recommended

____ = Discipline Recommended

____ = Policy Revision Recommended

Comments:

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Jail Administrator: _____ Date: _____

Chief Deputy : _____ Date: _____

Sheriff: _____ Date: _____

The above information shall be on the use of force report form. The form is located on the "S" drive of the Crawford County Sheriff's Office netowrk. Hard copies will also be provided on site.

1. ARRIVE on the scene

Become aware of the emergency.

2. ASSESS the situation

Determine type of emergency.

3. ALARM is given

Notify dispatcher / get back up responding, if needed.

4. EVALUATE the situation

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Determine if this is a set-up.

5. Enter the emergency site

Do so when you have sufficient backup and it is appropriate to enter.

6. Stabilize subject and scene

Restrain subject(s), if appropriate.

7. INITIAL MEDICAL ASSESSMENT

Remember that you need to stabilize the subject(s) before proceeding to this step.

a. Determine level of consciousness (yes/semi-conscious/no);

b. Check ABC's (check airway, breathing, circulation);

c. Performa body check for severe bleeding, gross deformities, etc.;

d. Provide treatment to your level of training; activate emergency medical system (EMS) if appropriate;

e. Continue to monitor the subject (stay close, watch closely).

8. LONG-TERM MONITORING

Determine if the subject has "special" needs which require additional care/supervision

9. COMMUNICATION

Determine: What do you have? What type of assistance is needed? Who is responding? Who is bringing in the emergency equipment? When do you have enough assistance on the scene? When the emergency is over? Etc.

10. DOCUMENTATION / DEBRIEFING

Prepare detailed report(s) on what led up to the situation, what occurred during the emergency, and how staff followed up after the emergency, as well as the findings of any investigation which follows the emergency. Remember: if staff members do not discuss and evaluate their responses, they will keep making the same mistakes.

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1) APPROACH CONSIDERATIONS

A. Decision-making

Justification

Desirability

B. Tactical Deployment

Control of distance

Positioning

Team tactics

C. Tactical Evaluation

Threat assessment opportunities

Officer/subject factors

Special circumstances

Level/stage/degree of stabilization

2) INTERVENTION OPTIONS

MODE

TACTIC

PURPOSE

A. Presence

Professional Presence

To present a visible display of authority

B. Dialog

Tactical Communication

To verbally persuade

C. Empty Hand Control

Escort Holds

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To safely initiate physical contact

Compliance Holds

To overcome passive resistance

Oleoresin Capsicum

(O.C.) Aerosol Spray

To overcome active resistance or its threat

Passive Countermeasures

To decentralize

Active Countermeasures

To create dysfunction

Incapacitating Techniques

To cause the immediate, temporary cessation of violent behavior

D. Intermediate Weapon

Intermediate Weapons

To impede a subject

E. Deadly Force

Firearm

To stop the threat

3) FOLLOW-THRU CONSIDERATIONS

A. Stabilize

Application of restraints, if necessary

B. Monitor/Debrief

C. Search

If appropriate

D. Escort

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If necessary

E. Transport

If necessary

F. Turn-over/Release

Removal of restraints, if necessary

511.6.1 REPORTING TO WISCONSIN DEPARTMENT OF JUSTICE

Statistical data regarding all qualifying use of force incidents is to be reported to the Wisconsin Department of Justice as required by Wis. Stat. § 165.845. For the purposes of this section, a qualifying use of force incident means any incident (Wis. Stat. § 165.845):

(a) Involving the discharge of a firearm by a deputy at or in the direction of a civilian.

(b) Involving the discharge of a firearm by a civilian at or in the direction of a deputy.

(c) Involving any action taken by a deputy in response to an act of resistance that results in great bodily harm or death (Wis. Stat. § 939.22).

(d) Involving an act of resistance taken by a civilian against a deputy that results in great bodily harm or death.

## 511.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to:

(a) Ensure a crime scene is established to preserve and protect evidence, if appropriate.

(b) Ensure that the chain of command is notified and that all necessary health and safety and security measures are initiated.

(c) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(d) Ensure that the appropriate investigation authority is notified, if appropriate.

(e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.

(f) When possible, separately obtain a recorded interview with all individuals upon whom force was used. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.

2. The fact that a recorded interview was conducted should be documented in a property or other report.

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3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(g) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.

1. These photographs should be retained until all potential for civil litigation has expired.

(h) Identify any witnesses not already included in related reports.

(i) Review and approve all related reports.

(j) Determine if there is any indication that the individual may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

## 511.8 USE OF DEADLY FORCE

When reasonable, the [officer_deputy] shall prior to the use of deadly force, warn that deadly force may be used, unless the [officer_deputy] has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

(a) A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.

(b) A deputy may use deadly force to stop an escaping inmate, or to stop a fleeing individual, when the deputy has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the individual is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a deputy reasonably believes the individual has a weapon or is attempting to access one and it is reasonable to believe the individual intends to use it against the deputy or

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another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon and the deputy believes the individual intends to do so.

## 511.9 USE OF FORCE REVIEW

The Jail Administrator shall review all related reports of use of force incidents. The review is to determine whether the use of force was in compliance with policy, procedure and applicable law, and to determine if follow-up action or investigation is necessary. The Jail Administrator should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded to the Crawford County Sheriff.

## 511.10 TRAINING

The Jail Administrator shall work with the Training Sergeant to ensure legal and facility training mandates are met. This training shall include the following:

(a) Use of force

(b) Weapons training

(c) Self-defense

(d) Confrontation avoidance procedures:

1. Communication techniques
2. De-escalation techniques
3. Dealing with the mentally ill
4. Application of restraints

(e) Forced cell extraction techniques

(f) Force team techniques

(g) General restraint training (soft and hard restraints)

(h) Reporting procedures

### 511.10.1 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified, as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the deputy's training file.

(c) Deputies who fail to demonstrate proficiency with the control device or knowledge of this policy will be restricted from carrying the control device until demonstrating proficiency. If a deputy cannot demonstrate proficiency with a control device or knowledge of this policy after remedial training, the deputy may be subject to discipline.

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511.10.2 PERIODIC TRAINING

Supervisors should conduct and document regular periodic briefings concerning this policy and the storage and use of weapons and control devices. Any test sheets or documentation of performance should be forwarded to the Training Sergeant to be included in the deputy’s training file.

## 511.11 POLICY AVAILABILITY

The Crawford County Sheriff's Office or the authorized designee should ensure that this policy (Wis. Stat. § 66.0511):

(a) Is made available free of charge within three business days of request.

(b) Is publicly available on the office website and updated promptly upon amendment.

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# Use of Restraints

## 512.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application, supervisory oversight and restrictions on the use of restraints on persons incarcerated in this facility.

This policy shall apply to the use of specific types of restraints, such as four/five-point restraints, restraint chairs, ambulatory restraints and similar restraint systems, as well as all other restraints, including handcuffs, waist chains and leg irons when such restraints are used to restrain any inmate for prolonged periods.

### 512.1.1 DEFINITIONS

Definitions related to this policy include:

**Clinical restraints** - Restraints applied when an inmate's disruptive, assaultive and/or self-injurious behavior is related to a medical or mental illness. Clinical restraints can include leather, rubber or canvas hand and leg restraints with contact points on a specialized bed (four/five-point restraints) or a portable restraint chair.

**Custody restraints** - Includes steel handcuffs and leg restraints, polyurethane or nylon soft restraints, waist restraints and chair restraints, applied to control an inmate who is assaultive, engaging in self-injurious behavior or attempting to damage property.

**Therapeutic seclusion** - Isolation of an agitated, vulnerable and/or severely anxious inmate with a serious mental illness as part of his/her treatment when clinically indicated for preventive therapeutic purposes.

## 512.2 POLICY

It is the policy of this office that restraints shall be used only to prevent self-injury, injury to others or property damage. Restraints may also be applied according to inmate classification, such as maximum security, to control the behavior of a high-risk inmate while he/she is being moved outside the cell or housing unit.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the inmate (Wis. Admin. Code DOC § 350.23(1)). Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an inmate have failed or appear likely to fail. Each incident where restraints are used shall be documented by the handling staff member and the documents placed in the appropriate file prior to the end of the staff member’s shift (Wis. Admin. Code DOC § 350.23(2)).

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg irons to control an inmate during movement and transportation inside or outside the facility.

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## 512.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any inmate. Whenever feasible, the use of restraints, other than routine use during transfer, shall require the approval of a Shift Commander prior to application. In instances where prior approval is not feasible, the Shift Commander shall be apprised of the use of restraints as soon as practicable.

Restraint devices, such as restraint chairs, shall only be used on an inmate when it reasonably appears necessary to overcome resistance, prevent escape or bring an incident under control, thereby preventing injury to the inmate or others, or eliminating the possibility of property damage. Restraints shall not be utilized any longer than is reasonably necessary to achieve the above goals.

Excluding short-term use to gain immediate control, placing an inmate in a restraint chair or other restraints for extended periods requires approval from the Jail Administrator or the authorized designee prior to taking action. The medical staff shall be called to observe the application of the restraints, when feasible, prior to the application or as soon as practicable after the application, and to check the inmate for adequate circulation.

The use of restraints for purposes other than for the controlled movement or transportation of an inmate shall be documented on appropriate logs to include, at minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed and when it was removed (Wis. Admin. Code DOC § 350.23(2)).

The following provisions shall be followed when utilizing restraints to control an inmate:

(a) Restraints shall not be used as punishment, placed around a person's neck or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).

(b) Restrained inmates shall not be placed face down or in a position that inhibits breathing.

(c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.

(d) Inmates in restraints shall be housed either alone or in an area designated for restrained inmates.

(e) Restraints shall be applied for no longer than is reasonably necessary to protect the inmate or others from harm.

(f) Staff members shall conduct direct face-to-face observation at least twice every 30 minutes to check the inmate’s physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the inmate's behavior (Wis. Admin. Code DOC § 350.23(2)). Any actions taken should also be noted in the log.

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(g) The specific reasons for the continued need for restraints shall be reviewed, documented and approved by the Jail Administrator or Shift Commander at least every two hours.

(h) As soon as possible, but within four hours of placement in restraints, the inmate shall be medically assessed to determine whether he/she has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional and shall recur once every six hours of continued restraint thereafter.

(i) As soon as possible, but within eight hours of placement in restraints, the inmate must be evaluated by a mental health professional to assess whether the inmate needs immediate and/or long-term mental health treatment.

I. Authorization for Use of the Restraint Chair.

A. The Jail Administrator or other Supervisor shall authorize the placement of an inmate in the restraint chair.

B. In the absence of the Jail Administrator or Supervisor, a Deputy may place an inmate in the restraint chair, for the reasons listed in section III of this procedure. And, as soon as practicable thereafter, notify the Jail Administrator or a Supervisor regarding the use of and restraint chair action.

II. Restraint Chair Team.

A. A minimum of at least three Deputies/Officers will be used when placing an inmate into or removing an inmate from the restraint chair.

III. Steps to Place a Subject in a Restraint Chair.

A. The subject will be handcuffed behind the back and shackled in leg irons. However while handcuffing behind the back is the preferred method for securing the inmate’s hands and arms, if a medical condition, physical abnormality and/or extreme obesity will not allow the inmate to be securely and safely in handcuffed behind the back, the inmate’s hands and arms will be secured to either side of the restraint chair frame.

1. If the inmate’s hands are not handcuffed behind the back, they will be secured with soft restraints by the inmate’s side at the side of the chair after the inmate is seated in the chair.

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B. The restraint chair team leader will stand behind the chair during placement or removal of the subjects in order to better communicate with the subject and control the subject's head, until he/she is completely secured in or removed from the restraint chair.

C. Two Deputies/Officers will maintain control of each arm of the subject during escort to the restraint chair.

D. One Deputy/Officer will place the restraint chair directly behind the subject.

E. The Deputies/Officers while maintaining control of each arm, lower the subject into the chair.

F. Once subject is seated in restraint chair a Deputy/Officer will secure the belt free end in the lap belt clevis and pull the handle until snug.

G. Another Deputy/Officer will place the chain of the leg irons behind the chain retainer.

H. Attach the handcuff tether to the handcuffs.

I. Release right wrist from handcuff and secure it to the arm of the E.R.C. with the right wrist strap and pull the belt snug.

J. Release left wrist from the handcuff and secure it to the arm of the E.R.C. with the left wrist strap and pull the belt snug.

K. Check and re-tighten lap belt if needed.

L. Fasten the shoulder straps by passing the free ends over the shoulders, under the armpits and secure them to the shoulder strap clevises located on the back of the E.R.C. Then tighten by pulling down on the shoulder strap handle.

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M. Secure the ankle strap by passing the free end around the front of the ankle and securing it to the ankle strap clevis. Then pull ankle strap handle until snug.

N. Remove leg irons.

O. After all straps have been fastened, a Deputy will check each strap to ensure a snug fit.

IV. Conducting a Body Search of the Subject.

A. The subject will remain handcuffed behind his/her back while a pat search is conducted and all personal property is removed from his/her clothing prior to placement in the restraint chair.

B. If the inmate’s behavior/actions will not allow for a pat search to be conducted before the subject is seated in the chair, a pat search will be conducted as soon as the subject has been secured.

V. Observation of Subject Placed in a Restraint Chair.

A. The restraint chair will be placed in a receiving cell and placed facing the door.

B. A fifteen (15) minute observation form shall be started on the subject.

1. Any observations of the subject’s behavior, comments or complaints will be documented on the form.

C. If a subject continues in an apparent uncontrollable rage and remains actively combative and violent for more than one hour, the Jail Administrator/Supervisor/Deputy may determine the subject should be referred to Department of Human Services for a Chapter 51.15 Emergency Commitment.

D. Mattresses may be placed on each side of the restraint chair in case the subject tries to move or tip over the restraint chair.

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E. If the subject becomes more cooperative and is no longer actively resisting, may be removed from the restraint chair.

F. At least once an hour, the restraints will be checked to ensure the restraints are still snug and secure.

G. Every two (2) hours, the subject will be offered a drink of water or the use of the toilet.

1. If the subject needs to use the toilet facilities, at least three Deputies/Officers must remove and re-secure the subject from the restraint chair.

I. Medical Emergencies during Restraint Chair Use.

A. If a subject appears to be experiencing medical distress, a Deputy will notify the Jail Administrator/Supervisor/County Nurse.

1. The Jail Administrator/Supervisor may request the subject be evaluated, or advise may be given by County Nurse: or,

2. Assess the subject’s condition and call for an ambulance if the subject’s condition reasonably appears acute.

B. The deputies will treat the subject to the level of their training pending the arrival of the County Nurse and/or ambulance.

II. Releasing a Subject from the Restraint Chair.

A. When the subject demonstrates self control for at least an hour, reported by the Deputy(s) who are maintaining the 15 minute observations, or upon the advice of the County Nurse, Mental Health Agent or Jail Administrator/Supervisor may authorize the subject be released from the restraint chair.

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B. Three Deputies/Officers are necessary to release a subject from the restraint chair as for the original placement to maintain control of the subject should his/her behavior suddenly change.

1. One Deputy/Officer will stand behind the restraint chair and remind the subject the importance of remaining calm and cooperative during the release process.

2. The other two Deputy(s)/Officers will release the leg, shoulder, and lap restraint straps.

3. After the subject's limbs are released, the Deputies/Officers will maintain control of the subject's arms, and assist the subject to a standing position.

C. One Deputy/Officer will remove the restraint chair from the cell and stand outside the cell to secure the door when the Deputy(s)/Officers exit the cell.

D. If the subject is being released from the restraint chair to be transferred to a mental health care facility for a Chapter 51.15 commitment, the subject will be placed in the appropriate level of restraints.

III. Documenting Restraint Chair Use.

A. A Jail Incident Report and Jail Log Entry will be completed on all restraint chair events. If the inmate or staff member was injured and/or the inmate's behavior involves criminal or other type of prosecutable action(s), an incident report number will be obtained and a Prairie du Chien Police Department incident report will be prepared.

B. The last entry on the 15 minute observation form will document the release authorization.

C. Copies of the required reports will be forwarded to:

1. Subject's jail file;

2. The Jail Administrator; and,

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3. Detective/Deputy/Officer (if an incident report number is assigned).

## 512.4 USE OF RESTRAINTS - CLINICAL

Inmates may be considered for clinically ordered restraints or seclusion when exhibiting dangerous behavior that is believed to be a product of a medical or mental illness and that puts the inmate and/or others at risk of physical harm, or when medical care is urgently required and the inmate is not considered competent to give or withhold consent.

Clinical restraints and/or therapeutic seclusion shall only be used when an inmate's safety or the safety of others cannot be protected by less restrictive means and only upon the direct order of a qualified health care professional and notification of the Jail Administrator or the authorized designee prior to taking action. Restraints shall be used no longer than is reasonably necessary to provide for the legitimate safety concerns of the inmate, staff or others.

The following provisions shall be used any time clinical restraints or therapeutic seclusion is authorized:

(a) Excluding short-term use to gain immediate control of an inmate exhibiting dangerous or destructive behavior, an inmate may be placed in clinical restraints or therapeutic seclusion only on the orders of a qualified health care professional and only after making a determination that less restrictive interventions are ineffective to prevent the inmate from causing property damage or serious injury to him/herself or others.

(b) Medical restraints or therapeutic seclusion shall never be ordered or otherwise applied as a means of coercion, discipline, punishment, convenience or retaliation.

(c) The qualified health care professional's order may only be in effect for up to 12 hours for adult inmates and up to two hours for inmates age 17 or younger.

(d) Within one hour of the application of restraints or therapeutic seclusion, a face-to-face observation of the inmate to evaluate the need for continued restraint or therapeutic seclusion shall be conducted by a qualified health care professional.

(e) If deemed clinically necessary, the qualified health care professional who gave the initial order for restraints or therapeutic seclusion may renew the original order for an additional four hours for an adult or up to two hours for a person who is age 17 or younger.

(f) Inmates placed in medical restraints shall be placed in designated cells within the medical unit. The restraints shall be applied in the least restrictive manner possible, based on the qualified health care professional's evaluation and order.

(g) Inmates placed in restraints shall only be placed in a face-up position.

(h) A qualified health care professional shall conduct face-to-face checks at minimum every 15 minutes to assess the inmate's condition and behavior. The restraints shall

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be checked for proper application and to ensure that circulation is not compromised. Checks shall be documented in the inmate's medical file.

(i) Except in the event of a medical emergency for the inmate, only a qualified health care professional shall determine when an inmate shall be released from medical restraints or therapeutic seclusion.

### 512.5 RANGE OF MOTION

Inmates placed in restraints for longer than two hours should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (i.e., right arm and left leg) for a minimum of 10 minutes every two hours.

### 512.6 FOOD AND HYDRATION

Inmates who are confined in restraints shall be given food and fluids. Provisions shall be made to accommodate any toileting needs at least once every two hours. Food shall be provided during normal meal periods. Hydration (water or juices) will be provided no less than once every two hours or when requested by the inmate.

Offering food and hydration to inmates will be documented to include the time, the name of the person offering the food or water/juices, and the inmate's response (receptive, rejected). Inmates shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints.

### 512.7 AVAILABILITY OF CPR

Cardiopulmonary resuscitation equipment such as barrier masks shall be provided by the facility and located in proximity to the location where inmates in restraints are held.

### 512.8 RESTRAINED INMATE HOLDING

Restrained inmates should be protected from abuse by other inmates. Under no circumstances will restrained inmates be housed with inmates who are not in restraints. In most instances, restrained inmates are housed alone or in an area designated for restrained inmates.

### 512.9 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 while being transported.

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### 512.9.1 INMATES IN LABOR

No inmate who is in labor, delivering or recovering from a birth shall be restrained except when all of the following exist:

(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.

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

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# Searches

## 513.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants or weapons into the Crawford County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

### 513.1.1 DEFINITIONS

Definitions related to this policy include:

**Contraband** - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized manner or quantity.

**Modified strip search** - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate’s partially unclothed body. This also includes searching the inmate’s clothing, once it has been removed.

**Non-sentenced inmate** - An inmate who is in custody for any reason other than to serve a sentence after a conviction.

**Pat-down search** - The normal type of search used by deputies within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the inmate or other inmates.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

**Sentenced inmate** - An inmate who is in custody for the purpose of serving a sentence after a conviction.

**Strip search** - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where

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the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.

Body Cavity Search: For the purpose of this procedure, a body cavity search is a search in which there is either digital (finger) or instrumental intrusion into a person's anus or rectum or into a female's vagina. WI State Statute 968.255 (3) No person other than a physician, physician's assistant or registered nurse licensed to practice in the State of Wisconsin may conduct a body cavity search.

Detained Person: WI State Statute 968.255 (1)(a) "Detained" means any of the following:

1.Arrested for any felony;

2.Arrested for any misdemeanor under s. 167.30, 940.19, 940.20(1), 941.23, 941.237, 941.24, 948.605(2)(a) or 948.61;

3.Taken into custody under s. 938.19 and there are reasonable grounds to believe the juvenile has committed an act which if committed by an adult would be covered by sub. 1 or 2;

4.Arrested for any misdemeanor not specified in sub. 2., any other violation of state law punishable by forfeiture or any local ordinance if there is probable cause to believe the person is concealing a weapon or a thing which may constitute evidence of the offense for which he or she is detained.

A. Full Custodial Search: For the purpose of this procedure, a full custodial search is defined as a search of a subject, during which the subject takes off all his/her clothing except underwear or a single layer of clothing, covering their genitals, buttocks or (female) breast.

C. Probable Cause: Probable cause exists when facts and circumstances within officer's knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a man of reasonable caution in believing that an offense has been or is being committed. State Vs. Kolb, N.D., 239 N.W.2d 815,817.

D. Reasonable Belief: State Statute 968.22 (32)… means that the actor (Deputy/Officer) believes that a certain fact situation exists and such belief under the circumstance is reasonable even though erroneous.

E. Sentenced Prisoner or Inmate: For the purpose of this procedure a person under State Statute 968.255 (7)(a) an inmate who: Is serving a sentence, pursuant to a conviction, in a jail,

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state prison or house of corrections – or – is confined as a condition of probation- will be deemed a sentenced prisoner or inmate. However, inmates incarcerated as sanction for a violation of a term(s) and/or awaiting revocation of their probation will be defined as unsentenced prisoners or inmates.

## 513.2 POLICY

It is the policy of this office to ensure the safety of staff, inmates and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws (Wis. Admin. Code DOC § 350.18).

Searches shall not be used for intimidation, harassment, punishment or retaliation.

It shall be the policy of the Crawford County Sheriff's Department Jail to ensure safety and security of staff and inmates admitted to and housed within the Crawford County Sheriff's Department Jail and Huber Center are subject to body searches. Body searches consist of a pat down search, a full custodial search, strip search and/or body cavity search. These searches are conducted solely for the purpose of eliminating the introduction of weapons and contraband into the jail facility. Body searches will conform to Wisconsin State Statutes and will be conducted in a manner which will provide the subject of the search the highest level of dignity and respect possible under the circumstances to ensure the safety of the staff and inmates, and security of the jail facility.

### 513.2.1 PHYSICALLY DISABLED PERSONS

A search of a person who requires an assistive device for mobility, such as a wheelchair, brace, crutch or artificial limb, shall be carefully conducted. If the search requires the removal of such a device or involves a person lacking sensation in some portion of his/her body, the search shall be conducted with extreme care by a person trained in handling those who are physically disabled (Wis. Stat. § 968.256).

## 513.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all inmates/arrestees upon entering the secure booking area of the facility. Additionally, pat-down searches shall occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that include:

(a) When inmates leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.

(b) During physical plant searches of entire housing units.

(c) When inmates come into contact with other inmates housed outside of their housing units, such as work details.

(d) Any time the staff believes the inmates may have contraband on their persons.

Except in emergencies, male staff may not pat down female inmates and female staff may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches shall be documented (28 CFR 115.15).

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## 513.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES

Deputies will generally consider the reason for the search, the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search.

### 513.4.1 MODIFIED STRIP SEARCHES AND STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches prior to placement in a housing unit shall be conducted as follows (Wis. Stat. § 968.255):

(a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless:

1. The person is an adult arrested for any offense, or is a juvenile taken into custody under Wis. Stat. § 938.19 and ordered by a court to the custody of this facility and there is either:

(a) Reasonable suspicion that the person is concealing a weapon or contraband if the person was taken into custody for any felony or any of the following misdemeanor offenses identified in Wis. Stat. § 968.255:

1. Wis. Stat. § 167.30(1) - Use of firearms, etc., near a park
2. Wis. Stat. § 940.19 - Battery, substantial battery, aggravated battery
3. Wis. Stat. § 941.20(1) - Endangering the safety of others by use of a dangerous weapon
4. Wis. Stat. § 941.23 - Carrying a concealed weapon
5. Wis. Stat. § 941.231 - Carrying a concealed knife
6. Wis. Stat. § 941.237 - Carrying a handgun where alcohol may be sold and consumed
7. Wis. Stat. § 948.60 - Possession of a dangerous weapon by a person under the age of 18
8. Wis. Stat. § 948.61 - Dangerous weapons other than firearms on school premises, or

(b) Probable cause to believe the person is concealing a weapon or an item that may constitute evidence of the offense for which the person was taken into custody, if the person was taken into custody for any other violation of state law punishable by forfeiture, any local ordinance or a misdemeanor offense.

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(b) Factors to be considered in determining reasonable suspicion or probable cause include, but are not limited to:

1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion or probable cause absent other facts.
3. Custody history (past possession of contraband while in custody, assaults on staff, escape attempts, etc.).
4. The person’s actions or demeanor.
5. Criminal history (level of experience in a custody setting, etc.).

(c) No modified strip search or strip search of an inmate shall be conducted prior to admittance to a housing unit without prior written authorization from the Shift Commander. Verbal authorization from a supervisor is sufficient if there is probable cause to believe that the person is concealing a weapon.

(d) The staff member conducting the modified strip search or strip search shall:

1. Document the facts that led to the decision to perform a strip search of the inmate.
2. Document the reasons less intrusive methods of searching were not used or were insufficient.
3. Document the supervisor’s approval.
4. Document the time, date and location of the search.
5. Document the names, sex and roles of any staff present.
6. Itemize in writing all contraband and weapons discovered by the search.
7. Process all contraband and weapons in accordance with the office’s current evidence procedures.
8. If appropriate, complete a crime report and/or disciplinary report.

(e) The documentation shall be placed in the inmate’s record. A copy of the authorization shall be provided to the inmate or other authorized representative.

513.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Strip searches will be conducted on all inmates upon admission into a housing unit. Written authorization from the Shift Commander is required for inmates other than sentenced

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inmates. Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed inmates.

Arrestees who are arranging bail shall be permitted a reasonable period of time, not less than 12 hours, and the opportunity to make phone calls before being placed in a housing unit.

### 513.4.3 MODIFIED STRIP SEARCHES AND SEARCHES OF HOUSED INMATES

A strip search of an inmate assigned to a housing unit should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- Upon initial admission into the housing unit
- Upon return from contact visits
- Upon leaving the kitchen, shop, farm, etc.
- Upon return to the housing unit from outside the confines of the facility (court, work release, work detail, medical visits)

Written authorization from the Shift Commander is required for strip searches of inmates other than sentenced inmates.

Inmates returning from court with release orders shall not be subject to modified strip searches or strip searches unless reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The inmate should not be returned to the housing unit, except for retrieving his/her personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of inmates outside the above listed circumstances only with a supervisor's written approval (Wis. Stat. § 968.255). Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The staff member conducting a modified strip search or strip search outside the above listed circumstances shall:

(a) Document the name and sex of the person subjected to the strip search.

(b) Document the facts that led to the decision to perform a strip search of the inmate.

(c) Document the reasons less intrusive methods of searching were not used or were insufficient.

(d) Document the supervisor’s approval.

(e) Document the time, date and location of the search.

(f) Document that the person was physically disabled, if applicable.

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(g) Document the names, sex and roles of any staff present.

(h) Itemize in writing all contraband and weapons discovered by the search.

(i) Process all contraband and weapons in accordance with the office's current evidence procedures.

(j) If appropriate, complete a crime report and/or disciplinary report.

(k) Ensure the documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

### 513.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating or assisting in the search. The search will not be audio- or video-recorded (Wis. Stat. § 968.255).

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same sex as the person being searched (Wis. Stat. § 968.255). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

Whenever possible, a second staff member of the same sex should assist with the search for security purposes and to witness the discovery of evidence.

The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched unless in accordance with Wis. Stat. § 968.255(1)(b). These areas may be touched through the clothing during a modified strip search.

(a) The searching staff member will instruct the inmate to:

1. Remove his/her clothing.
2. Raise his/her arms above the head and turn 360 degrees.
3. Bend forward and run his/her hands through his/her hair.
4. Turn his/her head first to the left and then to the right so the searching deputy can inspect the inmate's ear orifices.
5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the deputy can inspect the interior of the inmate's mouth. Remove dentures if applicable.
6. Turn around and raise one foot first, then the other so the deputy can check the bottom of each foot.
7. For a visual cavity search, turn around, bend forward and spread the buttocks if necessary to view the anus.

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(b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

### 513.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

(a) No person shall be subjected to a physical body cavity search without written/verbal approval of the Jail Administrator or the authorized designee.. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports. The report will be provided to non-sentenced inmates and made available, upon request, to sentenced inmates or authorized representatives (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician, physician assistant or registered nurse may conduct a physical body cavity search (Wis. Stat. § 968.255). Except in exigent circumstances, only a physician, physician assistant or registered nurse who is not responsible for providing ongoing care to the inmate may conduct the search.

(c) Except for the medical professional conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the inmate.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Jail Administrator’s written approval.
4. A copy of the search warrant.
5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any staff present.
8. Any contraband or weapons discovered by the search.

(f) Completed documentation should be placed in the inmate’s file.

(g) All contraband and weapons should be processed in accordance with the office’s current evidence procedures.

(h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

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### 513.5 TRANSGENDER SEARCHES

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

### 513.6 CONTRABAND SEARCHES

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

Full Custodial Searches: visual inspection of the subject's body except for the bare buttocks, genitals and female breasts. This search will primarily be done prior to moving a subject from a holding cell or booking to a general population cell block.

(a) A full custodial search shall be conducted by a Deputy of the same sex as that of the subject except for exigent circumstances.

(a) A fresh set of latex or rubber gloves shall be worn by the Deputy conducting the search each time a different subject is searched.

(a) The Deputy will direct the subject to remove all contents of their pockets.

(a) The Deputy will direct the subject to remove all clothing except underwear or all clothing down to the last layer next to the skin covering the buttocks, genitals, or female breasts.

(a) The Deputy will direct the subject to stand with arms outstretched and turn from side to side for visual inspection of the armpits.

(a) The Deputy will direct the subject to turn and face away and lift each foot for an inspection of the soles of the feet and spaces between the toes.

(a) The Deputy will thoroughly search, collect and secure the subject's clothing.

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(a) The Deputy will direct the subject to stand behind the modesty screen and remove their undergarments and present them for inspection.

a. If the undergarments appear clean with no human waste soiling, the items will be searched and returned to the inmate.

b. If the undergarments appear unclean from continual use wear, the items will be confiscated, and secured with the inmate’s other clothing.

c. If the undergarments appear soiled with human waste the items will be disposed of in a biohazard container.

(a) The Deputy will issue the inmate a jail uniform and instruct the inmate to dress into the issued uniform.

(a) The Deputy will secure all inmates personal belongings into a locker or tote.

(a) The Deputy will then escort inmate to assigned cell location.

Pat Down Searches: a manual tactile frisk of a subject’s body through their clothing.

1. A full pat search will be conducted by a Deputy of the same sex as that of the subject whenever possible.

2. A fresh set of latex or rubber gloves shall be worn by the Deputy conducting the search each time a different subject is searched.

3. The Deputy will instruct the subject to stand facing away with arms outstretched if the subject is not in handcuffs.

4. Prior to the search, the Deputy will ask the subject if they have anything in their clothing or on their person that is sharp or otherwise poses a danger to the Deputy or others.

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5. The Deputy will whenever possible pat the surface of the clothing with their gloved hands instead of rubbing, to reduce the risk of being injured by needles or sharp objects.

6. The search will proceed in an organized, consistent route:

a. The Deputy will start the pat search at the top of the subject's head and inspect the back of the subject's neck, lifting their hair if necessary;

b. The Deputy will then search the subject's collar and neck area;

c. The Deputy will then search the subject's arms, armpits, torso, legs, ankles, feet and groin;

d. The Deputy will gently squeeze the clothing where there are pockets or seams; and,

e. A visual inspection of the person's mouth and ears will be conducted.

7. Any contraband will be turned over to arresting/transporting Deputy/Officer.

**513.7 HOUSING UNIT SEARCHES**

Housing unit searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

(a) All inmates shall vacate their living areas and be searched by staff.

(b) Inmates should be escorted to a separate holding area, such as the recreation yard.

(c) Staff shall search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.

(d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.

(e) The staff shall attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or crime reports.

(f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.

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(g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, closely supervised inmate workers should clean the unit. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition (Wis. Admin. Code DOC § 350.18(5)).

## 513.8 PHYSICAL PLANT SEARCHES

The following areas of this facility shall be periodically searched for contraband (Wis. Admin. Code DOC § 350.18(5)):

(a) Exercise yards shall be searched for contraband prior to and after each inmate group occupies the yard.

(b) Holding cells shall be searched prior to and after each inmate occupies the cell.

(c) Program areas, such as classrooms and multipurpose rooms shall be searched after each use by an inmate or inmate group.

(d) Laundry areas shall be searched before and after each inmate group occupies the area.

(e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.

(f) Inmate visiting and public areas shall be frequently inspected for contraband.

(g) The facility perimeter shall be searched at least once each shift for contraband.

### 513.8.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canines Policy).

## 513.9 CRIMINAL EVIDENCE SEARCHES

The Jail Administrator or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

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### 513.10 TRAINING

The Training Sergeant shall provide training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs (Wis. Stat. § 968.255). This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.15).

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# Canines

## 514.1 PURPOSE AND SCOPE

The canine program aids staff in locating contraband and maintaining the security of this facility. This policy outlines requirements of the program, its staff and the expectations of the Office.

## 514.2 POLICY

The Crawford County Sheriff's Office is committed to ensuring its facilities are free from contraband and drugs and to maintaining facility security. This is done by employing trained canine teams to assist in the detection of drugs and other contraband, in accordance with all applicable laws, regulations and office policies and procedures.

## 514.3 GUIDELINES FOR THE USE OF CANINES

Canines may be used to assist staff in conducting searches for contraband, perimeter patrol, building searches and area searches. At no time may a canine be used to demean, punish or psychologically torment an inmate. Contact between canines and inmates should be minimal. Canines should not be used to search individuals. Canines may be used for:

- Searching inmate housing units, including cells, during a housing unit search, as described in the Searches Policy.
- Physical plant searches, as described in the Searches Policy.
- Searching unoccupied intake/booking areas.
- Searching unoccupied transportation vehicles before and after inmate use.
- Searching for or tracking escaped offenders.
- Any other search-related use authorized by a supervisor.

A canine team shall only be used to perform tasks for which it has been trained or certified.

### 514.3.1 WARNINGS AND ANNOUNCEMENTS

When a canine is used to search a building or area for an individual, unless it would otherwise increase the risk of injury or escape, two clearly audible warnings to announce that a canine will be released if the person does not come forth shall be made and a reasonable response period will be provided prior to releasing a canine. The canine handler, when practicable, shall first advise the supervisor of his/her decision if a verbal warning is not given prior to releasing the canine. In the event of an apprehension, the handler shall document in any related report whether a verbal warning was given and, if none was given, the reasons why.

### 514.3.2 REPORTING CANINE USE, BITES AND INJURIES

Whenever the canine is deployed, a canine use report shall be completed by the handler and turned in to the Jail Administrator before going off-duty.

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Whenever the use of the canine results in a bite or any injury, a canine use report shall be completed and included with any related incident report. The injured party should receive required medical attention as soon as possible.

Photographs should be taken of the bite or injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained with the canine use report until the potential need for use in any related civil proceeding has expired.

If a subject alleges an injury that is not visible, a supervisor shall be notified and the location of the alleged injury should be photographed as described above.

## 514.4 MEDICAL CARE OF THE CANINE

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in this policy.

### 514.4.1 NON-EMERGENCY MEDICAL CARE

Non-emergency medical care will be coordinated through the canine program supervisor.

Any indication that a canine is not in good physical condition shall be reported to the canine program supervisor as soon as practicable.

All records of medical treatment shall be maintained in the canine handler’s personnel file.

### 514.4.2 EMERGENCY MEDICAL CARE

The handler shall notify the canine program supervisor as soon as reasonably practicable when emergency medical care for the canine is required. Depending on the severity of the injury or illness, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

### 514.4.3 REPORTING CANINE INJURIES

In the event that a canine is injured, the injury will be immediately reported to the canine program supervisor. The injury will be documented on the appropriate report form.

## 514.5 REQUESTS FOR ASSISTANCE FROM OTHER AGENCIES

The canine program supervisor or the on-duty supervisor must approve all requests for canine assistance from outside agencies, subject to the following provisions:

(a) Canine teams shall not be used to perform any assignment that is not consistent with this policy.

(b) The handler has the ultimate authority to decide whether the canine will be used for any specific assignment.

(c) Canine teams should not be called into service when off-duty or used outside the jurisdiction of the Office, unless authorized by the canine program supervisor.

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(d) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

## 514.6 CANINE HANDLER RESPONSIBILITIES

### 514.6.1 AVAILABILITY

The handler shall be available for call-out under conditions specified by the canine program supervisor.

### 514.6.2 CANINES IN PUBLIC AREAS

All canines shall be kept on a leash when in areas that allow access to the public. Exceptions would include specific operations for which the canines are trained.

If a canine unit is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that an unattended unit remains habitable for the canine.

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# Reporting In-Custody Deaths

## 515.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

### 515.1.1 DEFINITIONS

Definitions related to this policy include:

**In-custody death** - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated at any facility of this office.

## 515.2 POLICY

It is the policy of this office to follow state and local guidelines for reporting in-custody deaths.

## 515.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required.

If the decedent is a boarder for another agency, the Jail Administrator shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the inmate's name, identification number, date and time of death and the attending physician's name.

In the event that a juvenile dies while in-custody, the Jail Administrator or the authorized designee shall notify the court of jurisdiction and ensure notification to the juvenile's parent or guardian.

The Jail Administrator or the authorized designee shall notify the Wisconsin Department of Corrections regional Detention Facilities Specialist of any death within 48 hours and shall promptly furnish all requested information (Wis. Admin. Code DOC § 350.10(3)).

## 515.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this office, the Shift Commander is responsible for ensuring that the Sheriff and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

The Shift Commander shall also promptly notify the Jail Administrator and the Responsible Physician and make any other notifications required by policy or direction. The Jail Administrator shall observe all pertinent laws and allow appropriate investigating agencies full access to all facts surrounding the death.

The Office shall establish policies and procedures for the investigation of any in-custody death.

The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

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The next of kin shall be notified of all pertinent information as required by law as soon as possible (Wis. Admin. Code DOC § 350.14(5); Wis. Stat. § 157.02.

During an investigation, all inquiries regarding the death shall be referred to the Chief Deputy. Deputies shall not make a public comment.

## 515.5 IN-CUSTODY DEATH REVIEW

The Sheriff is responsible for establishing a team of qualified staff to conduct an administrative review of every in-custody death. At a minimum, the review team should include the following:

(a) Sheriff and/or the Jail Administrator

(b) Corporation Counsel

(c) District Attorney

(d) Investigative staff

(e) Responsible Physician, qualified health care professionals, supervisors or other staff who are relevant to the incident

The in-custody death review should be conducted no later than 72 hours after the incident.

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# Staff and Inmate Contact

## 516.1 PURPOSE AND SCOPE

Frequent contact and interaction with inmates allow for continual assessment of the safety and security of the facility and the health and welfare of the inmates under supervision. This policy provides guidelines for the interaction between staff and inmates.

## 516.2 POLICY

The Jail Administrator shall ensure that inmates have adequate ways to communicate with the detention staff and that staff communicate and interact with the inmates in a timely and professional manner.

## 516.3 GENERAL CONDUCT GUIDELINES

Staff members are encouraged to interact with the inmates under their supervision on a continual basis and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All custody staff, including support staff, contractors and volunteers, will at all times present a professional and command presence in their contact with inmates. Staff shall address inmates in a civil manner. The use of profanity or derogatory comments based on race, sex, age, personal appearance or sexual identity is strictly prohibited.

Written communication (request slips, inmate communication, grievances, rules infraction forms, disciplinary reports) shall be answered in a timely manner. Such communication shall be filed with the inmate’s records.

Custody staff shall not dispense legal advice, opinion, or recommend attorneys, bond agents or other professional services to inmates. Staff shall not allow personal feelings to interfere with the provision of their required functions or the legal rights of the persons incarcerated in this facility. Staff shall not become overly familiar with inmates or their families and friends.

Special favors or privileges that are not permitted or required by office policies or at the direction of supervisory or management staff shall not be provided.

Custody staff shall not engage in sexual acts or salacious conversations or exchange inappropriate notes or letters with inmates.

Staff shall promptly report all attempts by inmates to initiate sexual acts, salacious conversations and forward any correspondence from an inmate or former inmate to the Jail Administrator or the authorized designee.

Staff shall report all attempts to intimidate or instill feelings of fear to the supervisor.

While profanity and harsh language are prohibited, the Office recognizes the necessity for staff to give inmates direction in a firm, determined and authoritative manner in order to maintain

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proper supervision and control. Authoritative directions to inmates are particularly indicated when activities or events pose a threat to the safety or security of this facility.

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# Transportation of Inmates Outside the Secure Facility

## 517.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of inmates outside this facility and to ensure that the staff assigned to transportation duties is qualified and adequately trained.

## 517.2 POLICY

It is the policy of the Crawford County Sheriff's Office to provide safe, secure and humane transportation for all inmates and other persons as required by law.

This office shall transfer all inmates from the jail to the place of imprisonment pursuant to the sentence of the court as soon as practicable after the sentence, in accordance with all laws relating to the transfer of inmates and costs related to transfers to facilities and jurisdictions.

## 517.3 PROCEDURES

Only staff members who have completed office-approved training on inmate transportation should be assigned inmate transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

Any member who transports an inmate outside the secure confines of this facility is responsible for:

(a) Obtaining all necessary paperwork for the inmate being transported (e.g., medical/ dental records, commitment documents).

(b) Submitting a completed transportation plan to the transportation supervisor. Items that should be addressed in the plan include:

1. Type of restraints to be used on the inmates being transported
2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security for the community in mind
3. Emergency response procedures in the event of a collision, breakdown of a transportation vehicle or other unforeseen event

(c) Ensuring that all inmates are thoroughly searched and appropriate restraints are properly applied.

1. Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (see Use of Restraints Policy).

(d) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.

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(e) Thoroughly searching the transporting vehicle for contraband before any inmate is placed inside, and again after removing the inmate from the transporting vehicle.

### 517.3.1 TRANSPORTATION LOGS

Inmate transportation logs shall be developed by the Jail Administrator or the authorized designee and used to log all inmate transportation. The logs shall include:

- Name and identification number of the inmate.
- Date and start/stop time of the transport.
- Location where the inmate was transported.
- Name and identification number of the transporting deputy.
- Circumstances of any unusual events associated with the transportation.

The logs shall be retained by the facility in accordance with established records retention schedules.

## 517.4 TRAINING

The Training Sergeant shall ensure that all employees charged with inmate transportation duties receive training appropriate for the assignment.

Documentation of all training presented shall be retained in the employee's training file in accordance with established records retention schedules.

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# Safety and Sobering Cells

## 518.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing inmates into and the continued placement of inmates in safety cells or sobering cells.

### 518.1.1 DEFINITIONS

Definitions related to this policy include:

**Safety cell** - An enhanced protective housing designed to minimize the risk of injury or destruction of property used for inmates who display behavior that reveals intent to cause physical harm to themselves or others or to destroy property or who are in need of a separate cell for any reason, until suitable housing is available.

**Sobering cell** - A holding cell designed to minimize the risk of injury by falling or dangerous behavior. It is used as an initial sobering place for arrestees or inmates who are a threat to their own safety or the safety of others as a result of being intoxicated from any substance, and who require a protected environment to prevent injury or victimization by other inmates.

## 518.2 POLICY

This facility will employ the use of safety and sobering cells to protect inmates from injury or to prevent the destruction of property by an inmate in accordance with applicable law.

A sobering or safety cell shall not be used as punishment or as a substitute for treatment. The Jail Administrator or the authorized designee shall review this policy annually with the Responsible Physician.

## 518.3 SAFETY CELL PROCEDURES

The following guidelines apply when placing any inmate in a safety cell:

(a) Inmates should be permitted to remain normally clothed or should be provided a safety suit, except in cases where the inmate has demonstrated that clothing articles may pose a risk to the inmate's safety or the facility. In these cases, the reasons for not providing clothing shall be documented on the safety cell log.

(b) Inmates in safety cells shall be given the opportunity to have fluids (water, juices) at least hourly. Deputies shall provide the fluids in paper cups. The inmates shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an inmate is provided the opportunity to drink fluids will be documented on the safety cell log.

(c) Inmates will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers and the inmates will be monitored while eating the meals. Inmates shall be given ample time to complete their meals prior to the plate or container being removed.

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### 518.4 SOBERING CELL PROCEDURES

The following guidelines apply when placing any inmate in a sobering cell:

(a) A sobering cell log shall be initiated every time an inmate is placed into a sobering cell. The log shall be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with established office retention schedules.

(b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least once every 60 minutes. Each visual observation of the inmate by staff shall be documented.

(c) Inmates will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.

(d) Females and males will be detained in separate sobering cells.

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# Biological Samples

## 519.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from persons required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

## 519.2 POLICY

The Crawford County Sheriff's Office will assist in the expeditious collection of required biological samples from arrestees and inmates in accordance with the laws of this state and with as little reliance on force as practicable.

## 519.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following arrestees and inmates must submit a biological sample (Wis. Stat. § 165.76; Wis. Stat. § 165.84):

(a) Adults arrested or juveniles taken into custody for a violent crime as defined by Wis. Stat. § 165.84

(b) Persons sentenced to the county jail for a qualifying offense

(c) Persons ordered by a court to provide a biological sample for DNA analysis

(d) Persons referred to the Office by the Wisconsin Department of Corrections staff for collection of a biological sample and fingerprints

(e) A person being booked into jail when a review of that person’s Computerized Criminal History (CCH) record reflects “DNA Sample Needed”

## 519.4 PROCEDURE

When an arrestee or inmate is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

### 519.4.1 COLLECTION

The following steps should be taken to collect a sample:

(a) Verify that the arrestee or inmate is required to provide a sample pursuant to Wis. Stat. § 165.76.

(b) Verify that a biological sample has not been previously collected from the arrestee or inmate by querying CCH. There is no need to obtain a biological sample if one has been previously obtained.

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(c) Use the designated collection kit provided by the Wisconsin Department of Justice to perform the collection and take steps to avoid cross contamination.

(d) Forward the sample to the appropriate crime laboratory as soon as practicable, but in all cases within 48 hours of collection (Wis. Admin. Code § JUS 9.04).

## 519.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

If an arrestee or inmate refuses to cooperate with the sample collection process, deputies should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except with approval of legal counsel and only with the approval of the Shift Commander (Wis. Stat. § 165.765). Methods to consider when seeking voluntary compliance include contacting:

(a) The inmate’s parole or probation officer when applicable.

(b) The prosecuting attorney to seek additional charges against the inmate for failure to comply or to otherwise bring the refusal before a judge.

(c) The judge at the inmate’s next court appearance.

(d) The inmate’s attorney.

(e) A chaplain.

(f) A supervisor who may be able to authorize disciplinary actions to compel compliance, if any are available.

The Shift Commander shall review and approve any calculated use of force. The supervisor shall be present to supervise and document the calculated use of force.

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# End of Term Release

### 520.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of inmates to ensure that inmates are not released in error.

### 520.2 POLICY

It will be the policy of the Crawford County Sheriff's Office to provide for the timely, efficient and legal release of inmates.

### 520.3 RELEASE PROCEDURE

Inmates who have reached the end of their sentenced term or who are ordered released by the court will be scheduled for release at staggered times on their out-date to avoid congestion in the release area. Inmates scheduled for release shall be escorted by the staff to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release time. The first release time will start at 5:30 AM.

The release officer shall sign and date the release paperwork on the same day the inmate is to be released.

Inmates shall not be released or moved during inmate count, change of shift or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All inmates must be positively identified by the staff prior to being released from the facility. Inmate identities should be verified using intake records bearing the inmate’s name, photograph and facility identification number.

Before any inmate may be released, the following conditions must be met:

(a) The identity of the inmate has been verified.

(b) All required paperwork for release is present. The staff shall review the active inmate file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:

1. Verifying calculations and release-date adjustments for good time.
2. Any pending arrangements for follow-up, such as medications needed, appointments or referral to community or social resources.
3. Unresolved grievances, damage claims or lost property.

(c) Releasing staff must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders. If any agency has outstanding charges against the inmate, the staff shall notify the agency that the inmate is available for release.

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(d) All personal property shall be returned to the inmate during the release process. The inmate must acknowledge receiving his/her property by signed receipt. Any discrepancies shall be promptly reported to a supervisor.

(e) All facility property must be returned by the inmate. Any missing or damaged facility property should be documented and promptly reported to a supervisor. The inmate shall remain in custody until the senior deputy reviews the damage and authorizes the release.

(f) A forwarding address for the inmate should be on file and verified with the inmate for return of mail.

(g) Inmates on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the inmate's release, if required.

(h) If needed, inmates may be allowed to make a reasonable number of phone calls to arrange for transportation.

The housing sheet, release log and daily census log shall be updated accordingly after the inmate's release. The senior deputy shall ensure all release documents are complete and properly signed by the inmate and the staff where required.

### 520.3.1 NOTIFICATION OF RESTORED VOTING RIGHT

If an inmate is being released for completing a sentence and probation for a felony conviction, the releasing staff shall inform the inmate in writing that his/her voting right is restored (Wis. Stat. § 304.078).

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# Over-Detention and Inadvertent Releases

## 521.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to staff and management in the event of over-detention or inadvertent release.

### 521.1.1 DEFINITIONS

Definitions related to this policy include:

**Inadvertent release** - Any instance of an inmate being mistakenly released.

**Over-detention** - Any instance of an inmate being mistakenly detained beyond his/her scheduled release date.

Shift Commander- Senior Deputy

## 521.2 POLICY

It is the policy of this office to reasonably ensure that over-detention and inadvertent releases do not occur.

## 521.3 OVER-DETENTION

Any custody staff member who discovers or receives information of an over-detention, or a complaint from an inmate regarding over-detention (which could be discovered through a grievance), should immediately notify the Shift Commander (see the Inmate Grievances Policy).

The Shift Commander should direct the jail records unit to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Shift Commander.

Inmates who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Shift Commander shall ensure that the Jail Administrator is notified, an entry is made to the daily activity log and that a report is completed.

### 521.3.1 OVER-DETENTION GRIEVANCES

Any custody staff member who receives information or a complaint from an inmate regarding over-detention should assist the inmate with completing a grievance form and forward the form directly to the Shift Commander as soon as practicable.

The Shift Commander receiving a grievance regarding an over-detention should direct the jail records unit to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Shift Commander.

If the Shift Commander decides not to release the inmate, the Shift Commander should ensure the inmate receives a grievance hearing within 24 hours of the grievance submission. The hearing documentation should reflect efforts made to investigate the allegation (see the Inmate Grievances Policy).

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## 521.4 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the custody staff member making the discovery shall immediately notify the Shift Commander. The notification shall be documented in the daily activity log.

### 521.4.1 INADVERTENT RELEASE INVESTIGATION

The Shift Commander should direct the jail records unit to immediately conduct an investigation to determine the cause of the inadvertent release.

The Shift Commander will coordinate a response based upon the seriousness of the threat the inmate may pose to the community. The threat assessment should be based upon the inmate’s criminal history and the reason he/she is currently in custody, among other factors.

In the case of an inadvertent release, the Shift Commander should immediately notify the Jail Administrator and ensure a report is completed. The Jail Administrator should notify the Sheriff.

An appropriate evaluation of the circumstances shall be made to determine whether the inadvertent release should be classified as an escape.

### 521.4.2 RETURNING THE INMATE TO CUSTODY

When the inmate is located and returned to the facility, the appropriate notifications should be made as soon as possible.

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# Jail Rule Book

**522.1 POLICY**

It shall be the policy of the Crawford County Sheriff's Department Jail to ensure that all inmates understand the expectations for their conduct while incarcerated, and in order to minimize disciplinary problems in the jail. A copy of the Jail Rules Handbook will be given to the inmate upon being booked into the Crawford County Jail. Each inmate will read or have read to them the Jail Rules and will sign an acknowledgement indicating they received the Jail Rules Handbook.

**522.2 PROCUDURE**

I. Jail Rules for all Inmates in Crawford County Jail.

A. Deputies will give each inmate a Crawford County Jail Rules Handbook at booking.

B. If the inmate is unable to read or seems to be having great difficulty in comprehending, the Deputy will read and explain the rules to the inmate.

C. The Deputy will then ask if the inmate understands the rules or has any questions about the rules. If they do have questions the Deputy will answer the questions or find out the answer and respond back to the inmate.

D. The Deputy will have the inmate sign that they have received the jail rules handbook and that they will abide by these rules and understand that violations of the rules may result in disciplinary action, loss of privileges, loss of good time, and or criminal charges.

1. This also includes the understanding that if Crawford County Jail Rules Handbook is damaged or destroyed in any way that they may be charged a $5.00 replacement fee.

E. The Deputy will also sign the document as a witness and that they gave a copy of the rules handbook to the inmate. Date and time will also be written on the form.

F. The Deputy will then place the signed form into the inmates file along with the booking sheet.

G. A copy of the jail rules handbook will be given to the inmate for his/her reference. The Deputy will explain the Jail Rules Handbook return policy.

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# Cell Searches

**523.1 CELL SEARCHES**

Policy

It shall be the policy of the Crawford County Sheriff's Department Jail to conduct searches of the County Jail and Huber Center to detect and/or prevent the introduction of contraband into the facility and to ensure the safety and security of the Jail personnel and inmates.

Every occupied cell shall be searched weekly and shakedown searches at least once a month and more often if there reasonable belief exists to suspect contraband is secreted in a cell block. The shakedown searches can be limited in scope and duration to accommodate limitations of available staff.

A pat search may be conducted on each inmate whose cell will be searched during random shakedowns and strip searches shall be done on those inmates where probable cause has been established based on the pat search and/or the inmate's conduct prior to or during the shakedown.

Procedure

I. Definitions.

A. Contraband is any item, article, or material found inside the secure area of the County Jail or Huber Center which is either illegal or improper to possess by law or by Crawford County Jail or Huber Center rules. It also includes otherwise permitted items in possession of inmates found in excess quantities or in an altered state.

B. Shakedown Searches are systematic examinations conducted on the cells, rooms, floors, ceilings, light fixtures, bunks, and all other possible areas where contraband may be hidden combined with the appropriate body searches of those inmates involved.

II. Frequency of Shakedown Searches.

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*Cell Searches*

A. Shakedowns of inmate housing units and other areas of jail facilities accessed by inmates will be conducted at least once randomly selected times each month by specific operational shifts.

B. A shakedown search may be ordered at any time by a Supervisor or Deputy when a Deputy receives reliable information or observed inmate(s) unusual conduct which leads the Deputy to reasonably believe contraband is secreted by inmates in a housing unit.

III. Preparing for a Shakedown Search.

A. A shakedown search will be conducted by a minimum of two Deputies.

1. If needed, more Deputies/Officers may be directed to participate in the shakedown related to the extent of the shakedown and the number of inmates involved.

B. A thorough search shall be made for contraband and/or prior damage of any temporary holding room(s) where inmates will be held during the shakedown (i.e. receiving cells, Intox. cell, or visitation cells).

C. The searching Deputies will put on protective gloves before beginning the search and will gather the necessary tools for the search including:

1. Mirrors;

2. Probes;

3. Flashlights; and,

4. Pen and paper.

IV. Beginning the Shakedown.

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*Cell Searches*

A. Shakedown searches of cell blocks will not be announced to the inmates ahead of time.

B. The water in the cell blocks may be turned off.

1. Turning off the water may prevent inmates from quickly returning to cells and flushing contraband before complying with Deputy(s) orders.

C. When inmates are already locked in their cells:

1. The Deputy will unlock the cell doors of the cell/inmates to be searched.

2. The Deputies will enter the cell block and direct inmates to put on jail uniforms and immediately assemble in the day room with specific instructions to not return to their cells or flush the toilets.

3. The Deputies will watch inmates who act contrary to the above orders.

a. Inmates who fail to follow the direct orders of staff will be subject to discipline including removal from the cell block and placement/assignment to administrative segregation pending the formal disciplinary process (reference Policy and Procedure 105.26, Administrative Segregation).

4. Inmates will then be escorted to another cell block, receiving cell, Intox. cell, or visitation cell.

V. Body Searches of Inmates at Shakedown.

A. All inmates in cells subject to a shakedown search may be pat searched prior to being directed to the temporary holding room(s).

1. At least one Deputy will maintain a security watch on the group of inmates assembled in the dayroom while one or more of the other Deputies conduct the pat search.

2. After the pat search of the inmate(s) is completed, the inmate(s) will be escorted to the designated temporary holding room.

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B. When an inmate’s conduct and/or the pat search provides the Deputy(s) with probable cause to believe the inmate is concealing contraband on his/her body, the inmate will be immediately placed in handcuffs.

1. The inmate will be directed to remain in the dayroom until all other inmates have been pat searched. Then all inmates will be escorted to designated temporary holding cell(s). Suspected inmate will be escorted to booking room for strip search by Deputy of the same sex as that of the inmate.

2. A Huber inmate who is suspected of concealing contraband shall be taken by a Deputy of the same sex as that of the inmate to the booking room to be strip searched.

3. The Deputy must conduct strip search consistent with Body Searches, P&P: 112.02 completing forms as necessary.

a. If the strip search reveals the inmate has hidden contraband on his/her person, the inmate is subject to discipline and/or criminal charges based on the type of contraband found.

VI. Shakedown Search Pattern for Cells.

A. The Deputies conducting the search will search one dayroom/cell at a time.

B. Shakedown searches of cells shall be conducted in a systematic method as follows:

1. Check cell door, locks, and food port hatches.

2. Inspect all heating and cooling vents.

3. Inspect the intercom speakers and test if necessary.

4. Inspect mirrors, sinks, wastebasket, toilets, toilet paper rolls and shower.

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5. Check caulking and grout in cell block to make sure it is intact.

6. Inspect the walls from floor to ceiling, between the sinks and bunks.

7. Examine all windows.

8. Strip the bunks of blankets and sheets and examine thoroughly.

9. Shake out and feel seams of blankets, sheets and pillowcases.

10. Feel the mattress and pillows with enough pressure to feel anything hidden in them.

11. Turn the mattress and pillows and squeeze the corners.

12. Check for tears or any openings that have been re-sewn, paying special attention to seams. (If mattress or pillow is damaged or tampered with remove from cell block and install new one).

13. Remove all items from underneath the bunk.

14. Leaf through books and magazines.

15. Check the bindings of books.

16. Go through the personal items in the property tote including all hygiene and sanitary items.

17. Inspect the deodorant if it appears to have been tampered with remove deodorant from the tube to check for contraband and replace it.

18. Check shampoo and toothpaste tubes/bottles to be sure the appropriate contents are in them.

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19. Examine the top and underneath the desk and stools, table, and bunks.

20. Examine the shelves and the items on them.

21. Check the hooks to make sure they are in working order.

22. Examine the remaining walls, ceiling and light fixtures for any holes, cracks where contraband may be hidden or for graffiti, and/or criminal damage.

C. Safety measures include:

1. Examining all areas before touching to avoid being poked or cut by sharp objects.

2. Not putting hands or fingers into unseen areas without first using mirror or other device to check for hazards.

3. Not putting linens through fingers to check for contraband to prevent from being poked or cut by an object hidden in them.

4. Using flashlights, mirrors, and other probing tools as necessary.

D. If contraband is discovered, the contraband will be inventoried, photographed and search will continue.

E. Additional items to be checked during the shakedown search of the a cell are:

1. Checking all nuts, bolts, tables, desks, T.V. holders, toilets, telephone and showers to be sure they are secure.

2. Checking for any pictures or poster-type items that may be covering the walls, lights, vents, ceilings, etc…

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3. Checking for a reasonable amount of pictures the inmate has in his/her cell.

a. Pictures may be displayed, but not fastened in any manner (with, tape, toothpaste, fruit stickers, etc…).

4. Checking to be sure nothing is being hidden beneath the pictures.

5. Looking for any maintenance problems with the cell. (i.e. water problems, plugged toilets/ drains).

F. When the cell search is done:

1. Put things back where they were originally located.

2. Put the appropriate bedding on the appropriate bunk.

3. Leave the cell in semi-orderly condition.

VII. Returning Inmates to Their Cell Block.

A. Each inmate may be pat searched before they are returned to their cell block.

B. The temporary holding rooms where the inmates were being held during shakedown will be searched for any contraband and/or damage after the inmates were returned to their cell block.

VIII. Documentation.

A. For the Monthly Shakedowns.

1. A shakedown search will be logged by a Deputy in the Jail Management System (JMS) Jail Log.

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2. A checklist will be completed and filed on the Jail Administrator’s desk stipulating the monthly shakedown was completed as required and the results of the search process (i.e., any significant and/or unusual contraband or occurrence during the search process, etc.).

B. For shakedowns when reasonable belief exists inmates have hidden weapons or contraband, a more detailed report must be completed. Information included in the report will be:

1. Justification of the shakedown search, witness statements.

2. Any significant incidents which occurred prior to, during or after shakedown search.

3. A list of all contraband found and the inmate responsible.

4. Actions taken.

5. Disposition of the contraband.

C. Any disciplinary actions against any inmate from the County jail or Huber Center for rules violation(s) must be detailed completely in Incident Reports and/or Jail Log.

D. If illegal contraband is discovered, the Deputy will complete an Incident Report which will include:

1. Chain of evidence.

2. Drug test results (when applicable).

E. When contraband is found, the Deputy will find out which inmate the contraband belongs to by conducting an investigation including:

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1. Issuing witness statement forms to the inmates that he/she believes have knowledge of the contraband.

2. Administratively separating inmates from time they are directed to provide a statement until the statements are completed. (This can be done before inmates are returned to their cells).

3. The Deputy will instruct the inmates to document their knowledge of the contraband, including:

a. How it got there;

b. Who it belongs to; and,

c. How, when and by whom it was to be used.

4. If further investigation is needed, the Deputy will interview the inmates involved to try to establish the above points (reference section VIII. E. 3 of this procedure).

F. If necessary, the Deputy will read the inmates involved their Miranda Warning if the contraband is a controlled substance or otherwise represents a crime punishable by fine, forfeiture or prison, and have the inmate(s) sign the waiver form if they choose to speak to the Deputy about the contraband.

G. The completed incident report with copies of the witness statements, Miranda Warning will be forwarded to the Prairie du Chien Police Department, with copies to the Jail Administrator.

H. All strip search paperwork shall be copied with the original in the incident report, a copy to the inmate and a copy placed in the inmate’s jail file.

I. After random shakedown search has been conducted, the Deputies will complete the checklist, log entry in J.M.S. for the area that was searched and will place the checklist on the Jail Administrators desk.

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J. The Jail Administrator will review the weekly and monthly search checklist and address any problems or concerns and then file them.

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# Portable Audio/Video Recorders

## 524.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this office while in the performance of their duties. Portable audio/video recording devices include all recording systems, whether body-worn, hand-held, or integrated into portable equipment (Wis. Stat. § 165.87).

## 524.2 POLICY

The Crawford County Sheriff's Office may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Office by accurately capturing contacts between members of the Office and the inmate population

## 524.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any office-issued device at any time, and any recording made while acting in an official capacity of this office regardless of ownership of the device it was made on, shall remain the property of the Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

## 524.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Office, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

## 524.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

(a) Contact with a inmate that is showing signs of aggression or difficulty

(b) Contact with a inmate when enforcing jail rules

(c) When a deputy feels like documentation of the contact should be recorded

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Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

## 524.6 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Wisconsin law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Wis. Stat. § 968.31(2)(b)).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another office member without a court order unless lawfully authorized by the Sheriff or the authorized designee.

## 524.7 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped for tactical reasons deemed appropriate by the officer.

## 524.8 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using office-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with office-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate office business purposes. All such recordings shall be retained at the Office.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Lieutenant. Any member who uses a personally owned recorder for office-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

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Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

## 524.9 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, or reports of meritorious conduct, or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

(a) Upon approval by a supervisor, by any member of the Office who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(c) By media personnel with permission of the Sheriff or the authorized designee.

(d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court (Wis. Stat. § 165.87(3)).

## 524.10 COORDINATOR

The Sheriff or the authorized designee should designate a coordinator responsible for (Wis. Stat. § 165.87):

(a) Establishing procedures for the security, storage, and maintenance of data and recordings.

(b) Establishing procedures for accessing data and recordings.

(c) Establishing procedures for logging or auditing access.

(d) Establishing procedures for transferring, downloading, tagging, or marking events.

(e) Coordinating with the Training Officer to provide training on this policy to:

1. Deputies who are authorized to use portable audio/video recorders.
2. Members of the Office who use, maintain, store, or are responsible for the release of records and recordings.

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(f) Periodically reviewing the Office's practices relating to the use, maintenance, and storage of body cameras and data to confirm compliance with this policy.

(g) Ensuring this policy is available to the public on the Office's website.

## 524.11 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule but in no event for a period less than 120 days (Wis. Stat. § 165.87).

## 524.12 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

## 524.13 EXCEPTIONS TO RETENTION REQUIREMENTS FOR BODY-WORN CAMERAS

Exceptions to the 120-day retention period for body-worn cameras are as follows (Wis. Stat. § 165.87):

(a) Recordings should be retained until the final disposition of any investigation, case, or complaint to which the recordings pertain to any of the following:

1. Death or actual or alleged physical injury to any person in the recording
2. An encounter resulting in custodial arrest
3. A search during a temporary detention pursuant to Wis. Stat. § 968.25
4. An encounter resulting in the use of force except when the only use of force involves the use of a firearm to euthanize an injured wild animal

(b) Recordings used in any criminal, civil, or administrative proceeding may not be destroyed except upon a final disposition from the court or hearing officer after a determination the recordings are no longer needed, or by an order from the court or hearing officer.

(c) Recordings may be retained for a period beyond 120 days if a request or directive to preserve the recordings is made before the expiration of that time period by a deputy from this office or another law enforcement agency, member of a board of fire and police commission, prosecutor, defendant, or a court.

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# Chapter 6 - Inmate Due Process

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# Inmate Discipline

### 600.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of inmate rules and the application of disciplinary sanctions for those who fail to comply.

### 600.2 POLICY

It is the policy of this office to maintain written general categories of prohibited inmate behavior that are clear, consistent and uniformly applied. Written rules and guidelines will be made available to all inmates. They will include a process for resolving minor infractions and a hearing process for a more serious breach of inmate rules. Criminal acts may be referred to the appropriate criminal agency (Wis. Admin. Code DOC § 350.24).

### 600.3 DUE PROCESS

Inmates who are subject to discipline as a result of rule violations shall be afforded the procedural due process established in the policies, procedures and practices relating to inmate discipline (Due process hearing shall be held within seven calender days). All inmates will be made aware of the rules of conduct related to maintaining facility safety, security and order, as well as clearly defined penalties for rule violations. Staff will not engage in arbitrary actions against inmates. All disciplinary actions will follow clearly established procedures. All disciplinary sanctions will be fairly and consistently applied.

The process for an inmate accused of a major rule violation includes:

(a) A fair hearing in which the Jail Administrator or the authorized designee presents factual evidence supporting the rule violation and the disciplinary action.

(b) Advance notice to the inmate of the disciplinary hearing, to allow the inmate time to prepare a defense.

(c) An impartial hearing officer.

(d) The limited right to call witnesses and/or present evidence on his/her behalf.

(e) The appointment of an assistant or representative in cases where the inmate may be incapable of self-representation.

(f) A formal written decision that shows the evidence used by the hearing officer, the reasons for any sanctions and an explanation of the appeal process.

(g) Reasonable sanctions for violating rules that relate to the severity of the violation.

(h) The opportunity to appeal the finding (Wis. Admin. Code DOC § 350.24(3)).

(e) An inmate may waive the right to a due process hearing under par. (d) in writing at any time. If the inmate waives the right to a due process hearing, the violation shall be disposed of in accordance with the procedures for minor violations under sub. (2), except that a major

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discipline may be imposed if the relevant staff member finds a violation occurred. A waiver does not constitute an admission of the alleged violation.

### 600.3.1 INMATE RULES AND SANCTIONS

The Jail Administrator is responsible for ensuring that inmate rules and sanctions are developed, distributed, reviewed annually and revised as needed.

Inmates cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited should be available in each housing unit. Any revised inmate rules shall not go into effect until all inmate rule handbooks have been replaced or the revised rules have been made available in each housing unit. All inmates, regardless of their housing unit, shall have access to these rules. Inmate rules shall be translated into the languages that are understood by the inmates (Wis. Admin. Code DOC § 350.24(1)) (see the Inmate Handbook and Orientation Policy).

Disciplinary procedures governing inmate rule violations should address rules, minor and major violations, criminal offenses, disciplinary reports, prehearing detention and prehearing actions or investigations.

### 600.3.2 RULE VIOLATION REPORTS

A record of all disciplinary infractions and punishment administered will be made (Wis. Admin. Code DOC § 350.24(3)). This requirement may be satisfied by retaining copies of rule violation reports, including the disposition of each violation. Rule violation reports are required for major rule violations or any other violation that will require investigation or a formal resolution. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation report. The rule violation report shall include, at a minimum:

- The date, time and location of the incident.
- Specific rules violated.
- A written description of the incident.
- The identity of known participants in the incident.
- Identity of any witnesses to the incident.
- Description and disposition of any physical evidence.
- Action taken by staff, including any use of force.
- Name and signature of the reporting deputy.
- Date and time of the report.

The supervisor investigating the violation shall ensure that documentation in the investigation or rule violation report includes:

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- Date and time the explanation and the written copy of the complaint and appeal process were provided to the inmate.
- The inmate’s response to the charges.
- Reasons for any sanctions.
- The identity of any staff or witnesses involved, as revealed by the inmate.
- The findings of the hearing officer.
- The inmate’s appeal, if any.
- The appeal findings, if applicable.

## 600.4 MINOR RULE VIOLATIONS

A violation of rules observed by general service employees, volunteers or contractors will be reported to a deputy for further action. Deputies are authorized to recommend informal sanctions on minor violations (Wis. Admin. Code DOC § 350.24(2)).

Any staff member imposing informal discipline shall complete the reporting portion of the disciplinary report and provide the form to the supervisor for review. The staff member who observes an inmate committing a minor violation shall inform the inmate of the rule that he or she has violated, the potential dicipline, and the disciplanary procdures for minor violations under pars (c) to (g).

Disciplinary sanctions that may be imposed for minor rule violations include:

- Counseling the inmate regarding expected conduct.
- Removal from work detail (without losing work time credits or work-release status).
- Loss of television, visitation, telephone and/or commissary privileges for a period set forth by jail staff that administered the disciplinary action.
- Lockdown in the inmate’s assigned cell or confinement in the inmate’s bunk area for a period not to exceed 24 hours.

An inmate may request that a supervisor review the imposed sanction. However, this request must be made within one hour of receiving notice of the sanction. The supervisor should respond to the request within a reasonable time (generally within two hours) and shall have final authority as to the imposition of informal discipline.

### 600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation report if an inmate is charged with three or more minor rule violations in a consecutive 30-day period. Copies of all minor rule violations will be attached to the major rule violation report.

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## 600.5 MAJOR RULE VIOLATIONS

Major rule violations, which are defined as any violation for which major discipline may be imposed, are often a threat to the safety, security or efficiency of the facility, its staff members, inmates or visitors. Staff members witnessing or becoming aware of a major rule violation shall take immediate steps to stabilize and manage the situation, including immediate notification of a supervisor. The supervisor shall assess the situation and initiate any emergency action, if necessary, and notify the Shift Commander (Wis. Admin. Code DOC § 350.24(3)).

The staff member who learned of the rule violation shall write and submit a disciplinary report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift.

### 600.5.1 ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are accused of a major rule violation may be moved to administrative segregation housing for prehearing detention, with the Shift Commander’s approval, if there is a threat to safety or security, or where the inmate’s presence in general housing inhibits a pending disciplinary investigation (Wis. Admin. Code DOC § 350.25(1)). Inmates placed in prehearing detention are subject to the property and privilege restrictions commensurate with segregated confinement.

The Jail Administrator or the authorized designee shall, within 72 hours including weekends and holidays, and every seven days thereafter, review the status of any inmate in prehearing detention to determine whether continued prehearing segregation housing is appropriate. This review shall be documented (Wis. Admin. Code DOC § 350.25(3)).

### 600.5.2 INVESTIGATIONS

If the investigating deputy determines that sufficient evidence exists to support a major rule violation, he/she will act as the coordinator and will be responsible for delegating the following repsonsibilities:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.
- Making a determination as to the final charges.
- Making preliminary decisions about the appointment of a staff member to act as an assistant to the inmate.
- Identifying any witnesses that may be called to the hearing.

### 600.5.3 NOTIFICATIONS

An inmate charged with a major rule violation shall be given a written description of the incident and the rules violated at least 24 hours before a disciplinary hearing.

Unless waived in writing by the inmate, hearings may not be held in less than 24 hours from the time of notification (Wis. Admin. Code DOC § 350.24(3)).

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## 600.6 HEARINGS

The Jail Administrator shall appoint at least one hearing officer to preside and conduct disciplinary hearings of major rule violations. The hearing officer should be a qualified supervisor or suitably trained designee who will have the responsibility and authority to rule on charges of inmate rule violations. The hearing officer shall also have the power to impose sanctions. The hearing officer shall not investigate nor preside over any inmate disciplinary hearing on cases where he/she was a witness or was directly involved in the incident that generated the complaint (Wis. Admin. Code DOC § 350.24(3)).

Inmates charged with major rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security and order. Staff shall inform the hearing officer when any inmate is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal (Wis. Admin. Code DOC § 350.24(3)). A copy of the report shall be forwarded to the Jail Administrator.

Hearings may be postponed or continued for a reasonable period of time for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Jail Administrator.

The hearing officer shall disclose to the accused inmate all witnesses who will be participating in the hearing. Inmates have no right to cross-examine witnesses. However, the accused inmate may be permitted to suggest questions that the hearing officer, in his/her discretion, may ask.

### 600.6.1 EVIDENCE

Accused inmates have the right to make a statement, present evidence and call witnesses at the hearing (Wis. Admin. Code DOC § 350.24(3). Requests for witnesses shall be submitted in writing by the inmate no later than 12 hours before the scheduled start of the hearing. The written request must include a brief summary of what the witness is expected to say.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, when the witness’s information would not be relevant or would be unnecessarily duplicative, or is otherwise unnecessary (Wis. Admin. Code DOC § 350.24(3)). The reason for denying a witness to testify shall be documented in the hearing report. The reason for denial of any documents requested by the inmate shall also be documented in the hearing record.

A witness’s signed written statement may be submitted by the inmate as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Absent a safety or security concern, all staff reports and evidence, including exculpatory evidence, obtained during the disciplinary investigation shall be made available to the accused inmate prior to the hearing.

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600.6.2 CONFIDENTIAL INFORMANTS
If information from any confidential informant is to be presented at the hearing, information establishing the reliability and credibility of the informant shall be provided to the hearing officer prior to the hearing. The hearing officer shall review such information to determine whether the informant is reliable and credible.

600.6.3 STAFF ASSISTANCE
A staff member shall be assigned to assist an inmate who is incapable of representing him/herself at a disciplinary hearing due to literacy, developmental disabilities, language barriers or mental status (Wis. Admin. Code DOC § 350.24(3)). The scope of the duties of the assistant shall be commensurate with the reasons for the appointment. The assistant should be allowed sufficient time to confer with the inmate to fulfill his/her obligations. In these cases the inmate does not have a right to appoint a person to assist in his/her disciplinary hearing. The final decision regarding the appointment rests with the hearing officer.

Inmate discipline is an administrative and not a judicial process. Inmates do not have a right to an attorney in any disciplinary hearing. Additionally, disciplinary matters may be referred for criminal prosecution and jail disciplinary action concurrently as there is no double jeopardy defense for an administrative process.

600.6.4 DISCIPLINARY DECISIONS
Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

The disciplinary process shall consider whether an inmate’s mental disabilities or mental illness contributed to the inmate’s behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.78(c)).

600.6.5 REPORT OF FINDINGS
A record of all disciplinary hearings shall be maintained in accordance with established records retention schedules. The hearing officer shall write a report regarding the decision and detailing the evidence and the reasons for the disciplinary action (Wis. Admin. Code DOC § 350.24(3)). A copy of the report shall be provided to the inmate. The original shall be filed with the record of the proceedings. All documentation related to the disciplinary process shall be retained and a copy should be placed in the inmate’s file.

If it is determined that the inmate’s charge is not sustained at the end of the disciplinary hearing, the disciplinary report shall reflect those findings.

All disciplinary hearing reports and dispositions shall be reviewed by the Jail Administrator or the authorized designee soon after the final disposition.

## 600.7 LIMITATIONS ON DISCIPLINARY ACTIONS
The U.S. and Wisconsin Constitutions expressly prohibit all cruel or unusual punishment. Additionally, there shall be the following limitations:

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- In no case shall any inmate or group of inmates be delegated the authority to punish any other inmate or group of inmates.
- In no case shall a safety cell, as specified in the Juvenile Housing and the Safety and Sobering Cells policies, be used for disciplinary purposes.
- In no case shall any restraint device be used for disciplinary purposes.
- Food shall not be withheld as a disciplinary measure.
- Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence other than legal mail may be suspended for no longer than 72 hours without the review and approval of the Jail Administrator.
- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure.
- No inmate may be deprived of the implements necessary to maintain an acceptable level of personal hygiene.
- Discipline may be imposed for sexual activity between inmates. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No inmate may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).
- No confinement without an opportunity for at least one hour of exercise three days each week outside of immediate living quarters may be imposed unless the Jail Administrator determines and documents that this opportunity will jeopardize the physical safety of the inmate or others or the security of the facility.
- No inmate may be subject to a substantial change in heating, lighting, or ventilation.
- No inmate may be subject to restrictions on clothing, bedding, the use of hygienic facilities, or reading or writing materials except for abuse of rules related to these and unless jail officials find and document that this opportunity will jeopardize the physical safety of the inmate or others or the security of the jail.
- Restrictions shall not be placed on medical and dental care as a disciplinary measure.
- Restrictions shall not be placed on an inmate’s access to government officials as a disciplinary measure.
- Restrictions shall not be placed on an inmate’s access to grievance proceedings as a disciplinary measure.
- Inmates shall not be deprived of more than two days loss of good time for any one offense without approval of the court (Wis. Stat. § 302.43)

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- An inmate’s Huber Law privileges may be suspended only for a major rule violation and not for more than five days (Wis. Stat. § 303.08(10)).

## 600.7 DISCIPLINARY APPEALS

Inmates shall be notified of their right to appeal the hearing officer's decision and of the following appeal process (Wis. Admin. Code DOC § 350.24(3)).

Inmates wishing to appeal the decision of the hearing officer must do so in writing within five days of the decision. All appeals will be forwarded to the Jail Administrator or the authorized designee for review.

Only appeals based on the following will be considered:

(a) The disciplinary process or procedures were not followed.

(b) There was insufficient evidence to support the hearing officer’s decision.

(c) The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as possible if the inmate’s appeal is granted or discipline is reduced but no later than 10 days after the appeal. The decision of the review authority shall be final and the result of the appeal shall be provided to the inmate in writing.

## 600.8 GUIDELINES FOR DISCIPLINARY SANCTIONS

The sanctions imposed for rule violations can range from counseling, loss of privileges, extra work, loss of good and/or work time and restitution for damaging jail property, to implementation of the Disciplinary Segregation Policy. To the extent that there is available therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the facility shall consider whether to require an inmate being disciplined for sexual abuse to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.78(d)).

Discipline shall be commensurate with the nature and circumstances of the offense committed, the inmate’s disciplinary history and the sanctions imposed for comparable offenses by other inmates with similar histories (28 CFR 115.78(b)).

Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse (28 CFR 115.78(a)).

The Sheriff or the Jail Administrator shall be responsible for developing and implementing a range of disciplinary sanctions for violations.

## 600.9 TRAINING

The Jail Administrator or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that electronic forms are available for documenting rule violations in a consistent and thorough manner.

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## 600.11 CLASS C INFORMAL DISCIPLINE

Policy

It shall be the policy of the Crawford County Sheriff's Department Jail to ensure maintenance and enforcement of effective discipline in the jail, Deputies may discipline inmates for minor (Class "C") violations of jail rules by either temporarily placing the inmate in punitive segregation. Such restriction of privileges or segregation shall be for a period of no more than 24 hours in accordance with D.O.C. 350.15(2). (Restriction of privileges or segregation for a period longer than 24 hours shall only be effected following a jail disciplinary hearing, in accordance with D.O.C. 350.15(3) Formal Discipline for major violations of rules).

All such disciplinary measures shall be documented on a jail incident report form and also staff will be notified by voicemail, whiteboard message and through briefing at shift change.

Procedure

I. A Deputy witnessing an incident involving a minor (Class "C") violation of jail rules may, after informing the inmate of the rule violated and after giving the inmate an opportunity to make a verbal statement about the alleged violation, discipline the offending inmate by use of Sanctions from 108.01(5)(B).

II. The Deputy will do a Jail Log Entry describing incident and sanctions taken.

A. Copy to Jail Administrator;

B. Copy in the inmate's jail file; and,

C. Message written on whiteboard which alerts all Deputies of your action.

III. The Jail Administrator will review the jail log entry as soon as possible and if there are any problems or misgivings about a disciplinary measure which has been imposed, will speak with the Deputy involved.

A. The disciplinary measure will stand as given if approved by Jail Administrator.

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B. If the Jail Administrator determines there was no violation, the inmate will be notified in writing that the charge is dismissed and privileges will be restored immediately.

C. If the Jail Administrator determines the violation constitutes a Major (Class “B”, “A”) violation, the alleged infraction shall be handled according to policy covering major (Class “B”, “A”) violations as described in 108.01(4) (B) and 108.01(3) (B).

IV. The Deputy involved will, whenever possible, personally restore the lost privilege(s) to the offending inmate.

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# Disciplinary Segregation

## 601.1 PURPOSE AND SCOPE

This policy specifically addresses disciplinary segregation and guiding principles relating to the conditions attached to that segregation. It will provide guidance to the staff on acceptable practices with regard to management of inmates in disciplinary segregation or classified as requiring special management needs.

### 601.1.1 DEFINITIONS

Definitions related to this policy include:

**Disciplinary segregation** - A status assigned to an inmate after a disciplinary hearing in which the inmate was found to be in violation of a jail rule or state or federal law. This status results in separating the inmate from the rest of the population to serve the consequence imposed.

**Administrative Confinement**- is defined in DOC 350.13 as “a non punitive segregated confinement of an inmate in his/her cell or other isolated area solely because he or she is dangerous, to ensure personal safety and security within the jail.” And, the aforementioned Code permits an inmate to be assigned to administrative confinement, if the inmate’s continued presence would inhibit a pending disciplinary investigation (i.e., the need to separate and/or protect the integrity of witnesses).

## 601.2 POLICY

The Crawford County Sheriff's Office will maintain a disciplinary segregation unit to house inmates who, after an impartial due process hearing, are being sanctioned for violating one or more jail rules. Restrictions on privileges will be subject to the disciplinary process and in accordance with this policy.

The purpose of inmate discipline is to amend errant behavior and to serve as a vehicle to assist inmates in the process of maintaining their behavior and activities within acceptable parameters.

An inmate held in general housing, may be temporarily locked down (if housed alone in their cell) or relocated to a receiving cell, if the inmate’s continued presence in the housing unit:

- Presents a substantial risk of physical harm to the inmate, another person or property;
- If an inmate is suspected of having a contagious or communicable disease.
- If an inmate is infested with a pest such as lice or scabies.

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- If the inmate is apparently under the influence of drugs or alcohol.

- Threatens the security and order of the jail; and/or,

- Inhibits a pending disciplinary investigation/action.

The relocation and subsequent administrative discretionary segregation, is not punitive and is intended solely as an inmate management/control measure. Therefore, due process is not required prior to the segregation assignment. And, the segregation will only remain in force until there is no longer a need to keep the subject inmate segregated from general housing.

**601.3 DISCIPLINARY SEGREGATION**

Inmates may be placed into disciplinary segregation only after an impartial hearing to determine the facts of the rule violation, in accordance with the office Inmate Discipline Policy. The hearing officer shall impose discipline in accordance with the discipline schedule established by the Jail Administrator. Maximum disciplinary sanctions for any one incident, regardless of the number of rules violated, shall not exceed 10 days. Inmates who are in disciplinary segregation shall be under the care and advice of physician. This care and advice by a physician shall be documented (Wis. Stat. § 302.40).

I. Administrative Segregation of County Jail Inmates.

A. A County Jail inmate may be placed in administrative segregation from general housing without prior approval of a supervisor when:

1. The subject inmate’s continued presence in general housing poses a substantial risk of physical harm to the inmate, or to another person, or to property; and/or

2. The inmate threatens the security or order of the jail; and/or

3. The subject inmate’s continued presence in general housing inhibits a pending disciplinary investigation (i.e., the need to separate and/or protect the integrity of inmate witnesses).

4. If at all possible, a supervisor will be consulted and permission obtained from said supervisor prior to assigning the subject inmate to administrative segregation. However, if a supervisor is not readily accessible and there is an urgent need to segregate to re-establish and maintain

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order within and the overall safety and security of the general housing unit, the segregation can proceed prior to supervisory approval. Supervisory approval must be made within 24 hours by Jail Administrator and/or other Crawford County Sheriff's Department Supervisor.

5. An inmate will only remain in administrative segregation so long as the reason(s) for the original placement exists and/or as new circumstances/conditions dictate. And, the subject inmate will be returned to general housing when the reason(s) for the placement in segregation is no longer applicable.

B. The Deputy moving an inmate to administrative segregation will notify the supervisor of the incident and need for segregation as soon as practical, if prior supervisory approval was not obtained.

1. If the inmate is aggressive, belligerent, hostile, threatening toward staff or other inmates and/or involved (reason for the segregation from the general housing unit) in a physical or verbal altercation with another inmate or staff, and/or there exists an extraordinary situation or concern, the inmate will be assigned to maximum security; Receiving East or Receiving West.

a. The aggressive, inmate will be assigned to administrative segregation in a receiving cell.

2. If the Deputy is in doubt as to the appropriate housing location, said staff member should utilize the most secure and restrictive option (i.e. receiving east or receiving west cell).

C. The Deputy assigning the inmate to administrative segregation will prepare and submit a written report regarding the incident and the need to segregate the inmate from general housing.

1. The report must include the reason(s)/justification for the segregation from general housing. And, the length of time the subject inmate was segregated from general housing, if the segregation is discontinued prior to the end of Deputy's duty shift.

2. The report will be submitted to the Jail Administrator prior to the end of the reporting Deputy's duty shift.

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3. The Deputy will also enter the applicable information regarding the segregation action in the jail log.

D. The Supervisor will review the segregation and determine if the segregation from general housing was appropriate/justified.

1. If the supervisor determines the inmate should not have been segregated from general housing, the supervisor will instruct staff to escort to and reassign the subject inmate back to their housing unit. The supervisor will prepare and submit a written report to the inmate's file regarding the decision to reassign the inmate back to their housing unit; the report will also include any additional pertinent information regarding the segregation action and reassignment.

2. If the supervisor determines the segregation from general housing was appropriate/ justified, the supervisor will monitor the inmate's progress throughout the duty shift to ascertain whether or not it is appropriate to continue the segregation or reassign the inmate back to general housing.

a. The supervisor will determine when the inmate no longer presents a threat to the safety, security and order of the general housing unit and will order the inmate's reassignment back to the general housing unit when the need to segregate the inmate has ended, if the need has ended prior to the end of the supervisor's duty shift.

b. If the need to segregate extends beyond the supervisor's duty shift, the Deputy will monitor the inmate's progress until supervisor is reached and reassigns the inmate to general population when the need to segregate has ended.

c. If the reason to assign the inmate to administrative segregation will probably result in a disciplinary cell assignment after a formal due process inmate administrative disciplinary proceeding the inmate will remain in administrative segregation pending the outcome of the formal due process proceeding.

1) If a disciplinary cell assignment sanction is imposed, the inmate will be provided credit toward the length of the disciplinary cell assignment from the date and time the inmate was originally assigned to administrative segregation (i.e. the start date and time of the disciplinary cell assignment will revert back to the date and time the inmate was assigned to administrative segregation).

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d. The supervisor who approved the segregation from general housing will submit an addendum to the reporting deputy's report. The addendum will include notification that the supervisor approved the segregation from the general housing unit, the length of time of the segregation and any additional pertinent information regarding the segregation action.

1) The supervisory addendum listed above can be an actual addendum to the original Deputy's report, separate written report which provides all the pertinent and required information listed in section II. D.2.d. of this procedure.

## 601.4 INMATE ACCESS TO SERVICES

The ability to discipline inmates for conduct violations is not absolute. Absent legitimate government reason, inmates continue to have a right to receive certain services. However, inmates in disciplinary segregation, in accordance with the Inmate Discipline Policy, or special management inmates who are disciplined for one or more rule violations, may be subject to loss of privileges or credit for good time and work.

Services to provide for basic human needs must continue to be made available. There are minimum service requirements that must be maintained to ensure the facility continues to operate in a constitutional manner. All custody staff will adhere to the following policy sections to guide them in the supervision of inmates held in disciplinary segregation or classified as requiring special management needs.

### 601.4.1 MEDICATION, CLOTHING AND PERSONAL ITEMS

Inmates placed in disciplinary segregation are considered special management inmates and shall not be denied prescribed medication.

Special management inmates will be provided with clothing that identifies their status, but in no case will this clothing be used to intentionally disgrace the inmate.

Absent unusual circumstances, special management inmates will continue to have the same access to personal items in their cell as general population inmates have, including the following:

- Clean laundry
- Barbering and hair care services
- Clothing exchanges
- Bedding and linen exchanges

Inmates in disciplinary segregation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to attempt suicide. \

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### 601.4.2 SHOWERING AND PERSONAL HYGIENE

Inmates in disciplinary segregation should be allowed to shower and shave with the same frequency as the general inmate population, if reasonably practicable, but at minimum shall be afforded the opportunity to shower at least every other day and shave weekly. The opportunities for each inmate to shave and shower will be documented on JMS.

Exceptions to this policy can only be made when the restriction is determined to be reasonably necessary for legitimate penological purposes. Any exceptions to this basic requirement must be reviewed and approved by a supervisor . The circumstances necessitating a restriction must be clearly documented on the unit log.

### 601.4.3 DENIAL OF AUTHORIZED ITEMS OR ACTIVITIES

Personal items may be withheld when it reasonably appears that the items will be destroyed by the inmate or it is reasonably believed that the personal item will be used for a self-inflicted injury or to harm others.

Whenever an inmate in disciplinary segregation is denied personal care items or activities that are usually authorized to the general population inmates, except for restrictions imposed as a result of a disciplinary hearing, the deputy taking such action shall prepare a report describing the circumstances that necessitated the need to restrict personal items or activities. The report shall be submitted to a supervisor for review, who will then forward it to the Jail Administrator. A copy of the report shall be placed in the inmate’s file.

### 601.4.4 MAIL AND CORRESPONDENCE

Inmates in disciplinary segregation shall have the same privileges to write and receive correspondence as inmates in general population, except in cases where inmates violated correspondence regulations. In such cases, mail privilege may be suspended. The Jail Administrator or the authorized designee shall approve all mail privilege suspensions that exceed 72 hours. Legal mail shall not be suspended from access or delivery to the inmate.

### 601.4.5 VISITATION

Inmates in disciplinary segregation shall have the same opportunities for visitation as general population inmates, except when the visitation privileges are suspended pursuant to a sanction imposed by adeputy. Disciplinary sanctions that limit or curtail visitation must be clearly documented and approved by a supervisor if not a condition of the original approved discipline.

### 601.4.6 READING AND LEGAL MATERIALS

Inmates in disciplinary segregation shall have the same access to reading materials and legal materials as the general population inmates, unless the restriction is directed by a court of law or there is a reasonable basis to believe the materials will be used for illegal purposes or pose a direct threat to the security and safety of the facility. In such cases the basis for the action shall be documented in the inmate’s file and unit log. Access to courts and legal counsel shall not be suspended as a disciplinary measure.

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This shall be accomplished by a jail request to be able to obtain legal materials from the Crawford County Jail Library.

601.4.7 LIMITED TELEPHONE PRIVILEGES
Inmates in disciplinary segregation may have their telephone privilege restricted or denied. Exceptions include the following:

(a) Making calls to attorneys

(b) Responding to verified family emergencies when approved by a supervisor

All telephone access based on the above exceptions shall be documented on the unit log.

601.4.8 BEDDING AND CLOTHING
Inmates in disciplinary segregation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to harm him/herself or others or for something other than the intended purpose. Clothing and bedding shall be returned to the inmate as soon as it is reasonable to believe the behavior that caused the action will not continue. The decision to continue to deprive the inmate of these articles must be made by the Jail Administrator or the authorized designee and reviewed at least every eight hours. This review shall be documented and placed into the inmate's file.

## 601.5 DISCIPLINARY DETENTION DIET

Under no circumstances will an inmate be denied food as a means of punishment.

## 601.6 MENTAL HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of segregation, health evaluations should include notations of any bruises and other trauma markings, and the qualified health care professional’s comments regarding the inmate’s attitude and outlook.

(a) Mental health staff or a qualified mental health professional should also conduct weekly rounds.

When an inmate is classified as a special management inmate due to the presence of a serious mental illness and is placed in a segregation setting, the mental health progress notes and management plan should reflect the changed environment. When an inmate is expected to remain in segregation for more than 30 days (based upon disciplinary decisions, protective needs or other factors) the special management treatment plan should be updated to reflect this.

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk following admission to the segregation unit. Additionally, a qualified health care professional should visit all inmates housed in segregation once during each week that the inmate remains in segregated confinement.

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## 601.7 SAFETY CHECKS

A staff member shall conduct a face-to-face safety check of all disciplinary segregation inmates at least every 60 minutes on an irregular schedule. If an inmate is violent, has mental health problems or demonstrates unusual behavior, the face-to-face check by custody should occur every 60 minutes on an irregular schedule.

Inmates who are at risk of suicide shall be under continuous observation by rutine checks every 15 minutes until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional.

All management, program staff and qualified health care professional visits shall be documented on the appropriate records and logs and retained in accordance with established records retention schedules.

### 601.7.1 DOCUMENTATION OF SEGREGATION CHECKS

Segregation rounds shall be documented on JMS jail log and by electronic wand. Jail log shall include.

(a) Date and time of contact

(b) Any needed referrals

(c) All significant findings and observations, medical assessment, treatment, recommendations, notifications and actions should be documented in the inmate’s health record.

## 601.8 LOG PROCEDURES

All management, program staff and qualified health care professional visits shall be documented on the appropriate records and logs and retained in accordance with established records retention schedules.

Handwritten logs should be completed in ink only during suicide watch or restraint char is in use. Once an entry is made it should not be modified. If corrections or changes are needed they should be done by way of a supplemental entry.

Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Inmate name
- Inmate booking number
- Housing location
- Classification status
- Date and time placed in segregation
- Date and time of entry and exit from the cell

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- Violation and length of discipline
- Scheduled date of removal from segregation
- Medical, psychological or behavioral considerations
- Counseling for behavior
- Removal date and time segregation

Log entries should be legible, entered promptly and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate.

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check.

### 601.8.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The senior jailer on duty shall review and evaluate the logs and pass any significant incidents via the chain of command to the Jail Administrator for review.

The logs will be retained by the Office in accordance with established records retention schedules but in no case less than one year.

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# Inmates with Disabilities

## 602.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of inmates detained by this office in accordance with the Americans with Disabilities Act (ADA).

### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Disability** - The ADA defines a disability as a physical or mental impairment that limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity.

## 602.2 POLICY

This office will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited. This office prohibits all forms of discrimination based on disability.

## 602.3 JAIL ADMINISTRATOR RESPONSIBILITIES

The Jail Administrator, in coordination with the Responsible Physician and the ADA Coordinator (see Accessibility - Facility and Equipment Policy), will establish procedures to assess and reasonably accommodate disabilities of inmates. The procedures will include, but not be limited to:

- Establishing housing areas that are equipped to meet the physical needs of disabled inmates, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with inmates.
- Establishing classification criteria to make housing assignments to inmates with disabilities.
- Assigning individuals with adequate training to assist disabled inmates with basic life functions as needed. Inmates should not provide this assistance except as allowed in the Inmate Assistants Policy.
- Establishing transportation procedures for moving inmates with limited mobility.
- Establishing guidelines for services, programs and activities for the disabled and ensuring that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility’s efforts to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.16).
- Enlisting or contracting for trained service personnel who have experience working with disabled people.
- Establishing procedures for the request and review of accommodations.

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- Establishing guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight and mobility impairments, developmental disabilities and common medical issues, such as epilepsy.
- Identification and evaluation of all developmentally disabled inmates, including contacting the regional center for the developmentally disabled to assist with diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends.

The Jail Administrator is responsible for ensuring the Crawford County Sheriff's Office jail is designed or adapted to reasonably accommodate inmates with disabilities. At a minimum this includes:

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for inmates who are deaf, hard or hearing or speech-impaired.
- If orientation videos are used to explain facility rules to newly admitted inmates, subtitles may be displayed on the video presentation to assist inmates who have impaired hearing.
- Some cells and dormitories should be equipped with wheelchair accessible toilet and shower facilities. Inmates with physical disabilities should be allowed to perform personal care in a reasonably private environment.
- Tables designed for eating should be accessible to those in wheelchairs.

## 602.4 DEPUTIES RESPONSIBILITIES

Deputies should work with qualified health care professionals to aid in making accommodations for those with physical disabilities.

Deputies who work in the classification process should be aware of inmates with disabilities before making housing decisions. For example, persons with mobility issues may require a lower bunk and accessible toilet and shower facilities. When necessary or required, a supervisor of classification deputy should consult with the qualified health care professional or the Responsible Physician regarding housing location.

Deputies should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate’s disability. If there are no current guidelines in place, deputies receiving an inmate request for accommodation of a disability should direct the inmate to provide the request in writing or assist the inmate in doing so, as needed. The written request should be brought to the on-duty supervisor as soon as practicable but during the deputy’s current shift. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the jail. The formal written request should still be submitted to the on-duty supervisor.

Requests that are minor and do not reasonably appear related to a significant or ongoing need may be addressed informally, such as providing extra tissue to an inmate with a cold. Such requests need not be made in writing.

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### 602.5 ACCOMMODATION REQUESTS

Inmates shall be asked to reveal any accommodation requests during the intake classification process. Any such request will be addressed according to the classification process.

Requests for accommodation after initial entry into the facility should be made through the standard facility request process and should be reviewed by a supervisor within 24 hours of the request being made. The reviewing supervisor should evaluate the request and, if approved, notify the Jail Administrator, ADA Coordinator (see the Accessibility - Facility and Equipment Policy) and any other staff as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the inmate’s file.

A supervisor who does not grant the accommodation, either in part or in full, should forward the request to the Jail Administrator and the ADA Coordinator within 48 hours of the request being made. The Jail Administrator, with the assistance of the ADA Coordinator and/or legal counsel, should make a determination regarding the request within five days of the request being made.

### 602.6 TRAINING

The ADA Coordinator should work with the Training Sergeant to provide periodic training on such topics as:

(a) Policies, procedures, forms and available resources for disabled inmates.

(b) Working effectively with interpreters, telephone interpretive services and related equipment.

(c) Training for management staff, even if they may not interact regularly with disabled individuals, so that they remain fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

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# Inmate Access to Courts and Counsel

### 603.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates to access the courts and legal counsel, while holding inmates accountable to the rules and regulations that govern conduct in this facility.

### 603.2 POLICY

It is the policy of this office that all inmates will have access to the courts and the ability to consult with legal counsel (Wis. Admin. Code DOC § 350.27).

### 603.3 INMATE ACCESS

Staff should not unreasonably interfere with inmates' attempts to seek counsel and where appropriate should assist inmates with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney or legal assistant visits, telephone conversations or written communication. To facilitate access, this facility will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the inmate can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials (Wis. Admin. Code DOC § 350.27).
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate inmates and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes and postage for indigent inmates for legal communications and correspondence (Wis. Admin. Code DOC § 350.28).

The Jail Administrator shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the inmate handbook that is provided during inmate orientation.

### 603.4 CONFIDENTIALITY

All communication between inmates and their attorneys is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Outgoing and incoming legal correspondence shall be routed through the staff, who have received special training in inspecting confidential documents and who are accountable for maintaining

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confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts when needed, subject to the security and safety needs of the inmates, staff and the facility.

### 603.5 INMATE REQUEST FOR ASSISTANCE

Written materials addressing how an inmate can access local attorneys and key legal documents shall be available in each housing unit. Staff shall provide these materials to any inmate upon request. However, staff shall not provide legal advice or assist any inmate in the completion of any legal document.

Habeas corpus forms shall be made available to any inmate by the staff upon request.

Legal forms filled out by the inmate shall be forwarded to court administration directly or via an appointed legal assistant.

### 603.6 VISITATION RELATED TO LEGAL DEFENSE

Visits with inmates that are related to legal defense, including attorneys, paralegals and investigators, will be permitted only in the areas designated for legal visitation to assure confidentiality. Contact visits may be approved by the Jail Administrator for special circumstances.

(a) Visits shall be of a reasonable length of time to discourage any allegation that the defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service or other required activities.

(b) Only materials brought to this facility by an approved legal assistant shall be allowed.

(c) All materials shall be subject to security inspections by the staff and shall be routed through the Shift Commander for logging and distribution.

### 603.7 MAIL

Legal mail shall be opned only in the presence of the inmate to search only for contraband. Not to be read by the jailer.

### 603.8 IN PROPRIA PERSONA (PRO SE) INMATES

Inmates may be granted pro se status by court order only. Any time a court order is received designating an inmate as having been granted pro se status, all relevant records systems at the facility shall be updated to reflect this information. A copy of the court order shall be maintained in the inmate’s file in accordance with established records retention schedules.

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The court may, but is not required to appoint to an inmate who is designated pro se a backup attorney, paralegal or other person to assist the inmate with legal research. All information related to appointed assistants should be recorded in the relevant facility records.

Any provision of legal materials shall be in accordance with court directives and in consultation with the Corporation Counsel.

### 603.8.1 PRO SE STATUS MISUSE

Any inmate who is granted pro se status and is found to be misusing or abusing that status to the extent that it poses a demonstrable threat to the safety and security of the facility shall be immediately reported to the Jail Administrator. The Jail Administrator may recommend the suspension or a limitation of the inmate's pro se privileges if they adversely affect the safety and security of the jail.

Upon the concurrence with the findings and recommendation of the Jail Administrator, Sheriff or the authorized designee shall consult with the Office's legal counsel prior to notifying the court of any intent to limit the described pro se privileges.

The inmate may petition the court if he/she is dissatisfied with the action taken.

### 603.8.2 PRO SE STATUS - MATERIALS AND SUPPLIES

The facility may provide the following materials and supplies to a pro se inmate. These items may be retained by the inmate but must be kept in the container supplied for such purpose. The items may include the following:

- Up to one-half of a ream of 8½-inch x 11-inch plain bond typing paper
- Up to three ruled legal notepads
- Standard legal size envelopes
- One dozen (maximum) black lead golf pencils
- Two erasers
- One legal size accordion file
- 9-inch x 12-inch manila envelopes and 10-inch x 14-inch manila envelopes
- Up to a maximum of four law books at one time (paperback or hardback)

Unless otherwise ordered by the court, the Office shall have no obligation to supply materials beyond those listed above. Replacement of any of the listed items shall be accomplished through a written request to the Shift Commander or the authorized designee. Supplies provided by a court legal liaison will be received and distributed by the Shift Commander or the authorized designee. All supplies distributed to the inmate will be recorded in the inmate's pro se activities record. Supplies not listed in this policy are subject to approval by the Jail Administrator or the authorized designee.

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Access to ballpoint pens, for signature purposes only, will be provided through a supervisor. The use of the pen will be supervised by the staff and taken from the inmate immediately after its use.

Copies of an inmate's final legal (criminal case) work product, upon the inmate's request, may be provided subject to arrangements with the court.

Inmates may purchase their own legal books and materials. However, such materials will be subject to safety inspection and rules pertaining to items permitted to be in the inmate's possession. Personal books must be marked with the inmate's name and booking number.

Any books or materials found in the inmate's possession beyond what is authorized will be returned or placed in the inmate's property.

### 603.8.3 PRO SE INMATES INTERVIEWING WITNESSES

A pro se inmate may be permitted to interview prospective witnesses in the regular visitation area. Requests for visits outside of normal visiting hours will be directed to a supervisor for approval and should be accommodated when practicable.

Interviews conducted by pro se inmates are subject to the following rules and restrictions:

(a) No interview will be permitted without notification from a judge confirming or validating the prospective witness. The pro se inmate is responsible for providing the judge with the list of prospective witnesses for validation.

(b) No visit shall be permitted by a prospective witness who is in the custody of this office or otherwise detained by a government agency, except upon a specific court order.

### 603.8.4 TELEPHONE USAGE

Pro se inmates may use the telephones in their housing areas to place calls concerning their cases. Court-authorized pro se telephone calls shall not be monitored and shall be provided without charge to the inmate in accordance with the orders of the court (see the Inmate Telephone Access Policy).

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# Foreign Nationals and Diplomats

## 604.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

## 604.2 POLICY

The Crawford County Sheriff's Office Jail will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Office will investigate all claims of immunity and accept custody of the person when appropriate.

The Crawford County Sheriff's Office Jail will also honor the laws related to foreign nationals in custody by making proper consular notifications and by assisting those who wish to contact their consular representative.

## 604.3 DIPLOMATIC AND CONSULAR IMMUNITY

### 604.3.1 AVAILABILITY OF RESOURCES

The Shift Commander will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for office members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

### 604.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Crawford County Sheriff's Office Jail the receiving deputy shall first inform the Shift Commander and then generally proceed as follows:

(a) Do not accept custody of the person from the transporting officer. The person should not be brought inside the Crawford County Sheriff's Office Jail unless doing so would facilitate the investigation of his/her claim of immunity.

(b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.

(c) If the person has already been accepted into custody, inform the person that he/she will be detained until his/her identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.

(d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

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It will be the responsibility of the Shift Commander to communicate the claim of immunity to the on-duty supervisor of the arresting agency (if not the Crawford County Sheriff's Office). The Shift Commander may assist another agency in determining the person’s immunity status.

The Shift Commander is responsible for ensuring appropriate action is taken based upon information received regarding the person’s immunity status.

#### 604.3.3 REPORTING

If the person’s immunity status has been verified, the Shift Commander should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

## 604.4 CONSULAR NOTIFICATIONS

#### 604.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Administrator will ensure that the U.S. Department of State’s list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted.

Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and officials at the U.S. Department of Homeland Security (28 CFR 115.51).

#### 604.4.2 CONSULAR NOTIFICATION ON BOOKING

Office members assigned to book inmates shall:

(a) Inform the foreign national, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.

(b) Determine whether the foreign national’s country is on the U.S. Department of State’s mandatory notification list.

(c) If the foreign national’s country is not on the list for mandatory notification but the foreign national requests that his/her consular officers be notified, then:

1. Notify the nearest embassy or consulate of the foreign national’s country of the person’s arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.

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2. Forward any communication from the foreign national to his/her consular officers without delay.

(d) If the foreign national's country is on the list for mandatory notification, then:

1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.

2. Tell the foreign national that this notification has been made and inform him/her without delay that he/she may communicate with his/her consular officers.

3. Forward any communication from the foreign national to his/her consular officers without delay.

4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the inmate's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the inmate is requesting asylum. Requests for asylum should be forwarded to the Shift Commander.

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# Inmate Rights - Protection from Abuse

### 605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that inmates are afforded a safe, healthy environment free from abuse, physical punishment, harassment, intimidation and theft or other loss of property.

### 605.2 POLICY

It is the policy of this office to make every reasonable effort to protect inmates from abuse, physical punishment, injury, harassment, intimidation or loss or damage to personal property by other inmates or staff. Staff shall take reasonable actions to safeguard vulnerable inmates from others and shall use the classification policies and procedures to make housing decisions that will provide for inmate safety. Abuse of inmates by staff or other inmates will not be tolerated.

### 605.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures and practices to protect inmates. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate injuries, investigating the cause of reported injuries and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting required safety checks of all inmate housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Administrator.
- Referring sick or injured inmates to a qualified health care professional without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.

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# Prison Rape Elimination Act

## 606.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.11).

### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

**Sexual abuse** - Any of the following acts, if the inmate does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

(a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight

(b) Contact between the mouth and the penis, vulva or anus

(c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument

(d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the inmate, detainee or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of an inmate, detainee or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

**Sexual harassment** - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one inmate, detainee or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to an inmate, detainee or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

**Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person’s assigned sex at birth.

### 606.2 POLICY

This office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

### 606.3 PREA COORDINATOR

The Jail Administrator shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with PREA standards. The PREA Coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator (28 CFR 115.11).

The PREA coordinator’s responsibilities shall include:

(a) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and facility management to an incident of sexual abuse. The plan must also outline the office's approach to identifying imminent sexual abuse toward inmates and preventing and detecting such incidents (28 CFR 115.11; 28 CFR 115.65; 28 CFR 115.62).

(b) Ensuring that within 30 days of intake, inmates are provided with comprehensive education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the office’s policies and procedures for responding to such incidents (28 CFR 115.33).

(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees from sexual abuse. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year. In calculating adequate

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staffing levels and determining the need for video monitoring, facilities shall take into consideration (28 CFR 115.13).

1. Generally accepted detention and correctional practices.
2. Any judicial findings of inadequacy.
3. Any findings of inadequacy from federal investigative agencies.
4. Any findings of inadequacy from internal or external oversight bodies.
5. All components of the facility's physical plant, including blind spots or areas where staff or inmates may be isolated.
6. The composition of the inmate population.
7. The number and placement of supervisory staff.
8. Institution programs occurring on a particular shift.
9. Any applicable state or local laws, regulations, or standards.
10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
11. Any other relevant factors.

(d) Ensuring that, when designing, acquiring, expanding or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system, or other monitoring technology, consideration is given to the office’s ability to protect inmates from sexual abuse (28 CFR 115.18).

(e) Ensuring that any contract for the confinement of Crawford County Sheriff's Office detainees or inmates includes the requirement to adopt and comply with the PREA standards including obtaining incident-based and aggregated data, as required in 28 CFR 115.187. Any new contract or contract renewal shall provide for office contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.12).

(f) Making reasonable efforts to enter into agreements with community service providers to provide inmates with confidential, emotional support services related to sexual abuse. The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations. Persons detained solely for civil immigration purposes shall be given contact information for immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.53).

(g) Ensuring the protocol describing the responsibilities of the Office and of another investigating agency, if another law enforcement agency will be responsible for

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conducting any sexual abuse or sexual harassment investigations, is published on the facility website or by other means, if no website exists (28 CFR 115.22).

(h) Implementing a process by which inmates may report sexual abuse and sexual harassment to a public/private entity or an office that is not part of the Office and that the outside entity or office is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to the Jail Administrator, allowing the inmate anonymity (28 CFR 115.51).

(i) Establishing a process to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this office, using a standardized instrument and set of definitions. Upon request, the Office shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (28 CFR 115.87).

(a) The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. DOJ.

(b) The data shall be aggregated at least annually.

(j) Establishing a process to monitor the conduct and treatment of detainees or staff who have reported sexual abuse and the conduct and treatment of detainees who were reported to have suffered sexual abuse.

(k) Ensuring that the following are published on the office website or by other means, if no website exists:

1. Office policy governing investigations of allegations of sexual abuse and sexual harassment or the referral of such investigations of sexual abuse or sexual harassment (unless the allegation does not involve potentially criminal behavior) (28 CFR 115.22)

2. Information on how to report sexual abuse and sexual harassment on behalf of an inmate (28 CFR 115.54)

(l) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.93).

(m) Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter sexual abuse and sexual harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations (28 CFR 115.13).

(n) Ensuring agreements with outside investigating agencies include PREA requirements, including a requirement to keep the Office informed of the progress of the investigation (28 CFR 115.71).

(o) Ensuring the Office conducts follow-up criminal background records checks at least once every five years on members or contractors who may have contact with inmates or has in place a system for otherwise capturing such information (28 CFR 115.17).

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## 606.4 REPORTING SEXUAL ABUSE, HARASSMENT AND RETALIATION

Any employee, agency representative, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Staff may also privately report sexual abuse and sexual harassment of inmates (e.g., report to the Jail Administrator) (28 CFR 115.51).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member (28 CFR 115.54).

Inmates may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all inmate requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously or from third parties and shall promptly document all verbal reports (28 CFR 115.51).

Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

### 606.4.1 REPORTING TO OTHER FACILITIES

If there is an allegation that an inmate was sexually abused while he/she was confined at another facility, the Jail Administrator shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Administrator shall ensure that the notification has been documented (28 CFR 115.63).

## 606.5 RETALIATION

All inmates and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation shall be utilized (28 CFR 115.67).

The Jail Administrator or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes, negative staff performance reviews or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. The Jail Administrator should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts

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to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

### 606.6 FIRST RESPONDERS

If an allegation of inmate sexual abuse is made, the first deputy to respond shall (28 CFR 115.64):

(a) Separate the parties.

(b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).

(c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

(d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).

(e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.

(f) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a deputy, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a deputy.

Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.16).

### 606.7 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments,

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and investigative facts and findings. Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practicable, an investigator of the same sex as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an inmate's sexual orientation, sex or gender identity. Investigators should not assume that any sexual activity among inmates is consensual.

The departure of the alleged abuser or victim from the employment or control of the jail or Office shall not provide a basis for terminating an investigation (28 CFR 115.71).

If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71). If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Inmates alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is under 18 or considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

### 606.7.1 INVESTIGATIVE FINDINGS

All completed written investigations shall be forwarded to the Jail Administrator or if the allegations may reasonably involve the Jail Administrator, to the Sheriff. The Jail Administrator or Sheriff shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

The staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. Termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law

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enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.76).

### 606.7.2 REPORTING TO INMATES

The Jail Administrator or the authorized designee shall inform a victim inmate in writing whether an allegation has been substantiated, unsubstantiated or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the inmate.

If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the inmate shall also be informed whenever:

(a) The staff member is no longer assigned to the inmate's unit or employed at the facility.

(b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another inmate is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

## 606.8 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND INMATES

Sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited. The fact that an inmate may have initiated a relationship or sexual contact is not a defense to violating this policy.

Any incident involving allegations of staff-on-inmate sexual abuse or sexual harassment shall be referred to the Administrative Lieutenant for investigation.

### 606.8.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER

Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with inmates. He/she shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

## 606.9 SEXUAL ABUSE VICTIMS

Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR 115.82). Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the inmate, and the public, and to prevent escape.

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A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Office shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Office, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC § 12511, to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used as long as it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

### 606.10 EXAMINATION, TESTING AND TREATMENT

Examination, testing and treatment shall include the following:

(a) Forensic medical examinations shall be performed as evidentiarily or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).

(b) If requested by the victim, a victim advocate, a qualified office staff member or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals (28 CFR 115.21).

(c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).

(d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.

(e) Victims shall be offered information about, and given access to, emergency contraception prophylaxis for sexually transmitted infections and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.

(f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.

(g) Victims shall be provided with follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody (28 CFR 115.83).

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(h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.83).

(i) The Responsible Physician or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18 (28 CFR 115.81).

(j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

## 606.11 PROTECTIVE CUSTODY

Inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there is no reasonably available alternative means of separation. Inmates may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the Jail Administrator shall clearly document the basis for the concern for the inmate’s safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these inmates to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Inmates placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities. If restrictions are put in place, the Jail Administrator shall document the following:

(a) The opportunities that have been limited

(b) The duration of the limitation

(c) The reasons for such limitations

Every 30 days, the Jail Administrator shall afford each such inmate a review to determine whether there is a continuing need for protective custody (28 CFR 115.43).

## 606.12 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and or mental health professionals, as appropriate:

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(a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.

(d) Assess the adequacy of staffing levels in the area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

(f) Prepare a written report of the team’s findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

The Jail Administrator or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

### 606.13 DATA REVIEWS

This office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

(a) Identifying problem areas.

(b) Identifying corrective actions taken.

(c) Recommending corrective actions.

(d) Comparing current annual data and corrective actions with those from prior years.

(e) Assessing the office’s progress in addressing sexual abuse.

The reports shall be approved by the Jail Administrator and made available through the office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from Crawford County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

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### 606.14 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling, shall be retained in accordance with confidentiality laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

### 606.15 PRESERVATION OF ABILITY TO PROTECT INMATES

The Office shall not enter into or renew any collective bargaining labor agreement or other agreement that limits the office’ s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

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# Grooming

### 607.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure inmate grooming standards are based upon legitimate governmental interests.

### 607.2 POLICY

It is the policy of this facility to allow inmates choice in personal grooming, except when a legitimate government interest justifies that grooming standards be established. The Jail Administrator or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, facility safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the inmate handbook.

### 607.3 HAIRCUTS

Inmates will be provided haircuts and hair-cutting tools subject to established facility rules (once a week). If hair length, style or condition presents a security or sanitation concern, haircuts may be mandatory. Inmates who significantly alter their appearance may be required to submit to additional booking photos.

Inmates shall not cut names, numbers or other designs into their hair.

### 607.4 SHAVING

Inmates may shave weekly. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Inmates with facial hair who work around food shall wear appropriate facial coverings.

An inmate may be denied access to razors if he/she appears to be a danger to him/herself or others, or if such access may jeopardize the safety and security of the facility.

Inmates may be restricted from significantly altering their appearance for reasons of identification in court.

### 607.5 NAILS

Nail clippers will be kept at the control station and will be issued to inmates upon request. Inmate workers are required to keep their nails clean and trimmed. Inmates with long nails may be required to trim their nails if there is a security concern and the inmate is admitted to general population.

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### 607.6 GROOMING EQUIPMENT

Grooming equipment is to be inventoried and inspected by the staff at the beginning of each shift and prior to being issued to inmates. The staff shall ensure that all equipment is returned and secured by the end of the shift and is not damaged or missing parts.

Grooming equipment will be disinfected before and after each use by the methods approved by the state organization that oversees the Wisconsin State Board of Cosmetology. Cleaning methods include:

- Removing foreign matter.
- Cleaning tools with soap or detergent and water.
- Immersing non-electrical equipment in disinfectant.
- Spraying electrical equipment with disinfectant.
- Storing cleaned equipment in clear, covered containers that are labeled as such.

Disinfectant solution shall be changed at least once per week or whenever the solution is cloudy or dirty. Solution will be stored in covered containers with labeled instructions for its use and the Environmental Protection Agency registration number.

### 607.7 SHOWERING

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable.

### 607.8 PERSONAL CARE ITEMS

Inmates are expected to maintain their hygiene using approved personal care items.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (Wis. Admin. Code DOC § 350.12(11)).

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# Inmate Nondiscrimination

## 608.1 PURPOSE AND SCOPE

The constitutional rights of inmates regarding discrimination are protected during incarceration. These protections extend to administrative decisions (e.g., classification, access to programs, availability of services). This policy is intended to guide the staff toward nondiscriminatory administrative decisions and to detail an inmate complaint and discrimination investigation process.

## 608.2 POLICY

All decisions concerning inmates housed at this facility shall be based on reasonable criteria that support the health, safety, security, and good order of the facility.

## 608.3 INMATES REPORTING DISCRIMINATION

Inmates who wish to report an allegation of discrimination may communicate with facility management in any way, including:

(a) Confidential correspondence addressed to the Jail Administrator or the Sheriff or other government official, including the courts or legal representatives.

(b) Verbally to any supervisor or other staff member of this facility.

### 608.3.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff shall promptly forward all written allegations of discrimination by inmates to the supervisor. If the allegation is presented verbally, the receiving staff member shall prepare an incident report identifying the circumstances prompting the allegation, the individuals involved and any other pertinent information that would be useful to investigating the allegation.

Unless the grievance or written complaint submitted by the inmate is clearly identified as confidential and addressed to the Jail Administrator, Sheriff or other official, the supervisor shall review the complaint and attempt to resolve the issue. In any case, the supervisor shall document the circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the Jail Administrator for review and further investigation or administrative action as needed.

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria:

(a) The inmate’s classification

(b) The inmate’s criminal history

(c) Current and past behavior and disciplinary history

(d) Housing availability

(e) The availability of programs

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(f) The ability to safely provide the requested services

## 608.4 DISCRIMINATION COMPLAINT AUDITS

The Jail Administrator should perform an annual audit of all inmate discrimination complaints to evaluate whether any policy or procedure changes or training are indicated. The Jail Administrator should record these findings in a confidential memorandum to the Sheriff. Specific details of complaints and identifying information, such as names of the involved persons, dates, or times, are not part of this process and should not be included in the memorandum. If the audit identifies any recommended changes or content that may warrant a critical revision to this Custody Manual, the Jail Administrator should promptly notify the Sheriff.

Any training issues identified as a result of this audit should be forwarded to the Training Sergeant, who shall be responsible for ensuring all necessary and required training is scheduled and completed.

## 608.5 DISCRIMINATION PROHIBITED

Discriminating against an inmate based upon actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law is prohibited.

Reasonable and comparable opportunities for participation in services and programs including vocational, educational, and religious programs shall be made available to inmates in a nondiscriminatory manner.

The Jail Administrator should periodically conduct interviews with inmates and staff members to identify and resolve potential problem areas related to discrimination before they occur.

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# Inmate Grievances

### 609.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

### 609.2 POLICY

It is the policy of this office that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures and allegations of sexual abuse (Wis. Admin. Code DOC § 350.26).

Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions and probation/parole actions.

Retaliation for use of the grievance system is prohibited.

Grievances must be restricted to incidents which occur while the inmate is in the custody of the Crawford County Sheriff’s Department Jail.

Inmates dissatisfied with the disposition of a grievance may pursue the grievance outside of the Sheriff’s Department Jail with the state jail administrator's office or the Wisconsin Governor's office.

There shall be proper documentation on all grievances.

#### 609.2.1 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with a grievance process for resolving complaints arising from facility matters with at least one level of appeal (Wis. Admin. Code DOC § 350.26).

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the inmate handbook. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include:

- A grievance form or instructions for registering a grievance. (1 per day)
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.

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- A provision of required timeframes for responses.
- A provision for resolving questions of jurisdiction within the facility.
- Consequences for abusing the grievance system.

An inmate may waive their right to a due process hearing in witing at any time.

**609.3 INMATE GRIEVANCE PROCEDURES**

I. Inmates will learn about the grievance procedure by reading the Jail Rules Handbook. Their signing a copy of the rules indicates their awareness of the procedure.

II. An inmate wishing to submit a grievance may do so in the form of a letter written to the Jail Sergeant. This is to be sealed in an unstamped envelope and will be delivered promptly to the Jail Sergeant by the Deputy to whom it is given.

III. The Jail Administrator or Sergeant will review all such grievance and determine if the grievance is valid. If the grievance includes the segeant it shall go to the Jail Administrator for review. If the grievance includes the Jail administrator it shall go to the sheriff or chief deputy for review.

IV. Following investigation of the grievance, the Jail Administrator will submit a written reply to the inmate, to include findings and actions taken in regard to the grievance.

V. If the inmate expresses dissatisfaction with the disposition of the grievance, the Deputy or Jail Administrator will advise the inmate that they may write a letter of appeal to a higher authority (Chief Deputy or Sheriff), including the District Attorney. If necessary, the Deputy will supply the inmate with paper, pencil and an envelope.

VI. The Jail Administrator will file all relevant paperwork on an inmate grievance, including a copy of the original grievance and a copy of the disposition, in the inmate’s file and may provide a copy to the Sheriff.

VII. Additionally, the Jail Administrator will maintain in their office a separate file of all grievances and their dispositions.

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VIII. The Jail Administrator will refer grievances on all matters beyond his control to the Sheriff, or in his absence, the Chief Deputy for disposition.

609.3.1 FRIVOLOUS GRIEVANCES

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in disciplinary action.

## 609.4 GRIEVANCE AUDITS

The Jail Administrator should perform an annual audit of all inmate grievances and complaints filed the previous calendar year. The Jail Administrator should forward a memorandum to the Sheriff detailing the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints. Specific identifying information regarding dates, times or individuals named in the complaints is not part of this process and should not be included in the memorandum.

The Sheriff should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Sergeant, who will be responsible for ensuring all necessary and required training is scheduled and completed.

## 609.5 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52):

(a) Inmates may submit a grievance regarding an allegation of sexual abuse at any time.

(b) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing such grievances and to file such grievances on behalf of inmates if the inmate agrees to have the grievance filed on his/her behalf. Staff members who receive a grievance filed by a third party on behalf of an inmate shall inquire whether the inmate wishes to have the grievance processed and shall document the inmate’s decision.

(c) Grievances may be submitted to any staff member and need not be submitted to the member who is the subject of the complaint.

(d) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall refer the grievance to the Shift Commander for investigation. Inmates and staff are not required to attempt to informally resolve grievances related to sexual abuse.

(e) The Shift Commander shall ensure that grievances related to sexual abuse are investigated and resolved within 90 days of the initial filing. The Shift Commander may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the inmate shall be notified and provided a date by which a decision will be made.

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(f) At any level of the process, including the appeal, if the inmate does not receive a response within the allotted time, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

(g) Inmates may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the inmate filed the grievance in bad faith.

### 609.5.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE

Any inmate who believes he/she or any other inmate is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the inmate and shall provide an initial response within 48 hours.

The supervisor shall refer the grievance to the Shift Commander, who will investigate and issue a final decision within five calendar days.

The initial response and final decision shall be documented and shall include a determination whether the inmate is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.52)

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# Inmate Voting

### 610.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible inmates the opportunity to vote during elections, pursuant to election statutes.

### 610.2 POLICY

Because inmates are unable to access public voting polls, the Jail Administrator or the authorized designee shall develop written procedures whereby the County Clerk allows qualified inmates to vote in local, state and federal elections, pursuant to election codes.

Inmates should be advised of voting methods during the inmate orientation.

### 610.3 PROCEDURES

Prior to each election, the Jail Administrator will designate a deputy to be a liaison between the Office and the local Registrar of Voters. The designated deputy will be responsible for assisting inmates who have requested to vote.

The deputy designated by the Jail administrator as the "Election Liaison Deputy" will provide all information requested by a inmate to assist him/her in being able to register to do a absentee ballot. The deputy will attempt to provide any voting information requested by inmate that is deemed to be appropriate in Crawford County.

All voting will be done by absentee ballot.

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# Chapter 7 - Medical-Mental Health

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# Health Care Administrative Meetings and Reports

## 700.1 PURPOSE AND SCOPE

The Office recognizes that the delivery of effective health care requires open and frequent communication between the Responsible Physician and the Jail Administrator. This policy provides guidelines for the continuous monitoring, planning and problem resolution in providing health care that addresses the medical needs of the inmate population and prevents potential outbreaks of communicable and contagious illness.

### 700.1.1 DEFINITIONS

Definitions related to this entire chapter include:

**Access to care** - An inmate should be seen in a timely manner by a qualified health care professional. The inmate should be given a professional clinical diagnosis and receive treatment that is ordered.

**Clinical practice guidelines** - A systematically developed science-based statement designed to assist practitioners and inmates with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources and reduce the risk of legal liability for negligent care.

**Clinical setting** - An examination or treatment room, either on- or off-site, which is appropriately supplied and equipped to address a patient’s health care needs.

**Daily** - Seven days a week, including holidays.

**Direct order** - A written order issued by a qualified health care professional specifically for the treatment of an inmate’s particular condition.

**Health authority** - The Responsible Physician, health services administrator or health agency responsible for providing all health care services or coordinating the delivery of all health care services.

**Health appraisal** - A comprehensive health evaluation completed within 14 days of an inmate’s arrival at the facility.

**Health care** - The sum of all actions, preventive and therapeutic, taken for the physical and mental well-being of the inmate population. The term health care includes medical, both physical and psychological, dental, nutrition and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

**Health-trained staff** - A deputy or other facility employee who has received training from the Responsible Physician or the authorized licensed designee in limited aspects of health care coordination.

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**HIPAA** - Health Insurance Portability and Accountability Act

**Mental health staff** - Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

**Physical examination** - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation and percussion of a body to determine the presence or absence of physical signs of disease.

**Responsible Physician** - An individual licensed to practice medicine and provide health services to the inmate population of the facility, or the physician at an institution with final responsibility for decisions related to medical judgment.

**Qualified health care professional** - Physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals or other persons who, by virtue of their education, credentials and experience are permitted by law to evaluate and care for patients within the parameters of his/her license or certification (Wis. Admin. Code DOC 350.15(5).

**Sick call** - The evaluation and treatment of an ambulatory patient, either on- or off-site, by a qualified health care professional.

**Special needs** - Health conditions that require regular care.

**Standing order** - Written orders issued by a physician that specify the same course of treatment for each patient suspected of having a given condition and the specific use and amount of prescription drugs (e.g., immunizations, insulin, seizure medications).

**Suicidal ideation** - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

**Treatment plan** - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

**Triage** - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered.

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# Access to Health Care

## 701.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all inmates. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked inmates of the procedure to access health care services and how to use the grievance system, if necessary.

## 701.2 POLICY

It is the policy of this office that all inmates, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Crawford County Sheriff's Office facility will provide medical, dental and mental health services as necessary to maintain the health and well-being of inmates to a reasonable and socially acceptable standard (Wis. Stat § 302.38; Wis. Admin. Code DOC § 350.14(1).

## 701.3 ACCESS TO CARE

Inmate medical requests will be evaluated by qualified health care professionals or health-trained custody staff. Health care services will be made available to inmates from the time of admission until they are released. Information regarding how to contact the medical staff will be posted in all inmate housing areas (Wis. Admin. Code DOC § 350.14(1).

Medications and community health resources and referrals may be provided upon request when the inmate is released.

Unreasonable barriers shall not be placed on an inmate’s ability to access health services. Health care that is necessary during the period of imprisonment shall be provided regardless of an inmate’s ability to pay, the size of the facility or the duration of the inmate’s incarceration. Such unreasonable barriers include:

- Punishing inmates for seeking care for their health needs.
- Assessing excessive co-payments that prevent or deter inmates from seeking care for their health needs.
- Deterring inmates from seeking care for their health needs by scheduling sick call at unreasonable times.

All routine requests for medical attention shall be promptly routed to a qualified health care professional.

Any incident of an inmate refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in an incident report. The original incident report shall be forwarded to the Responsible Physician and a copy sent to the Jail Administrator.

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### 701.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of inmate complaints and requests on an informal basis whenever possible. To the extent practicable, custody personnel should provide inmates with opportunities to make suggestions to improve programs and conditions.

The grievance process is explained in the inmate handbook, which all inmates receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Inmate Grievances Policy.

Custody personnel should minimize technical requirements for grievances and allow inmates to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, inmates may meet with a qualified health care professional or may submit a written correspondence.

Inmate grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The inmate should be provided with a written response in accordance with the schedule set forth in the Inmate Grievances Policy. Responses to inmate grievances should be based on the community standard of health care.

Copies of grievances and the facility’s response shall be sent to the Jail Sergeant , who, in consultation with the Responsible Physician, shall serve as the final authority in response to all inmate grievances.

If an inmate is not satisfied with the response, the inmate may appeal the grievance as outlined in the Inmate Grievances Policy.

### 701.5 POSTING AVAILABLE RESOURCES

A listing of telephone numbers for medical, dental, mental health and ambulance services shall be posted at the facility’s medical area and in the primary staff control station, along with a schedule of availability (Wis. Admin. Code DOC § 350.15(3).

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# Non-Emergency Health Care

### 702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a daily triage system of inmate requests for health care services. This is to ensure that the health needs of the population are addressed properly and in a timely manner.

### 702.2 POLICY

It is the policy of this office to provide daily access to the qualified health care professionals or health-trained custody staff in order for inmates to request medical services (Wis. Admin. Code DOC § 350.15(6). All health care requests will be documented, triaged and referred appropriately by medical staff. Qualified health care professionals will conduct sick call and clinics for health care services on a scheduled basis (every tuesday from 8am to 10am or as needed) to ensure a timely response to requests for medical services (Wis. Admin. Code DOC § 350.15(7).

The Responsible Physician, in coordination with the Jail Administrator or the authorized designee, is responsible for developing a process that includes (Wis. Admin. Code DOC § 350.15(9)):

(a) The daily ability for inmates to request health services.

(b) A triage system for health care services to acquire and address requests for all levels of injuries, illnesses and conditions.

(c) Direct accessibility to health care request forms in each housing unit.

(d) Documentation of health care triage and referrals (Wis. Admin. Code DOC § 350.15(10)).

(e) Restrictions that prohibit non-health services personnel from diagnosing or treating an illness.

### 702.3 HEALTH CARE REQUESTS

During the collection of health care requests from inmates, care should be taken to protect the confidentiality of the inmate and the nature of the health issue. The collector shall date and initial the request when the collection takes place. The requests shall be triaged to determine the priority of need and the proper place for health care to be delivered.

Inmates will be instructed on how to obtain medical services in the inmate handbook. Inmates shall submit a medical request form to the housing unit deputy or the health-trained custody staff delivering medications, or a nurse, if appropriate.

Inmates who communicate in a language not available in printed form shall have access to interpreter services at the expense of the inmate.

Inmates with disabilities should be provided with appropriate assistance or accommodation to ensure they are able to request health care services.

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The housing unit deputy shall ensure the reason for seeking medical attention is on the medical request form. If no reason is given, the deputy shall encourage the inmate to indicate whether the matter is urgent or confidential. The deputy shall forward all requests to the jail nurse.

### 702.4 GUIDELINES FOR ELECTIVE PROCEDURES OR SURGERY

The Responsible Physician and the Jail Administrator shall work cooperatively to develop decision-making guidelines that govern elective procedures or surgery to address acute and/or chronic medical conditions. Any discussion of this nature with the inmate should be conducted in a language easily understood by the inmate and should be carefully documented in the inmate's medical record. This record should be maintained in accordance with established records retention schedules.

### 702.5 REQUESTS FOR OUTSIDE MEDICAL CARE

Inmates who request access to health care services outside the facility may do so with advance authorization from the Jail Administrator or the authorized designee. The inmate shall be required to provide proof of sufficient private funds available to pay for all costs associated with transportation to the off-site facility and all costs associated with the medical services, diagnostics, treatment plans, medications or any other costs associated with off-site medical care (Wis. Admin. Code DOC § 350.15(6)).

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# Referrals and Coordination of Specialty Care

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for referring inmates who need health care or specialty care that is beyond the resources available in the facility. The policy includes guidelines regarding transportation under appropriate security provisions, and the formulation of advance written agreements for around the clock or on-call availability of alternate services. Specialty care includes specialist-provided health care, such as nephrology, surgery, dermatology and orthopedics.

### 703.2 POLICY

It is the policy of this office that inmates have access to necessary hospitalization and specialty services for serious medical needs. This facility will provide, either directly or through contracted sources, specialty care and emergency medical services to inmates when the need is determined by the Responsible Physician (Wis. Admin. Code DOC § 350.15(4)).

### 703.3 JAIL ADMINISTRATOR RESPONSIBILITY

The Jail Administrator or the authorized designee, in coordination with the Responsible Physician is responsible for establishing written agreements with outside specialty health care services for emergency and urgent care that is not available within the facility. In addition, a plan shall be developed for the secure transportation of inmates to a facility where such care is available.

### 703.4 REFERRAL TO OFF-SITE MEDICAL CARE

A qualified health care professional shall evaluate the inmate, and if indicated, shall recommend specialty appointments in writing on the order sheet in the inmate’s medical record. A referral form should be completed and any supporting documentation attached. The written referral shall be reviewed and authorized, if appropriate, by the Responsible Physician.

### 703.5 OFF-SITE COORDINATION

The qualified health care professional is responsible for recommending off-site medical and psychiatric care for inmates, coordinating outside appointments and notifying supervisory custody staff of off-site transportation needs. The Jail Administrator should establish a written transportation procedure that ensures inmates are transported securely and in a timely manner. The procedure shall include the secure transfer of medical information to the receiving health care service.

Any conflicts that arise regarding off-site consultation trips will be communicated by the deputy responsible for transportation to the Responsible Physician and Jail Administrator or the authorized designee so that modifications may be made.

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*Referrals and Coordination of Specialty Care*

The jail supervisor shall keep a log of missed appointments to determine if transportation issues are impeding the ability of inmates to access appropriate medical care. Any issues identified shall be discussed and resolved between the Responsible Physician and the Jail Administrator.

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# Emergency Health Care

### 704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceed the licensure or certification of staff who are on-duty and to define staff training requirements.

### 704.2 POLICY

It is the policy of this office that emergency medical, mental health and dental services are available 24 hours a day. These services may include off-site health care services.

### 704.3 PLANS

The Jail Administrator or the authorized designee shall work cooperatively with the Responsible Physician to develop plans and procedures for responding to emergency medical incidents that occur when the level of medical or mental health services needed exceeds the licensure or certification of staff who are on-duty. The plans should include, but not are limited to:

- Emergency first aid
- Basic life support
- Crisis intervention
- Emergency evacuation of inmates
- Facility security
- On-call qualified health care professionals
- Predetermined and prearranged back-up health care services
- Identification of primary, secondary and tertiary acute care facilities

#### 704.3.1 PROCEDURES

The following procedures and measures will be followed:

(a) Health-trained custody staff shall respond to all emergencies immediately upon notification.

(b) Contact information for emergency on-call health care services, both on- and off-site, is available and accessible for facility supervisors (Wis. Admin. Code DOC § 350.15(3).

(c) If on site, qualified health care professionals shall respond by reporting to the area of the emergency with the necessary emergency equipment and supplies.

(d) Emergency equipment and supplies are regularly maintained and accessible to the qualified health care professionals and health-trained custody staff.

(e) Most inmates will be stabilized on-site and then transferred to an appropriate health care unit, if necessary.

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(f) Notification of on-call physicians and mental health staff will be done as soon as the situation reasonably allows.

(g) The qualified health care professionals or health-trained custody staff will determine if the inmate needs to be transported to a local emergency room for treatment.

(h) When necessary, facility staff shall activate 9-1-1 and notify a supervisor as soon as reasonably practicable.

(i) The Jail Administrator and the Responsible Physician will coordinate on notification of the inmate's next of kin in cases of serious illness and injury as soon as possible (Wis. Admin. Code DOC § 350.14(5); Wis. Admin. Code DOC § 349.09). Death notifications will be made in accordance with the Reporting In-Custody Deaths Policy.

The goal of any emergency medical response plan is to provide emergency medical care to those in need as expeditiously as possible. While facility size and patient proximity to the health care service will vary, staff training will emphasize responding to medical emergencies as soon as reasonably possible.

### 704.4 EMERGENCY PROCEDURES

The health services administrator or the authorized designee is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment:

(a) A current list of names, addresses and telephone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care and custody staff at all times, and should be updated quarterly.

(b) A physician, dentist and mental health professional should be available on-call 24 hours a day, seven days a week (this can include off-site health care services) and there should be a back-up health care services plan.

(c) Ambulances should be accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in place for the transportation of inmates.

(d) The Jail Administrator will be contacted and informed of any emergency as soon as practicable.

(e) All decisions regarding medical treatment and the need for emergency transportation are to be made by the qualified health care professionals or health-trained custody staff.

(f) Whenever reasonably possible, the on-call health care service should be notified prior to transporting the inmate to the hospital or other emergency care. However, in the event of a life- or limb-threatening emergency, the inmate shall be sent to the hospital in the most expedient way possible, which may require notifying the specific health care service after the inmate has been transported.

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### 704.5 FIRST-AID KITS

The Responsible Physician or the authorized designee is responsible for the monthly inspections of all first-aid kits in the facility. The Responsible Physician shall also ensure that:

(a) The contents of each first-aid kit are:

1. Appropriate for its location.
2. Arranged for quick use.
3. Documented on the outside cover.
4. Inventoried every month if the tamper-proof seal is broken or removed.
5. Secured with a plastic tamper-proof seal.
    (a) Once the seal has been broken, the kit should be taken to the medical unit so the contents can be inventoried and restocked.

(b) Written procedures and training materials are developed for the use of medical supplies and equipment by custody staff.

(c) Inspections and testing of supplies and equipment are documented and maintained in accordance with established records retention schedules.

### 704.6 AUTOMATED EXTERNAL DEFIBRILLATORS

The Responsible Physician or the authorized designee is responsible for ensuring that (AEDs) are available in the facility and that all staff members are trained in its use. The AEDs shall be inspected and tested at a frequency consistent with the manufacturer’s recommendations to ensure functionality.

### 704.7 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

To provide a program for the safe and proper administration of naloxone or other opioid antagonist to individuals who are undergoing or believed to be undergoing an opioid-related overdose, the Jail Administrator or the authorized designee will enter into a written agreement with the Responsible Physician for the purpose of (Wis. Stat. § 256.40 et seq.):

(a) Obtaining a supply of naloxone or other opioid antagonist.

(b) Providing the necessary training to administer naloxone or other opioid antagonist.

(c) Developing procedures necessary to administer naloxone or other opioid antagonist.

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# Health Care for Pregnant Inmates

### 705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for inmates who are pregnant. Services may include assistance recovering from the effects of potentially unhealthy lifestyles, which could include tobacco use, alcohol and drug abuse or addiction, and a lack of previous adequate medical care. Because of unhealthy lifestyle choices prior to incarceration, many inmate pregnancies are classified as high risk. This policy is intended to protect the health of the pregnant inmate and her fetus.

### 705.2 POLICY

It is the policy of this office that a qualified health care professional should provide comprehensive prenatal and postpartum care for all pregnant inmates during their incarceration, which includes, but is not limited to, the following (Wis. Admin. Code DOC § 350.15(12):

- Pregnancy testing
- Prenatal care
- Drug/alcohol intervention
- Counseling
- Pregnancy and lactation nutrition needs
- Birthing in an appropriate setting
- Postpartum care
- Family planning education and services
- Access to privately funded pregnancy alternative options

A qualified health care professional shall provide counseling and information to pregnant inmates regarding planning for their unborn child.

### 705.3 BOOKING - PREGNANCY SCREENING

A. During the medical screening at booking, if a female inmate believes she is pregnant or may be pregnant, the booking deputy will notify the County Nurse within 48 hours of admission whereas the County Nurse will implement a pregnancy management plan for said inmate.

### 705.4 HOUSING

Inmates who are known to be pregnant may be housed in any unit appropriate for their classification.

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### 705.5 COUNSELING AND TREATMENT

The Office will provide all necessary counseling and treatment to pregnant inmates to ensure they are receiving the proper care (Wis. Admin. Code DOC § 350.15(12). To accomplish this, the following shall occur:

(a) The directions of the obstetric specialist shall be followed throughout the pregnancy and postnatal period. No non-medical staff has the unilateral authority to change or overrule an order or care recommendation made by the Responsible Physician. The Jail Administrator and Responsible Physician shall develop a process by which perceived conflicts between medical orders/recommendations and safety and security interests of the jail can be discussed and resolved. Ultimately, the jail must provide adequate treatment for an inmate’s medical needs.

(b) The Responsible Physician shall be consulted immediately if a patient is under 10 weeks gestation and has medical concerns.

(c) Any pregnant inmate with medical problems that occur between scheduled obstetric appointments shall be seen by a qualified health care professional. If the qualified health care professional assesses the problem as urgent and a physician is not available on-site, the inmate shall be sent to the hospital for evaluation.

(d) The inmate shall be advised to notify health-trained staff immediately of the following:

1. Vaginal bleeding
2. Acute, persistent abdominal or pelvic pain and/or severe cramping
3. Leaking fluid
4. Decreased or no fetal movement
5. Headache or blurred vision
6. Rapid weight gain with swelling (edema)
7. Abnormal vaginal discharge
8. Symptoms of a urinary tract infection (UTI)
9. Fever

(e) Postpartum examinations and additional appointments shall be scheduled by the obstetric clinic as needed.

### 705.6 RESTRAINTS

Inmates who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy.

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## 705.7 ABORTIONS

Inmates who wish to terminate their pregnancy shall be referred to outside counseling services for further information regarding available options. The Office shall not impede the woman’s access to abortion counseling or services and shall provide necessary transportation and supervision to such services. Any financial obligations will be the responsibility of the inmate.

### 705.7.1 STAFF INVOLVEMENT

Staff members who do not want to be involved in facilitating an inmate’s elective abortion (including arranging, transporting, security) should not be required to perform such duties.

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# Inmate Medical Fees

### 706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide facility staff and qualified health care professionals with the information necessary to educate newly processed inmates on the procedures and their responsibilities for inmate medical fees at the time of intake.

### 706.2 POLICY

It is the policy of this office that all individuals booked into and held at the facility shall be informed of the guidelines associated with inmate medical fees during orientation.

This information will be conveyed in a language that is easily understood by the inmate.

The inmate medical fee shall be waived for any service that is initiated by qualified health care professionals, including follow-up appointments, mandated health screening, work clearance, chronic care and mental health care (Wis. Stat § 302.372; Wis. Stat § 302.38; Wis. Stat § 302.381).

### 706.3 INMATE MEDICAL FEE GUIDELINES

I. Determination of Inmate for Payment of Medical Care.

A. Health care related services which may be charged to inmates include:

1. Over-the-counter (OTC) medications;
2. Prescription medications;
3. Nurse visits;
4. Emergency room visits;
5. X-rays / Lab tests; and/or
6. Hospitalization.

B. Jail and Huber inmates who request services for medical care will be billed at a predetermined amount per visit/occurrence.

C. Jail and Huber inmates being referred to the County Nurse by Deputies or Supervisors – or- being seen at the request of the County Nurse, will not be billed for such visits.

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D. Jail and Huber inmates who are being seen by County Nurse as a follow-up to care/attention and/or treatment previously provided by medical staff will not be billed (i.e., the subject inmate submitted a request or was referred by staff, treated and requires follow-up and/or additional attention for the same condition/ailment.

II. Crawford County's Limit of Reimbursement for Medical Care

A. The Crawford County Sheriff's Department will pay the cost of all essential medical care for indigent inmates in the amount payable by medical assistance.

III. Inmate Liability for Medical Care Costs.

A. The department will charge back to any inmate costs associated with medical care.

1. The obligation of the inmate to pay such costs is not dependent upon consent of the inmate and such payment will be taken from any monies held in the inmate's commissary account.

2. If the inmate does not have funds to pay his/her medical bills in full, the inmate's commissary account will remain in a negative balance.

3. If the inmate does receive funds for his/her commissary account, the Sheriff's Department will deduct any unpaid amounts from the inmate's fund balance.

4. These amounts may be paid by the inmate to the department after the inmate is released from the jail or Huber.

5. Any deficits or arrears in payment may be collected from inmates during subsequent incarcerations or through small claims action.

IV. Administration of Inmate Medical Care Fees.

A. The Jail Administrator has primary authority for administering financial processes involving inmate medical health care fees.

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B. The Jail Administrator shall delegate certain transactions to other personnel as necessary.

V. Inmate Fee Collection Procedures.

A. OTC medications.

1. The inmate will initiate a county nurse visit request on the Medical Request Form.

2. The county nurse will select the charge for the OTC and/or county nurse visit/activity on the form.

a. Future refills are billed for OTC only.

b. There is no charge for follow-up nurse visits.

3. The Deputy will deduct the money from the inmate’s account by going to Lockdown software, click; residents – edit accounts- select inmate- billing – enter amount and save.

B. Prescription Medications (Crawford County Inmates).

1. When the prescription medication(s) arrives the jail deputy receiving the medications will bill the inmate under prescriptions, make two copies of the billing, one goes in the inmate’s medical file and the other goes to inmate.

C. Prescription Medications (Out-of-County or Contract Inmates)

1. When the prescription medication(s) arrives the jail deputy receiving the medication will bill the inmate under prescriptions, make two copies of the billing, one goes in the inmate’s medical file and the other goes to the inmate.

D. County Nurse visits by Crawford County inmates.

1. Same as above except Billing- County Nurse- Save.

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E. County Nurse visits by out-of – county inmates.

1. Same as above except Billing- County Nurse- Save.

F. Doctor visit charge to inmates.

1. Same as D.1. above

G. Emergency room fees.

1. If the County Nurse sends an inmate to the emergency room, the County Nurse must notify jail staff.

2. Once the jail staff is notified, the emergency room billing office will be notified and the bill will be requested to be sent to the Sheriff’s Department.

3. When the bill arrives, the Jail Administrator will verify the inmate was sent to the emergency room and verify the Medical Assistance rate for charges.

4. If the inmate is a current resident, the Jail Staff will take copies of the bill and deduct funds from the inmate’s account.

5. If the inmate is not a current resident (i.e., the inmate was released from custody prior to notification that emergency room care was provided and/or before the invoice from the emergency room was received), the Jail Administrator will maintain outstanding bills for future collection if and when the inmate returns to the Crawford County Jail or Huber.

6. If the inmate is an out-of-county detainee, the Jail Administrator will invoice the applicable county/agency.

H. X-ray charges.

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1. See G.1. above.

2. Once the invoice arrives from the contracted x-ray vendor, the Jail Administrator/ Jail Staff will verify the inmate had the x-rays.

3. See G.4. and 5.

4. If the inmate is an out-of-county detainee, the Jail Administrator will invoice the applicable county/agency.

I. Ambulance charges.

1. See G. above.

**706.4 FEE APPEAL PROCESS**

Inmates charged for health services shall be permitted to challenge the fee in accordance with the Inmate Grievances Policy.

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# Health Authority

### 707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the responsibility of the health authority as arranging for all levels of health services, assuring the quality of all health services, identifying lines of medical authority for the inmate health program and assuring that inmates have access to all health services.

The policy also establishes monitored processes, policies, procedures and instruments to ensure that the contracted scope of services is adequately and efficiently delivered.

### 707.2 POLICY

The health authority is responsible and accountable for all levels of health care, and has the final authority regarding clinical issues within this jail. The health authority is responsible for establishing, implementing and annually reviewing/revising policies for all clinical aspects of the health care program and for monitoring the appropriateness, timeliness and responsiveness of care and treatment. The health authority also approves all medical decisions and protocols.

### 707.3 SELECTION PROCESS

The Sheriff or the authorized designee shall select a health authority using an existing office procurement or selection process. The individual or organization selected shall be designated as the health authority for inmate health care on behalf of the facility.

Aside from any monetary or term considerations, the contract between the Office and the selected individual or organization shall minimally include (Wis. Admin. Code DOC § 350.15(13)):

(a) The scope of services being contracted and the type of health care service needed.

(b) Job descriptions, minimum qualifications and performance expectations for contract personnel.

(c) Language requiring the contractor to develop appropriate measures and review processes for assessing the quality, effectiveness and timeliness of the services provided and periodically reporting those findings to the facility.

(d) Identification of a Responsible Physician who shall serve as the medical authority on treatment matters requiring medical expertise and judgment.

(e) Language regarding the minimum frequency that the health authority shall be present at the facility.

(f) The roles and responsibilities of staff in ensuring that the contractor may adequately deliver services in a safe and secure environment.

(g) A written plan for coordinating medical care from multiple health care services.

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(h) A written plan for the collection and maintenance of inmate health records that is compliant with the Health Insurance Portability and Accountability Act (HIPAA).

(i) Identification of a dispute resolution process for the contracted parties and for inmates who may be questioning treatment plans.

(j) Language and a plan addressing issues of liability and indemnification for issues related to inmate health care.

The health authority shall manage the ongoing operations of health services including the utilization of resources and ensuring that final clinical judgments are made by the Responsible Physician.

The health authority or the authorized designee will meet at least monthly with custody representatives to discuss the health care program and any issues that require correction or adjustment.

Security regulations are applicable to facility staff and health care personnel.

### 707.4 PROVISION OF HEALTH CARE

The health authority is responsible for ensuring that health care services for inmates are available. The qualified health care professionals should determine what medical services are needed on a case-by-case basis. The Jail Administrator shall provide the administrative support for making the health care services available to inmates. Clinical decisions are the sole province of the qualified health care professionals and should not be countermanded by non-health care professionals.

If routine health services are provided by medical personnel outside this facility, all office policies regarding treatment, transfer, transportation or referral of emergencies shall be followed.

The health authority is responsible for ensuring that the health services manual complies with all applicable state and federal law and that a review is conducted annually. An annual audit of the quality and adequacy of health care services shall be done, with corrective action taken when deficiencies are identified.

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# Health Appraisals

### 708.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process for conducting health appraisals on all inmates following their arrival at this facility and for the continuity of care for inmates who remain in custody for extended periods. Further, it is to ensure the inmate's health care needs are met and that health care started at one facility continues as needed.

### 708.2 POLICY

Following the initial medical screening provided in the Medical Screening Policy, inmates should receive and initial health appraisal within 48 hours and a comprehensive health appraisal within 14 days of incarceration. In addition, inmates should have an annual evaluation to reassess their health status.

### 708.3 APPRAISAL

Inmates shall be scheduled for a comprehensive health appraisal by a qualified health care professional within 14 days of arrival at the jail. The appraisal may be waived for inmates who have received a documented health appraisal within the previous 90 days (Wis. Admin. Code DOC § 350.13(5)). The evaluation shall include:

(a) Review of the medical screening, pursuant to the Medical Screening Policy.

(b) Review and documentation of vital signs (blood pressure, pulse, respiration rate and temperature.).

(c) Height and weight

(d) A medical examination, including a review of mental and dental status.

(e) Administration of a skin test for tuberculosis (TB) and the results.

(f) Initiation or scheduling of treatment or therapy.

(g) Recommendation regarding housing, job assignment and/or program participation as appropriate.

(h) Additional examination and/or tests as appropriate.

(i) Completion of medical, dental and psychiatric histories.

The Responsible Physician shall review all comprehensive health appraisals within 72 hours of completion.

#### 708.3.1 PRISON RAPE ELIMINATION ACT (PREA) SCREENING FOLLOW-UP

Inmates who have an identified history of sexual victimization shall be offered a follow-up meeting with a qualified health care or mental health provider within 14 days of intake screening (28 CFR 115.81).

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### 708.4 ANNUAL HEALTH EXAMINATIONS

The Responsible Physician shall develop criteria for recurrent health examinations. Inmates should be scheduled for annual health examinations within 14 days of an annual incarceration anniversary. The examination should include:

- Review and documentation of current vital signs and weight
- Administration of a skin test for TB and the results.
- An evaluation of any health-related issues arising since the last health evaluation.
- Initiation or scheduling of treatment or therapy, as appropriate.
- Any updates to the inmate treatment plan.

All inmates should also be examined before being released.

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# Transfer Screening

### 709.1 PURPOSE AND SCOPE

This policy recognizes that inmates are frequently transferred within the correctional authority's system and to facilities outside the system, and that a summary of the current health care plan is critical to ensure continuity of care and to avoid unnecessary diagnostics.

### 709.2 POLICY

Inmates who are transferred to other correctional or health care facilities shall be sent with a health discharge summary form that includes information about the inmate's medical and mental health condition, the current treatment plan and any medications, if needed (Wis. Stat. § 302.388(2); Wis. Admin. Code DOC § 350.15(14)).

### 709.3 TRANSFERS

When any inmate is being transferred to another county or state correctional facility, a health summary form, provided by the Wisconsin Department of Corrections, shall be completed by a qualified health care professional and delivered along with any related medical records to the receiving facility's intake staff at the time of transfer. The form shall be completed following the health summary instructions.

If no qualified health care professional is on-duty, the health summary form shall be processed as follows:

(a) The designated deputy shall complete as much of the form as possible, make a copy of the form and provide it to the transporting personnel.

(b) The copy of the form shall be delivered to the first available qualified health care professional, who shall review the form, correct any errors and add any additional available information.

(c) The qualified health care professional reviewing the form shall ensure its delivery, along with any related medical forms, to the intake staff of the receiving facility by the quickest available means, but within 24 hours of the inmate's transfer.

If a complete copy of the inmate's medical file is provided to the receiving facility's intake staff at the time of transfer, the health summary form will not be required (Wis. Stat. § 302.388(2); Wis. Admin. Code DOC § 350.15(14)).

If the receiving facility requests a copy of the medical record, it will be supplied within five working days.

The health summary form and any related medical records being transferred shall be placed in a file or envelope that maintains the confidentiality of the inmate's medical information. The transporting personnel shall be provided separate written directives for any medications, required health care or safeguards while traveling. The transporting personnel shall also document on the

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transfer log the date, time and name of the person receiving the inmate, the health summary form and medical records.

709.3.1 EXTENDED TRANSPORTATION OF INMATES

When an inmate will be in transfer status for several days and housed temporarily at various custody facilities along the way, a medical transfer packet shall be prepared by the qualified health care professional in a form that will advise the temporary housing facilities of any medical needs of the inmate. When medically appropriate, a small supply of medication should be provided with the medical transfer packet so it will be available to the temporary housing facility as needed.

## 709.4 RECEIVING TRANSFERRED INMATES

The medical department of the sending facility should be promptly contacted to determine if the transferred inmate has any medical needs that require immediate attention or any scheduled surgeries or appointments with community health care services. Arrangements should then be made with the sending facility for the delivery of a more detailed review of the inmate’s medical needs.

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# Medical Screening

### 710.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked inmates so that medical, mental health and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

### 710.2 POLICY

It is the policy of this office that a medical screening be performed on all inmates upon arrival at the intake area to ensure that existing, emergent and urgent health care, dental or mental health needs are identified, risks are assessed and inmates with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (Wis. Admin. Code DOC § 350.13(1)).

### 710.3 ELEMENTS OF MEDICAL SCREENING

The medical screening shall be performed by health services personnel when available, but may also be performed by qualified health care professionals or health-trained custody staff. The Responsible Physician, in cooperation with the Jail Administrator, shall establish protocols for use by health-trained correctional staff during the medical screening. All completed medical screenings should be forwarded to the Responsible Physician. A review of any positive finding shall be performed by a qualified health care professional.

Regardless of training, no inmate should be allowed to conduct health care evaluations or provide treatment to any other inmate.

All inmates shall complete a medical screening as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the screener will complete as much of the health assessment as reasonably possible and the arrestee will be closely observed until he/she cooperates with the remainder of the screening process.

The Responsible Physician should work cooperatively with the Jail Administrator to develop the medical screening forms, which should be applicable for general health, mental health and suicide screening purposes. The forms shall be completed and reviewed no later than 72 hours after the arrival of an inmate but if possible, prior to an inmate being housed in the general population (Wis. Admin. Code DOC § 350.13(3)).

All medical screening forms shall be forwarded to the medical unit, and the qualified health care professionals shall be alerted to those that need immediate attention (Wis. Admin. Code DOC § 350.13(2)).

#### 710.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the inmate’s prior jail medical record, if any, and document the following (Wis. Admin. Code DOC § 350.13(1)):

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- Infectious or communicable disease conditions and symptoms, past or present and chronic illness or health issues
- Dental problems
- Mental illness, including psychiatric hospitalizations within the last three months
- Gender identity issues
- History of or current suicidal ideation (Wis. Admin. Code DOC § 350.17(2))
- Acute allergies
- Prescription or illegal drug use
- History or current symptoms of substance abuse withdrawal
- Current, recent or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disability or physical abnormalities
- Other health issues as identified by the Responsible Physician

Qualified health care professionals should assist in developing specific mental health medical screening questions and should provide training in analyzing inmate responses. The Responsible Physician should establish the role of the qualified health care professional in the medical screening process.

Should the medical screening identify a need for a more comprehensive medical assessment of the inmate, a qualified health care professional should initiate appropriate follow-up action, which may include transporting the inmate to an off-site medical facility (Wis. Admin. Code DOC § 350.13(2); Wis. Admin. Code DOC § 350.15(4)).

### 710.3.2 MEDICAL SCREENING OBSERVATION

The staff member completing the medical screening shall document the following observations:

(a) General appearance

(b) General behavior

(c) State of consciousness (AVPU):

1. Alert - spontaneously responsive
2. Verbal - requires verbal stimulation to respond
3. Pain - requires painful stimulation to respond
4. Unresponsive - does not respond

(d) Ability to physically function

(e) Breathing

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(f) Skin conditions of any kind including bruising, injuries or any indication of drug use

(g) Any other observable health symptoms

The Jail Administrator and the Responsible Physician should develop a procedure through which it can be reliably determined what prescription medications the inmate is taking and the medical urgency for continuing those medications without interruption, regardless of whether the medications are brought in by the inmate or another person (Wis. Admin. Code DOC § 350.16(3)). All medication brought into the facility shall be as securely stored as any other medication provided by the facility (Wis. Admin. Code DOC § 350.16(4)).

710.3.3 DOCUMENTATION

Written documentation of the medical screening should include the name of the screener, the date and time and the following information:

- Immediate or scheduled referral to a medical, dental or mental health professional
- Guidance regarding housing placement, including disciplinary detention if necessary
- Guidance regarding activity limitations and work assignment
- The inmate's responses to questions asked by the interviewer
- Other individualized observations and recommendations

The initial medical screening should become part of the inmate’s medical record and should be retained in accordance with established records retention schedules (Wis. Admin. Code DOC § 350.13(4)).

## 710.4 MEDICAL SCREENING DISPOSITIONS

Persons who are brought to the facility who are obviously in need of immediate medical attention shall be not accepted by jail staff until medically cleared by crossing rivers physician. Medical conditions that require a medical clearance include, but are not limited to:

- Unconsciousness
- Uncontrolled bleeding
- Significant injuries from a motor vehicle accident
- Significant injuries from an altercation
- Significant injuries from handcuffs or other restraint devices
- Knife wounds, gunshot wounds, or lacerations
- Exposure to pepper spray, TASER® device deployment or blunt force trauma during arrest
- Intoxication to a degree that the individual cannot speak coherently or stand or walk unaided

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- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Suspected or know complications of diabetes
- Exhibiting behavior indicating a potential danger to themselves or others
- Active tuberculosis or other serious contagious diseases
- Actively suicidal
- Any other medical condition, which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel.

Inmates with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This office requires medical clearance from an outside entity when such inmates are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

The Jail Administrator is responsible for notifying local police agencies and medical facilities of the jail admission refusal policy and the required clearance documentation.

Based upon the information obtained during the screening process, the classification disposition of the inmate shall be one of the following:

- General population, or other appropriate cell assignment
- General population, or other appropriate cell assignment and timely referral to appropriate health care services,
- Immediate referral to health care services prior to housing

### 710.5 HEALTH APPRAISAL

Generally, a comprehensive health appraisal should occur within 14 days of booking (see the Health Appraisals Policy) (Wis. Admin. Code DOC § 350.13(5)). However, when it is appropriate and based on an inmate’s health condition, an early health appraisal should be recommended. An inmate may also be cleared for housing in general population with a prompt referral to the appropriate health care services when it is in accordance with the inmate’s overall classification. Upon identifying an inmate with a mental disorder, a physician's opinion will be secured within 24 hours, or next sick call, whichever is earliest.

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# Mental Health Services

## 711.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all inmates have access to mental health services and that inmates identified as needing these services are referred appropriately.

### 711.1.1 DEFINITION

Definitions related to this policy include:

**Mental health services** - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

## 711.2 POLICY

It is the policy of this office that a range of mental health services shall be available for any inmate who requires them (Wis. Admin. Code DOC § 350.14).

### 711.2.1 REPORTING TO THE DEPARTMENT OF CORRECTIONS

The Jail Administrator shall provide to the Wisconsin Department of Corrections, by January 30 each year, the following information from the previous calendar year (Wis. Stat. § 302.383):

(a) The number of inmates from the facility who were transferred to a state treatment facility and the number who were transferred to a county treatment facility under each of the following:

1. A commitment under Wis. Stat. § 51.20(1)(a)
2. A voluntary transfer under Wis. Stat. § 51.37(5)
3. An emergency transfer under Wis. Stat. § 51.37(5)

(b) The length of stay in the state or county treatment facility

(c) The description of the mental health services that are available to inmates on either a voluntary or involuntary basis

## 711.3 MENTAL HEALTH SERVICES

The Jail Administrator should collaborate with the local public and private organizations that offer mental health services, treatment and care to those inmates in need of such services.

Such services may include:

- Mental health screening, diagnosis and care.
- Outpatient services and follow-up care after release from custody.
- Crisis intervention.
- Mental illness stabilization.

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- Psychotropic medication management and psychotherapy.
- Suicide prevention.
- Segregation rounds by qualified health care professionals.
- Treatment of severe adjustment disorders.
- Transfer to dedicated mental health treatment when appropriate.
- Release planning services.

### 711.4 BASIC MENTAL HEALTH SERVICES

Inmates may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process and self-referral or staff referral. Qualified health care professionals should respond to all referrals in a timely manner and initiate the appropriate treatment services.

(a) If the inmate has received previous mental health treatment, the inmate should be asked to complete a release of information form so his/her treatment records can be obtained.

(b) Inmates who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources. Arrangements for more comprehensive mental health care may be made, if appropriate.

(c) Inmates who are identified as being developmentally disabled should be evaluated for special housing needs. The qualified health care professional should work in cooperation with classification personnel to establish the best reasonably available housing option.

(d) Inmates who are suspected or known to be developmentally disabled should receive a mental health appraisal by the qualified health care professional or health-trained deputies as soon as reasonably practicable but no later than 24 hours after booking (unless on the weekend and then arrangments will be made through the Jail Administrator or supervisor). Inmates who are developmentally disabled should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing the developmentally disabled.

(e) Inmates enrolled in mental health treatment, including psychiatric medication management, should be provided information regarding the risks and benefits to treatment, this is accomplished by the county nurse.

(f) A treatment plan should be established for all inmates enrolled in mental health services.

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1. Psychiatric and special needs treatment plans shall be reviewed every 180 days, at a minimum. Inmates classified as requiring mental health special needs should be seen at least monthly by a qualified health care professional.
2. Inmates enrolled in other ongoing forms of mental health treatment should have treatment plan updates completed every six months, at a minimum.
3. Inmates who present to the qualified health care professional as having notable difficulty adjusting to the correctional environment, but who are not diagnosed with a serious mental illness, should be evaluated for the appropriateness of mental health treatment. Consideration should be given to the qualified health care professional and the facility staff working together to address the issues that may be affecting the inmate's ability to adjust to incarceration.

(g) The qualified health care professional should utilize a site-specific suicide prevention program to ensure the safety of inmates who present with a risk of self-harm.

1. Segregated inmates may be referred by the jail staff to qualified health care professionals for follow-up if concerns arise regarding their ability to function in disciplinary detention.

(h) If the qualified health care professional has concerns about the level of mental health services that are required to manage an inmate housed in the facility, the health authority shall be notified and the Responsible County Health care provider shall be the decision-maker regarding the health care needs of the inmate.

1. The Responsible County Health Care Provider may consult with a psychiatrist, specialist or other health care service in determining whether the inmate should be transferred to a facility that is better equipped to handle the inmate's psychiatric needs.
2. The Responsible health care provider should notify the Jail Administrator of the request to transfer the inmate for medical treatment.
3. The case review and disposition of the patient should be documented in the inmate's health record and retained in accordance with established records retention schedules.

Inmates determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

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# Mental Health Screening and Evaluation

## 712.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which all inmates receive an initial mental health screening by qualified mental health staff or health-trained custody staff using an instrument developed by qualified health care professionals. The initial mental health screening takes place at the time of booking, and is for the safety of the inmate and the general population. It helps the custody staff to make appropriate classification and housing decisions and to ensure that the treatment and intervention needs of the inmate are met.

## 712.2 POLICY

It is the policy of this office that all individuals booked into the facility shall receive an initial mental health screening by a qualified mental health professional, qualified mental health staff or health-trained custody staff. A more comprehensive medical appraisal shall be conducted within the first 14 days of incarceration to confirm the initial findings and to ensure that, if needed, an appropriate treatment plan that meets the individual needs of the inmate is in place (Wis. Admin. Code DOC § 350.13).

## 712.3 MENTAL HEALTH SCREENING

The initial screening is designed to identify whether mental health conditions exist that require immediate or ongoing intervention. The screening shall be performed prior to the inmate being placed in general housing and should include:

(a) Inquiry into whether the inmate is or has:

1. Thoughts or history of suicidal behavior.
2. Been prescribed or is taking any psychotropic medication or antidepressants.
3. Been treated for mental health issues.
4. A history of psychiatric treatment.
5. A history of substance abuse or been treated for substance abuse.

(b) Any observations of:

1. Appearance and behavior.
2. Abuse, injury or trauma.
3. Symptoms of aggression, depression or psychosis.

(c) A determination of whether the inmate is cleared for or referred to:

1. General housing.
2. General housing with mental health referral.

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3. Mental health emergency treatment.

This information shall be recorded on the receiving screening form. It will become part of the inmate's health record and be retained in accordance with established records retention schedules.

## 712.4 MENTAL HEALTH APPRAISAL

All new inmates shall receive a mental health appraisal by a qualified mental health professional within 14 days, unless documentation exists that an appraisal has been completed within the previous 90 days. Mental health appraisals should include, but not necessarily be limited to the following assessments:

- Mental health status
- Suicide potential
- Violence potential
- Previous psychiatric treatment
- Any history of treatment with psychotropic medication or antidepressants
- Substance abuse or treatment for substance abuse
- Educational history
- Sexual abuse victimization (28 CFR 115.81)
- Predatory behavior or perpetrated sexual abuse (28 CFR 115.81)

Following the appraisal, the qualified mental health professional shall develop a treatment plan for the inmate and make recommendations regarding the inmate's housing, job assignment and program participation.

## 712.5 MENTAL HEALTH REFERRALS

Qualified mental health staff or a qualified health care professional should administer a complete and thorough evaluation of inmates referred for treatment as soon as practicable but no later than 14 days from the referral. The evaluation should include:

- Review of the inmate's screening and appraisal information.
- Observations of the inmate's behavior.
- Information gathered from interviews and testing to determine the inmate's mental health condition, intellect, personality, problems and ability to deal with a custody environment.
- Collection of the inmate's mental health history.

Following the evaluation, a plan of treatment and maintenance, which may include a complete psychological evaluation, should be developed to meet the inmate's needs.

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## *Mental Health Screening and Evaluation*

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# Special Needs Medical Treatment

## 713.1 PURPOSE AND SCOPE

This purpose of this policy is the proper treatment and management of inmates with chronic diseases and special needs. This is accomplished by utilizing nationally recognized, generally accepted clinical guidelines and establishing communication between qualified health care professionals and custodial personnel.

### 713.1.1 DEFINITIONS

Definitions related to this policy include:

**Chronic disease** - An illness or condition that affects an individual's well-being for an extended interval, usually at least six months, and generally is not curable but can be managed for optimum functioning within any limitations the condition creates in the individual.

**Chronic disease program** - The inmate has regular clinic visits during which a qualified health care professional monitors the medical condition and adjusts treatment as necessary. The program also includes patient education for symptom management.

## 713.2 POLICY

It is the policy of this office that all individuals identified as having chronic diseases or special needs are enrolled in a chronic disease program to decrease the frequency and severity of the symptoms, prevent disease progression and complication, and foster improved function.

When a qualified health care professional recognizes that an inmate requires accommodation due to a special need, correctional personnel should be notified in writing. Consultation between the qualified health care professional and custodial personnel should occur regarding the condition and capabilities of inmates with known special needs prior to a housing, work or program assignment, transfer to another facility or the imposition of disciplinary action.

Qualified health care professionals shall furnish special needs information regarding inmates to custodial personnel in order for them to accurately classify and house inmates in the facility. It is the responsibility of the Jail Administrator or the authorized designee to ensure that inmates with special needs are receiving the proper care and that their needs are effectively communicated to custodial staff for appropriate accommodation (Wis. Admin. Code DOC § 350.15(8)).

## 713.3 CLINICAL PRACTICE GUIDELINES

The Responsible Health Care Povider or the authorized designee is responsible for establishing and annually reviewing clinical protocols to ensure consistency with the National Clinical Practice Guidelines.

The clinical protocols for the management of chronic disease and special needs include, but are not limited to:

- Asthma

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- Communicable diseases
- Developmentally disabled inmates
- Diabetes
- Dialysis
- Frail or elderly inmates
- High blood cholesterol
- HIV
- Hypertension
- Mental illness
- Mobility impairments
- Pregnancy
- Seizure disorder
- Suicidal ideation
- Terminally ill
- Tuberculosis

### 713.4 DOCUMENTATION

Documentation in an inmate’s medical record should include information regarding the chronic disease protocols deployed, who is responsible for the various protocols, the extent to which the chronic disease protocols are being followed and should include, but not be limited to:

- The frequency of follow-up for medical evaluation.
- How the treatment plan was adjusted when clinically indicated.
- The type and frequency of diagnostic testing and prescribed therapeutic regimens.
- The prescribed instructions for diet, exercise, adaptation to the correctional environment and medication.
- Clinical justification of any deviation from the established protocol.

A master list of all chronic disease and special needs patients should be maintained by the Responsible Physician or the authorized designee.

### 713.5 CHRONIC CARE PROGRAM

(a) Newly incarcerated inmates shall receive a medical screening. This screening includes the documentation of any acute or chronic health problems or injuries, special needs, and any medications or treatments the inmate is currently receiving.

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1. If the inmate has been incarcerated previously, his/her health records should be reviewed.
2. Current medications being taken by the inmate should be verified and continued as deemed appropriate by the Responsible Physician.
3. A health assessment shall be completed within 14 days of incarceration and a physical examination conducted within 14 days of incarceration.
4. The status of a special needs inmate should be evaluated, at minimum, every 90 days to determine the need for the continued designation.

(b) Decisions involving a special needs inmate's assignment regarding housing, programs, discipline or transfers should include consultation between the Jail Administrator or the authorized designee and the Responsible Physician or the authorized designee.

1. If exigent circumstances prevent a consultation, the decision should be reviewed as soon as practicable but no later than 72 hours post action.

(c) Individual treatment plans are used to guide treatment for episodes of illness. The format for treatment planning may vary, but should include, at a minimum:

1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment and medication.

(d) Reasonable effort should be made to obtain health information and records from previous health care services, with the consent of the inmate, when the inmate has a medical problem that was being treated prior to incarceration.

(e) Upon transfer to another correctional facility, a summary of the inmate's current condition, medications and treatment plan will be forwarded to the receiving facility in a sealed envelope to maintain inmate privacy.

(f) Requests for health information from community health care services must be submitted with the inmate's written consent. If the inmate does not consent, the community health care service may be advised that the person is an inmate and the health information may not be provided without the inmate's written consent.

(g) When inmates are sent out of this facility for emergency or specialty treatment, written information regarding the inmate's current medical status and treatment should accompany the inmate. Upon return to the facility, treatment recommendations from outside health care services should be reviewed by the Responsible health care

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provider or the authorized designee for any changes in the custodial environment or in-house treatment plan.

(h) With the inmate’s written consent, the jail staff should:

1. Share necessary information with outside health care services.
2. Arrange for follow-up appointments.
3. Arrange for transfer of health summaries and relevant parts of the health record to health care services or others assisting in planning or providing for services upon release.

(i) Contacts with community providers should be documented via an administrative note in the patient’s health record.

(j) Patients with serious mental health issues, including those receiving psychotropic medication, will be informed about community options for continuing treatment and provided with follow-up appointments when possible.

(k) Medications should be provided as appropriate.

(l) The Health Care Provider is responsible for ensuring that local site-specific procedures facilitate discharge planning.

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# Communicable Diseases

## 714.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of contracting and/or spreading communicable diseases among office members and the inmate population.

### 714.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid or tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials; when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (i.e., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur as the result of a member’s position at the Crawford County Sheriff's Office.

## 714.2 POLICY

The Crawford County Sheriff's Office is committed to providing a safe work environment for its members and inmates. Members should be aware that they are ultimately responsible for their own health and safety.

## 714.3 EXPOSURE CONTROL OFFICER

The Sheriff will assign a person as the Exposure Control Officer (ECO). The ECO shall develop, with the assistance of the Responsible Physician, an exposure control plan that includes:

(a) Exposure prevention and decontamination procedures.

(b) Procedures for when and how inmates and members may obtain medical attention in the event of an exposure or suspected exposure.

(c) The provision that office members will have no-cost access to the appropriate personal protective equipment (PPE) (i.e., gloves, face masks, eye protection, pocket masks) that is appropriate for each member’s position and risk of exposure.

(d) Procedures related to mitigating the risks associated with communicable disease in the inmate population. These will include, but not be limited to:

1. Proper screening of incoming inmates.
2. Appropriate testing.
3. Investigations of suspected exposures.
4. Appropriate medical attention and precautions to be used by staff.

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5. Sanitation and inmate hygiene efforts, including the sanitation of medical equipment.
6. Control of vermin and parasites, such as mice, lice and bedbugs.
7. Reporting communicable diseases and suspected exposures to the proper authorities.

(e) Compliance with all relevant laws or regulations related to communicable diseases, including:

1. Health and safety standards established by the Wisconsin Department of Safety and Professional Services covering public employees (Wis. Stat. § 101.055).
2. Procedures for inmate health care, including provisions for treatment and supervision of inmates during isolation or quarantine; documentation of the need for isolation or quarantine; and that lab testing for inmates who may have been exposed to a communicable disease occurs when ordered by medical personnel (Wis. Admin. Code DOC § 350.15).
3. Procedures to ensure continuity of care for inmates who have AIDS or have tested positive for HIV, in the event that their condition exceeds the scope of licensure or certification of the facility (Wis. Stat. § 252.14).
4. Provisions for handling biohazardous waste and decontaminating medical and dental equipment in accordance with state regulations (Wis. Admin. Code DOC § 350.15).
5. Protection from discrimination against inmates who have AIDS or have tested positive for HIV (Wis. Stat. § 252.14).
6. Provisions that the Responsible Physician will order in writing the removal of an inmate to a secure hospital or other appropriate secure care facility as necessary to protect all occupants of the facility and its surroundings from a communicable disease (Wis. Stat. 252.06).

The ECO should also act as the liaison with the Wisconsin Department of Safety and Professional Services and may request voluntary compliance inspections.

## 714.4 EXPOSURE PREVENTION AND MITIGATION FOR MEMBERS

### 714.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or office vehicle, as applicable.

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(b) Wearing office-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

(e) Use of an appropriate barrier device when providing CPR.

(f) Use of a face mask if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, gun, baton, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying of cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

714.4.2 IMMUNIZATION
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

## 714.5 POST-EXPOSURE FOR MEMBERS

714.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

(a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).

(b) Obtain medical attention as appropriate.

(c) Notify a supervisor as soon as practicable.

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### 714.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

(a) Name and Social Security number of the person exposed

(b) Date and time of the incident

(c) Location of the incident

(d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

(e) Work being done during exposure

(f) How the incident occurred or was caused

(g) PPE in use at the time of the incident

(h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of the source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply.

### 714.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Office members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from a treating health care professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.

(b) Whether the member has been notified about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

### 714.5.4 COUNSELING

The Office shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

### 714.5.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without written consent (except as required by law).

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Test results from persons who may have been the source of an exposure are to be kept confidential as well.

## 714.6 EXPOSURE PREVENTION AND MITIGATION FOR INMATES

### 714.6.1 SUSPECTED EXPOSURE OF AN INMATE

Members who become aware that an inmate may have been exposed should, as soon as practicable:

(a) Take steps to reduce exposure to other inmates.

(b) Use precautions related to exposure prevention as applicable to the situation (gloves, face masks).

(c) Contact medical personnel to care for the inmate as needed, and obtain recommendations regarding isolation or quarantine of the inmate.

(d) Notify the appropriate supervisor and Jail Administrator.

### 714.6.2 SUPERVISOR RESPONSE AND REPORTING REQUIREMENTS

The responding supervisor shall investigate every exposure or suspected exposure of an inmate as soon as possible following the incident. The supervisor shall ensure the inmate receives appropriate medical assistance and that steps are taken to protect other inmates.

All incidents involving a suspected exposure shall be thoroughly documented.

### 714.6.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any exposed inmate shall have the opportunity to have a medical evaluation immediately after an exposure and follow-up evaluations as necessary.

### 714.6.4 INMATES WITH AIDS AND HIV

Certain actions are prohibited with respect to an individual who has AIDS or has tested positive for HIV. They include (Wis. Stat. § 252.14):

(a) Refusing to treat the individual when it is within the member’s scope of licensure or certification as the health care provider.

(b) Refusing to provide equivalent services to the inmate.

(c) Providing care to the inmate at a standard that is lower than that provided to other inmates with like medical needs.

(d) Isolating the individual unless it is medically necessary.

(e) Subjecting the inmate to humiliating, degrading or abusive treatment.

If an inmate declines an HIV test, a qualified health care professional may not use the fact that the person declined as a basis for denying other services or treatment to the person (Wis. Stat. § 252.14).

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714.6.5 INMATE CONFIDENTIALITY
Any information regarding inmates and possible communicable diseases shall be considered confidential medical records (see the Management of Health Records Policy).

## 714.7 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be sought when it is desired by the exposed member or inmate, or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the Jail Administrator and the Responsible Physician to ensure testing is sought.

Source testing may be achieved by reporting an exposure or suspected exposure to the Department of Health Services and/or requesting a court order (Wis. Stat. § 252.15 et seq.; Wis. Admin. Code DHS § 145.06 et seq.).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

When no statute exists for compelling the source to undergo testing, the ECO should seek the consent of the source for testing and/or consult Corporation Counsel to discuss other options.

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# Aids to Impairment

## 715.1 PURPOSE AND SCOPE

This policy acknowledges the high priority of inmate health and recognizes that some inmates will require adaptive devices to assist them with daily living activities on a temporary or permanent basis.

The Crawford County Sheriff's Office has established this policy for physicians and dentists to review and evaluate the need for adaptive devices, while considering facility security concerns regarding the use of such items.

When a physician or dentist determines that the medical condition of an inmate indicates that an adaptive device is clinically appropriate, the parameters of this policy will determine if authorization for the use of such items during incarceration should be granted, and if any equipment modifications are indicated for safety or security purposes.

### 715.1.1 DEFINITIONS

Definitions related to this policy include:

**Adaptive device** - Any orthotic, prosthetic or aid to impairment that is designed to assist an inmate with the activities of daily living or that is clinically appropriate for health, as determined by the Responsible Physician or dentist.

**Aids to impairment** - Includes, but is not limited to, eyeglasses, hearing aids, pacemakers, canes, crutches, walkers and wheelchairs.

**Orthoses** - Specialized mechanical devices, such as braces, shoe inserts or hand splints that are used to support or supplement weakened or abnormal joints, limbs and/or soft tissue.

**Prostheses** - Artificial devices designed and used to replace missing body parts, such as limbs, teeth or eyes.

## 715.2 POLICY

It is the policy of the Office that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices will be permitted or supplied in a timely manner when the health of the inmate would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability recognized under the Americans with Disabilities Act (ADA) (42 USC § 12101 et seq.), as determined by the Responsible Physician or dentist.

## 715.3 MEDICAL OR DENTAL ORTHOSES, PROSTHESES OR ADAPTIVE DEVICES

Subject to safety and security concerns, inmates should be permitted to retain an orthopedic, orthodontic or prosthetic appliance if it is prescribed by or recommended and fitted by a physician or dentist. However, if the appliance presents a risk of bodily harm to any person, is a risk to the

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security of the facility or if it is not used for its intended purpose, it may be removed and stored with the inmate's property.

The appliance shall be returned to the inmate when the risk abates or the inmate is moved to another housing location. The inmate may be counseled by the qualified health care professional regarding the necessity for the appliance. The removal of the appliance shall be reported to the supervisor and documented in the inmate's medical chart and behavior log. A jail incident report may be written at the direction of the supervisor.

Within 24 hours of any removal of a prosthetic, orthodontic or orthopedic appliance, the inmate shall be examined by a physician or dentist to determine whether the removal of the adaptive device may be injurious to the health or safety of the inmate. If it is determined that the adaptive device cannot be returned because of safety or security concerns, and as a result, the health or safety of the inmate is a concern, options include:

(a) Reclassifying the inmate to another housing unit or administratively segregating the inmate from the general population.

(b) With physician or dentist approval, modifying the adaptive device to meet the medical needs of the inmate and the safety and security needs of the facility.

(c) Providing the inmate with an opportunity to petition the court for the return of the device in accordance with local, state and federal law.

Once an adaptive device has been approved for use, the qualified health care professional shall enter the authorization into the inmate's health file. If the inmate requires special housing, the qualified health care professional shall document this in writing and notify custody or classification personnel appropriately. The qualified health care professional shall document the general condition of the prosthesis and have the inmate sign in the medical record that he/she received the prosthesis.

Any prostheses that are brought to the facility by family members or others after the inmate has been incarcerated shall be subject to a security check. The facility shall accept no responsibility for loss or damage to any adaptive device.

### 715.4 REQUESTS FOR MEDICAL AND DENTAL PROSTHESES

All requests for new or replacement medical or dental prostheses shall be individually evaluated by the Responsible Physician or dentist and reviewed for approval by the Jail Administrator. Considerations for approval shall be based upon the following:

- Medical needs of the inmate
- Anticipated length of incarceration
- Safety and security of the facility

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# Detoxification and Withdrawal

## 716.1 PURPOSE AND SCOPE

Significant percentages of inmates have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those inmates who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

This policy also identifies protocols to be used by qualified health care professionals. These protocols are appropriate for inmates who are under the influence of alcohol or drugs or who are experiencing withdrawal from any type of substance abuse.

### 716.1.1 DEFINITIONS

Definitions related to this policy include:

**Alcohol withdrawal** - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

**Detoxification** - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

**Shift Commander -** The most senoired deputy currently working unless a supervisor is present.

## 716.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this office to provide proper medical care to inmates who suffer from drug or alcohol overdose or withdrawal.

To lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility, staff shall respond promptly to medical symptoms presented by inmates.

The Responsible Physician shall develop written medical protocols on detoxification symptoms necessitating immediate transfer of the inmate to a hospital or other medical facility, and procedures to follow if care within the facility should be undertaken (Wis. Admin. Code DOC § 350.15(16)).

## 716.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects

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that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the Shift Commander, who shall ensure that a qualified health care professional is promptly notified.

### 716.4 MEDICAL STAFF RESPONSIBILITY

The qualified health care professional will evaluate the inmate using approved protocols in order to determine the most appropriate care plan, which will be based on the patient's history, current physical status and treatment needs. Any patient who cannot be safely treated in the facility will be referred to an appropriate treatment facility off-site.

### 716.5 PROCEDURE

Inmates who are observed experiencing symptoms of severe intoxication, overdose or withdrawal will be promptly seen by an on-site health care professional or referred to an off-site emergency facility for treatment. Detoxification shall be conducted under medical supervision at the facility or in a hospital or community detoxification center under appropriate security conditions.

If the qualified health care professional determines that an inmate is at risk for progression to a more severe level of withdrawal, the inmate will be appropriately housed in an area where he/she can be kept under constant observation by qualified health care professionals or trained correctional staff.

### 716.6 WITHDRAWAL AND DETOXIFICATION PROTOCOLS

Protocols for the care and treatment of individuals who are intoxicated or experiencing drug and/or alcohol withdrawal should be developed by the health care provider and made available to the qualified health care professionals. These protocols should be reviewed annually.

Qualified health care professionals shall utilize detoxification protocols in accordance with applicable laws and regulations.

Overall supervision shall be provided by the Responsible Physician. Qualified health care professionals shall evaluate and provide care to patients utilizing written procedures and/or physician orders.

### 716.7 ALCOHOL WITHDRAWAL SYMPTOMS CHART

The following chart describes typical symptoms of mild, moderate and severe withdrawal. It is to be used as a guide for determining when to refer inmates to a qualified health care professional. Not all symptoms are always present.

| | **MILD** | **MODERATE** | **SEVERE** (Delirium Tremens) |
|---|---|---|---|
| **ANXIETY** | Mild restlessness and anxiety | Obvious motor restlessness | Extreme restlessness and agitation with appearance of intense fear is common |

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| | | | |
|---|---|---|---|
| **APPETITE** | Impaired appetite | Marked anorexia | Often rejects all food and fluid except alcohol |
| **BLOOD PRESSURE** | Normal or slightly elevated systolic | Usually elevated systolic | Elevated systolic and diastolic |
| **CONFUSION** | Oriented, no confusion | Variable confusion | Marked confusion and disorientation |
| **CONVULSIONS** | No | May occur | Severe convulsions are common |
| **HALLUCINATIONS** | No hallucinations | Often vague, transient, visual and auditory hallucinations and delusions, often with insight, often occurring only at night | Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences |
| **MOTOR CONTROL** | Inner "shaky" | Visible tremulousness | Gross uncontrollable shaking |
| **NAUSEA** | Nausea | Nausea and vomiting | Dry heaves and vomiting |
| **PULSE** | Tachycardia | Pulse 100-120 | Pulse 120-140 |
| **SLEEP** | Restless sleep or insomnia | Marked insomnia and nightmares | Total wakefulness |
| **SWEATING** | None or slight | Obvious | Extreme |

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# Administration of Psychotropic Medication

## 717.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which an inmate may be involuntarily administered psychotropic medications during a mental health emergency, to protect the safety of the inmate and others.

### 717.1.1 DEFINITIONS

Definitions related to this policy include:

**Mental health emergency** - Any emergency situation that requires an immediate response to an individual in psychiatric crisis, for the preservation of life or the prevention of serious bodily harm to the inmate, staff or others. It is not necessary for harm to take place or to become unavoidable prior to involuntary treatment being imposed.

**Psychotropic medication** - Any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders.

## 717.2 POLICY

It is the policy of this office that an inmate may be involuntarily given psychotropic medication on an emergency basis only when the inmate is found by a physician to be a danger to him/herself or others by reason of mental disorders.

## 717.3 INVOLUNTARY ADMINISTRATION OF PSYCHOTROPIC MEDICATION IN AN EMERGENCY

Psychotropic medication shall not be administered to an inmate absent an emergency unless the inmate has given his/her informed consent or administration has been authorized under a court order.

Involuntary emergency administration of psychotropic medication shall occur only under the following conditions:

- The inmate has been afforded interventions, beginning with the least restrictive options, as approved by the Responsible Physician or psychiatrist.
- The administration and duration are authorized by a physician.
- A physician specifies the conditions under which the medication is to be administered.

The details of each condition must be documented in the inmate’s medical record.

This policy limits the number of times that involuntary psychotropic medication may be administered to one dose only during the mental health emergency, as defined by a qualified health care professional. If the emergency is not resolved, the patient shall be transferred from the jail to an appropriate facility that is designed to treat mental health emergencies.

Psychotropic medication shall not be administered for disciplinary reasons.

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### 717.3.1 PROCEDURES

When it has been determined that an inmate's behavior might lead to death or injury to the inmate or others, and that a mental health emergency is imminent, the following procedures shall be followed:

- The inmate shall be subdued by custody personnel using tactics that provide the safest resolution for the inmate and the involved staff given the circumstances.
- The qualified health care professional shall evaluate the inmate for any injuries and mental status. If there are no qualified health care professional available, the inmate shall be transported to an appropriate facility that is designed to treat mental health emergencies as soon as reasonably practicable.
- The Responsible Physician shall be contacted for direction.
- If psychotropic medication is authorized by the Responsible Physician, the qualified health care professional will first attempt to gain inmate consent.
- If consent is not obtained, the medication shall be involuntarily administered in the safest manner possible.
- The inmate will be monitored for any adverse reactions and side effects twice every hour by custody personnel.
- A qualified health care professional shall check the inmate at 30-minute intervals for the first two hours.
- The inmate shall be evaluated by the Responsible Physician within 24 hours to determine continued treatment planning.
- If the emergency is not resolved with a single dose of medication, or if the inmate does not continue treatment on a voluntary basis, consideration should be given to the prompt transfer of the inmate to an appropriate facility that is designed to treat mental health emergencies.
- All clinical interaction with the inmate shall be fully documented in the inmate's medical record and shall include the date and time of treatment and the signature of the qualified health care professional.

### 717.3.2 POST-ADMINISTRATION CARE

Less restrictive treatment alternatives should be developed as soon as reasonably practicable.

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# Clinical Decisions

## 718.1 PURPOSE AND SCOPE

This policy emphasizes the importance of clinical decisions being the sole responsibility of the qualified health care professional.

### 718.1.1 DEFINITIONS

Definitions related to this policy include:

**Clinical decisions** - The process of formulating a differential diagnosis with information gathered from an inmate's medical history and physical and mental examinations, developing a list of possible causes and ordering tests to help refine the list or identify a specific disease.

**Differential diagnosis** - A systematic method of identifying unknowns or diagnosing a specific disease using a set of symptoms and testing as a process of elimination.

## 718.2 POLICY

Clinical decisions and actions regarding inmate health care are the sole responsibility of qualified health care professionals and shall be adhered to by others.

## 718.3 MEDICAL AUTONOMY

Clinical decisions shall be made only after a thorough evaluation of the patient's complaint and physical or mental condition. The implementation of clinical decisions is to be completed in an effective and safe manner that does not violate the security regulations of the facility.

## 718.4 PROBLEM RESOLUTION

Any issues arising because of the clinical decision process shall be reviewed under the provisions of the Continuous Quality Improvement Policy using medical records, grievances, staff complaints and any other relevant data.

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# Health-Trained Custody Staff

### 719.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for inmates to access 24 hour health care services in the event that a qualified health care professional is not on-site.

### 719.2 POLICY

If the current health care provider for the Crawford County Jail is not available. Shift Commander will contact emergency health services for health care needs.

### 719.3 DUTIES OF THE HEALTH-TRAINED STAFF

The Jail Administrator or the authorized designee, in coordination with the Responsible Physician, shall be responsible for developing a job description for health-trained custody staff positions. A supervisor shall always be available to ensure that health-trained custody staff comply with their job descriptions and designated responsibilities. Designated health-trained custody staff shall be responsible for:

- Reviewing screening forms completed during booking for follow-up care.
- Managing triage of health care requests.
- Making arrangements for sick call.
- Assisting with the implementation of health care orders.

### 719.4 TRAINING

The Jail Administrator, Training Sergeant and the Health Care Provider shall be jointly responsible for developing a training curriculum for the health-trained custody staff positions and for the delivery of that training, which shall include:

- Instruction on proper action in the case of a medical emergency.
- Documentation requirements.
- Appropriate triage of health care requests and follow-up.
- Confidentiality of health information.

### 719.5 UNREASONABLE BARRIERS

No member of the Crawford County Sheriff's Office correctional facility shall create unreasonable barriers that affect an inmate’s access to health care services. Examples of conduct that are likely to create unreasonable barriers and are prohibited include:

(a) Punishing inmates for seeking care for their serious health needs.

(b) Assessing excessive inmate medical fees that prevent or deter inmates from seeking care for their serious health needs.

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(c) Deterring inmates from seeking care for their serious health needs by scheduling sick call at unreasonable times.

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# Licensure, Certification and Registration Requirements

## 720.1 PURPOSE AND SCOPE

The purpose of this policy is to recognize that inmates are entitled to health care services that are provided by qualified health care professionals working within the scope of their respective licensure, certification, registration and training. This policy also establishes a credentials verification process.

## 720.2 POLICY

It is the policy of this office that all qualified health care professionals who provide health care services to inmates possess the required licensure, certification or registration appropriate to their field of expertise.

The current credentials and job descriptions for all qualified health care professionals will be on file at the facility and retained in accordance with established records retention schedules.

Only qualified health care professionals may provide health care to inmates unless care by non-professionals has been authorized in accordance with laws governing health service delivery (Wis. Admin. Code DOC § 350.14(3)).

### 720.2.1 NURSING CARE

Nursing care shall be provided in accordance with the practice established by the Wisconsin Board of Nursing (Wis. Admin. Code Ch. N 6; Wis. Admin. Code DOC § 350.14(2)).

## 720.3 CREDENTIALING AND FILE MAINTENANCE

A completed file of current licenses, certifications, registration, reference checks and applications shall be maintained by the Office XXXXXX and by the Responsible Physician or the authorized designee at this facility (Wis. Admin. Code DOC § 350.14(3)).

(a) The Responsible Physician or the authorized designee should obtain confirmation of current licensure, certification and registration prior to making any offer of employment.

(b) Inquiries into any sanctions or disciplinary actions of state boards, employers and the U.S. Department of Health and Human Services' National Practitioner Data Bank should be conducted prior to making any offer of employment.

(c) Individuals should be required to pass a job related pre-employment background investigation. Employment references may be obtained via mail or over the phone with documentation.

(d) Each employee should be held responsible for providing renewal verification of licenses, certificates and registration prior to the expiration date.

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(e) Any group or individual providing health care services must complete the credentialing process that is appropriate for their profession and must provide the facility a copy of current licensure and, when appropriate, a Drug Enforcement Administration (DEA) certificate to prescribe controlled substances.

(f) To be eligible for hire, all qualified health care professionals must possess and maintain a current CPR certification and provide documentation to the Responsible Physician.

## 720.4 STUDENTS AND/OR INTERNS

If the health care services provided to an inmate are performed by an intern, resident or student who is authorized to provide specific health care services as part of a formal medical training program, the individual will work under the control and supervision of a qualified health care professional. An intern, student or resident shall only be assigned tasks for which they have been trained.

There shall be a written agreement between the facility and the educational or training program that covers the services to be provided by an intern, student, or resident.

Any student, intern or resident working in the facility shall participate in a facility orientation prior to performing any health care services.

All interns, residents or students shall be required to agree in writing to abide by all facility policies, including those relating to hostages, facility security and the confidentiality of information.

All training provided, written agreements and/or contracts shall be maintained in the intern, resident or student’s file by the Responsible Physician or the authorized designee in accordance with established records retention schedules.

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# Suicide Prevention and Intervention

### 721.1 PURPOSE AND SCOPE

This policy establishes the suicide prevention and intervention to identify, monitor and, when necessary, provide for emergency response and treatment of inmates who present a suicide risk while incarcerated at the Crawford County Sheriff's Office detention facilities.

This policy is intended to reduce the risk of self-inflicted injury or death by providing tools to the staff that will allow a timely and organized emergency response to suicide, suicide attempts or an inmate's unspoken indication that suicide is being considered. The three key components of this plan are evaluation, training and screening with intervention.

### 721.2 POLICY

It is the policy of this office to minimize the incidence of suicide by establishing and maintaining a comprehensive suicide prevention and intervention program designed to identify inmates who are at risk of suicide and to intervene appropriately whenever possible.

The program shall be developed and approved by the local public health entity or contracted mental health provider and reviewed annually by the Jail Administrator. A copy of this policy shall be maintained in each unit of the facility where it can be easily accessed by all staff members.

### 721.3 SUICIDE PREVENTION TEAM

The Jail Administrator in cooperation with the Responsible Physician shall establish a suicide prevention team. The team will evaluate and approve the suicide prevention and intervention program annually. The suicide prevention team should consist of qualified mental health care professionals and the Jail Administrator or the authorized designee. The yearly evaluation will include a review of all current policies to ensure they are relevant, realistic, and consistent with the mission of the program. The program and policies will be updated as needed.

The suicide prevention team shall also ensure that the facility is evaluated annually to identify any physical plant characteristics or operational procedures that might be modified to reduce the risk of inmate suicide. This should be accomplished by conducting a review of suicides and suicide attempts, physical inspection, review of various facility inspection reports, and by participating in inmate/management team meetings. If physical modifications are recommended, the team shall ensure the Jail Administrator is promptly notified.

It shall also be the responsibility of the suicide prevention team to coordinate with the Training Sergeant to ensure that suicide prevention training is provided in compliance with all applicable statutes and standards. The suicide prevention team shall identify the trained staff that may assess an inmate’s level of suicide risk (Wis. Admin. Code DOC § 350.17(4)).

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### 721.4 STAFF TRAINING

All facility staff responsible for supervising inmates shall receive initial and two hours annual training on suicide risk identification, prevention and intervention, to include, at minimum (Wis. Admin. Code DOC § 350.17(11)):

- The provisions of this policy.
- Identification of warning signs and risk factors.
- Dynamics of suicide in custody environments.
- Corrections and health care personnel communications.
- Referral procedures.
- Observation and suicide watch procedures.
- Monitoring inmates who attempt suicide.

Recommendations for modification to the suicide training should be directed to the Jail Administrator, who shall review the recommendations and approve, if appropriate.

### 721.5 SCREENING AND INTERVENTION

All inmates shall undergo medical and mental health screening during the intake process. This includes obtaining documented information from the arresting or transporting agency regarding an inmate’s potential for suicide or self-harm (Wis. Admin. Code DOC § 350.17(1)).

A portion of the intake medical screening is devoted to assessing inmates at risk for suicide.

Upon an arrestee/ entering the facility, he/she should be assessed by custody staff for the ability to answer medical and mental health screening questions.

Any inmate who appears to be unable to answer the initial medical screening questions shall be examined by a qualified health care professional at a designated hospital and receive medical clearance before acceptance into the jail. Inmates who refuse to answer these questions shall be placed under observation until the screening can be completed or until sufficient information is obtained to allow the staff to make appropriate decisions concerning housing and care.

Staff members shall promptly refer any inmate who is at risk for suicide to a supervisor, classification, health services, and mental health services. The inmate shall remain under direct and constant observation in a safe setting until designated staff makes appropriate health care and housing decisions (Wis. Admin. Code DOC 350.18(1); Wis. Admin. Code DOC § 350.17).

### 721.6 SUICIDE WATCH

Inmates should only be housed on suicide watch with the approval of a qualified mental health care professional and the Shift Commander. If a qualified mental health care professional is not present in the jail, the Shift Commander may make the decision to place an inmate on suicide watch but should notify a qualified mental health care professional as soon as practicable, but no less than within 12 hours (Wis. Admin. Code DOC § 350.17(5)).

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Inmates placed on suicide watch shall be closely monitored and housed in a cell that has been designed to be suicide resistant. Prior to housing the inmate, the staff should carefully inspect the cell for objects that may pose a threat to the inmate's safety (Wis. Admin. Code DOC § 350.17(3)).

Qualified mental health care professionals are primarily responsible for the treatment of inmates on suicide watch. Deputies and general employees are responsible for the physical safety of the inmates. All staff members should coordinate their efforts to ensure that inmates do not have the means or the opportunity to injure themselves (Wis. Admin. Code DOC § 350.17(7)).

An observation log shall be maintained for each inmate on suicide watch. A staff member shall be designated to make a direct visual observation of the inmate at no less than 15-minute irregular intervals (Wis. Admin. Code DOC § 350.18(1)). A Shift Commander and a qualified health care professional (if available) must observe the inmate at least once every five hours. Each staff member who is required to observe the inmate shall make notations in the observation log documenting the time of observation and a brief description of the inmate's behavior.

An inmate classified as actively suicidal must be continuously monitored by direct visual observation of a deputy. While monitoring may be supplemented by video monitoring, it may never be a substitute for direct visual monitoring (Wis. Admin. Code DOC § 350.18(2)).

The status of suicidal inmates should be readily identifiable in a manner discernible by the staff. If an inmate's clothing presents a risk to the inmate or others, the inmate shall be required to wear a security garment that minimizes the risk and does not unnecessarily stigmatize the inmate. Use of the security garment shall be documented in the inmate's health record. Suicidal inmates shall not be permitted to retain undergarments or any other item that can be fashioned into an implement for hanging (e.g., plastic bags, shoelaces, sheets). Inmates shall not be permitted to keep personal property while housed on suicide watch. Inmates on suicide watch shall not be permitted to possess razors or other sharp objects, such as pencils, items with staples, or any other item that may be used to cause a self-inflicted injury. Physical restraints should only be used as a last resort measure. The decision to use or discontinue use of restraints should be made in consultation with qualified health care professionals.

Inmates who are not actively suicidal but who have expressed suicidal thoughts or have a recent history of self-injurious behavior should be observed by staff at irregular intervals, not to exceed every 15 minutes (Wis. Admin. Code DOC § 350.17; Wis. Admin. Code DOC § 350.18).

### 721.6.1 INTERVENTION

Any suicide attempt is a medical emergency. Staff should take action to facilitate emergency medical care and preserve and collect evidence as necessary. A qualified health care professional should be summoned immediately any time the staff suspects a suicide attempt is imminent. Staff should take reasonable and appropriate precautions to mitigate the ability of the inmate to injure him/herself, and should consider establishing and maintaining a non-threatening conversation with the inmate while awaiting assistance. If a qualified health care professional is not immediately available, the inmate should be placed in an appropriate and safe location until such time as qualified health care professionals or the Responsible Physician is available.

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Following a suicide attempt, staff should initiate a medical emergency response and initiate and continue appropriate life-saving measures until relieved by qualified health care professionals. The arriving medical staff should perform the appropriate medical evaluation and intervention. The Responsible Physician or the authorized designee should be notified in situations when referral and transportation to the emergency room of a local hospital is required (Wis. Admin. Code DOC § 350.17(8)).

### 721.6.2 NOTIFICATION

In the event of an attempted or completed suicide, the Jail Administrator should be promptly notified. The Jail Administrator should notify the Sheriff (Wis. Admin. Code DOC § 350.17(9)). The Jail Administrator shall notify the Department of Corrections' regional Detention Facilities Specialist (Wis. Admin. Code DOC § 350.10(3)).

The location where a suicide or attempted suicide has occurred should be treated as a crime scene after the inmate has been removed from the cell or after emergency medical care is rendered. The area should be secured and access-controlled to preserve evidence until the appropriate investigation can be completed.

All suicides or attempted suicides shall be documented in an incident report. Any injury must be documented in an inmate injury report.

All in-custody deaths, including those resulting from suicide, should be investigated and documented in accordance with the Reporting In-Custody Deaths Policy. All suicides and significant suicide attempts shall be followed by an operational review (Wis. Admin. Code DOC § 350.17(13)).

### 721.6.3 DOCUMENTATION

Action and decisions regarding inmates who are suicide risks shall be documented and will include the following (Wis. Admin. Code DOC § 350.17(10)):

(a) Individual initiating the suicide watch

(b) Date and time the watch was initiated

(c) Reason the watch was initiated

(d) Name of the supervisor contacted

(e) Date and time the supervisor was contacted

(f) Name, date, and time of referral to a qualified mental health care professional

(g) Name, date, time, and signature of the qualified mental health care professional removing the inmate from a suicide watch

## 721.7 FOLLOW-UP

Qualified mental health care professionals should evaluate any inmate placed on suicide watch within 24 hours of placement or at the next available physician's visit, whichever is earliest. After evaluation, qualified mental health care professionals should make a recommendation whether to

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keep the inmate on suicide watch. Only a qualified mental health care professional may remove an inmate from suicide watch.

All changes in inmate status should be reported to the qualified mental health care professional to ensure the inmate receives appropriate care. The inmate's health record should be updated to reflect all contacts, treatment and any other relevant information, and the records maintained in accordance with established records retention schedules.

Although the goal of this program is to significantly reduce the risk of in-custody deaths, the ongoing care of suicidal inmates after release must also be considered. Inmates who are at risk for suicide should work with local or area mental health resources and inmate families after release. A deputy should complete the necessary application, documenting the reasons why the inmate is believed to be suicidal. The completed application should accompany the released inmate to the designated facility.

#### 721.7.1 DEBRIEFING

Any suicide attempt or death of an inmate or on-site staff member requires a staff debriefing. Information will be communicated to the oncoming Shift Commander and staff to apprise them of the incident and actions taken with regard to the incident. Such debriefing will be appropriately documented and shall be reviewed by administration, security, and the Responsible Physician (Wis. Admin. Code DOC § 350.17(12)). Involved staff members will be offered confidential critical stress debriefing services.

### 721.8 TRANSPORTATION

Inmates at risk for suicide pose additional challenges during transport and while being held in court holding facilities. The transportation staff should take reasonable steps to closely monitor at-risk inmates whenever they are transported or held in any cell that is not designated as a suicide-watch cell. All additional security and monitoring measures implemented by the staff should be documented in the inmate's record. The transporting deputy should ensure that the suicide threat or other danger is communicated to personnel at the receiving facility.

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# Inmate Death - Clinical Care Review

## 722.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the actions and notifications required in the event of an in-custody death and the medical care received by the inmate. The policy requires that a review of all in-custody deaths be conducted to assess the appropriateness of the clinical care provided and the effectiveness of the facility's policies and procedures.

### 722.1.1 DEFINITIONS

Definitions related to this policy include:

**Administrative review** - An assessment of the facility's emergency response actions surrounding the death of an inmate. The purpose of the administrative review is to identify areas where operations, policies and procedures may be improved.

**Clinical mortality review (CMR)** - An assessment of the medical condition of the inmate prior to treatment, the clinical care provided by contractors and the circumstances of the death. The purpose of the CMR is to identify areas of patient care or system policies and procedures that may be improved.

**Psychological autopsy** - A written reconstruction of an inmate's life with an emphasis on factors that may have contributed to his/her death. This is sometimes referred to as a psychological reconstruction and is usually conducted by a psychologist or other qualified mental health care professional.

## 722.2 POLICY

It is the policy of this office that all in-custody deaths are reviewed to determine the appropriateness of the clinical care provided, to determine whether existing policies are appropriate or if revision is necessary and to identify any other issues associated with the circumstances of the death. A post-mortem examination should be performed if:

- The cause of death is unknown.
- The death occurred under suspicious or unusual circumstances.
- The inmate was not under current medical care.

## 722.3 DOCUMENTATION

The qualified Shift Commander on-duty at the time of the in-custody death shall ensure that all witnessed facts concerning the death are documented on the inmate's health record. Written documentation should include, but is not limited to, the time of death, the preceding circumstances surrounding the death, nature of the death, treatment rendered and who was notified of the death and by whom.

The Responsible Physician should initiate a death report.

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### 722.4 CLOSING THE MEDICAL RECORD

The Responsible Physician should review the inmate's health record to ensure appropriate entries have been made, and within 24 hours of the death have the original and a complete copy of the medical record made and delivered as follows (see the Reporting In-Custody Deaths Policy):

(a) Seal the original in an envelope and retain in the custody of the Responsible Physician.

(b) Send the copy to the facility for inclusion into the inmate file and retain in accordance with established records retention schedules.

### 722.5 DEATH BY SUICIDE

In the event of a suspected inmate suicide, the qualified health care professional shall make a report within 24 hours to the Responsible Physician containing:

(a) The inmate's known mental health history.

(b) The most recent known mental health treatment.

(c) All known circumstances surrounding the suicide.

The initial CMR should be conducted by the Responsible Physician and, if available, a mental health care professional. The CMR should be finalized within 30 days by the Responsible Physician. The findings should be shared with the treating staff.

### 722.6 DEATH REVIEW

All deaths should be reviewed within 30 days.

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# Medical Equipment and Supply Control

### 723.1 PURPOSE AND SCOPE

This policy outlines the control and inventory process to be utilized in accounting for all medical equipment and supplies. Medical equipment and supplies can pose a hazard for both the inmate population and the staff. Unauthorized possession of medical equipment and supplies constitutes possession of contraband. Unauthorized use of medical equipment and supplies violates inmate rules detailed in the inmate handbook. Since it is necessary to have a well-stocked medical space within the secure perimeter of the facility, there must be a plan to ensure that equipment and medical supplies are accounted for and tightly controlled.

### 723.2 POLICY

It is the policy of this office that all medical equipment (e.g., sharps, dental instruments, needles) shall be strictly controlled so they cannot be used as weapons or to facilitate the injection of drugs or other substances. Additionally, these tools and supplies must be controlled to prevent exposure to biohazards.

### 723.3 STAFF RESPONSIBILITIES

It is the responsibility of the Jail Administrator to ensure that the inmate handbook clearly defines the unauthorized possession and/or use of medical equipment and supplies as a rule violation that may result in discipline.

The Responsible Physician or the authorized designee shall create and maintain an inventory log for all medical equipment and supplies. This log will be utilized by medical personnel who work within the facility to track and control medical equipment and supplies. When not in use, all medical equipment and supplies shall be stored in a secure manner to prevent unauthorized access.

At the beginning of each shift, the qualified health care professional shall inventory the medical supplies and equipment within their control. Any time a disposable item is used, the log shall reflect its use and disposal. At the end of each shift, the qualified health care professional will conduct another inventory using the supply and equipment log, and reconcile any disposable supplies used during their shift.

If there is a discrepancy that indicates that medical supplies or equipment are missing, the Shift Commander shall be immediately notified. The Shift Commander shall initiate a search for the missing supplies and/or equipment. The Shift Commander shall document the incident and any actions taken, and provide the Jail Administrator with a complete report (Wis. Admin. Code DOC § 350.18(10)).

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# Continuation of Care

### 724.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a proactive health system in the facility that fosters the continuation of health care needs that, if discontinued, would have a negative effect on the health of the inmate. The sole objective is to maintain or improve the health of the inmates. This policy is intended to ensure that inmates receive health services in keeping with current community standards as ordered by qualified health care professionals.

### 724.2 POLICY

It is the policy of this office that all inmates shall have access to the continuation of care for a health issue, provided the treatment plan meets community standards. The inmate's health care needs will be assessed by qualified health care professionals and continued as determined or referred after release.

### 724.3 CONTINUITY OF CARE

The Jail Administrator is responsible for coordinating with the Responsible Physician to ensure that all inmates receive appropriate health care, including, but not limited to:

(a) Newly booked inmates shall have a medical screening as part of the booking and classification process. This screening includes documentation of acute or chronic health issues or conditions, existing injuries and medications or treatments the inmate is currently receiving.

1. Any prior jail health records, including those from other facilities, should be reviewed.
2. Current medications will be verified and continued as deemed appropriate by the Responsible Physician or the authorized designee.

(b) A health appraisal is completed on or before the 14th day of continuous incarceration.

(c) Individual treatment plans that are used to guide treatment. The format for planning may vary but should include, at a minimum:

1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, medication and adaptation to the correctional environment.
4. Custody staff is informed of the treatment plan when necessary, to ensure coordination and cooperation in the ongoing care of the inmate.

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(d) Reasonable effort should be made to obtain information and records relating to previous health care professionals with the consent of the inmate, if the inmate is currently under medical care.

(e) Upon transfer to another facility, a medical discharge summary of the inmate's current condition, medications and treatment plan will be forwarded in a sealed envelope (to maintain confidentiality) to the receiving facility.

(f) Response to requests for health information from medical facilities and health care professionals, with the inmate's written consent.

(g) When inmates are sent out of the facility for emergency or specialty medical treatment, written information regarding the inmate's reason for transfer, pertinent medical problems and list of current medications should be sent with the inmate and may be given to those providing care upon request. The name and phone number of a contact person who the medical facility can call should be included with the patient health information. Upon the inmate's return to the facility, treatment recommendations should be reviewed by the Responsible Physician or the authorized designee and appropriate plans should be made for continuing care in the facility based on the treating facility's diagnosis, recommended medications and other treatment.

(h) Upon release from the facility, inmates should be given written instructions for the continuation of care including, but not limited to:

1. The name and contact information of health care facilities for follow-up appointments.
2. Prescriptions and/or an adequate supply of medication for those with chronic medical or psychiatric conditions.

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# Informed Consent and Right to Refuse Medical Care

## 725.1 PURPOSE AND SCOPE

This policy recognizes that inmates have a right to make informed decisions regarding their health care. It establishes the conditions under which informed consent should be obtained prior to treatment, when medical care may proceed without consent, the documentation process for the refusal of medical care and the retention of refusal forms.

### 725.1.1 DEFINITIONS

Definitions related to this policy include:

**Informed consent** - The written agreement by an inmate to a treatment, examination or procedure. Consent is sought after the inmate has received the material facts about the nature, consequences and risks of the proposed treatment, the examination or procedure, the alternatives to the treatment and the prognosis if the proposed treatment is not undertaken, in a language understood by the inmate.

## 725.2 POLICY

It is the policy of this office that, generally, all health care examinations, treatments and procedures shall be conducted with the informed consent of the inmate. Exceptions may include emergencies, life-threatening conditions and public health matters.

## 725.3 INFORMED CONSENT

The qualified health care professional initiating treatment shall inform the inmate of the nature of the treatment and its possible side effects and risks, as well as the risks associated with not having the treatment.

For invasive procedures or any treatment where there is some risk to the inmate, informed consent is documented on a written form containing the signatures of the inmate and a health services staff witness.

A signed informed consent shall be obtained and witnessed by the prescribing psychiatrist for the initiation of psychotropic medication.

Appropriate arrangements shall be made to provide language translation services as needed before an inmate signs any informed consent form.

For minors and conservatees, informed consent shall be obtained from a parent, guardian, or legal custodian. Absent informed consent in non-emergency situations, a court order is required before involuntary treatment can be administered to an inmate.

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### 725.4 REFUSAL OF TREATMENT

When an inmate refuses medical, mental health or dental treatment or medication, he/she shall be counseled regarding the necessity of the treatment/medication and the consequences of refusal. The inmate shall then be requested to sign a form acknowledging that he/she refused an examination and/or treatment (Wis. Stat. § 302.384; Wis. Admin. Code DOC § 350.16(8)).

The form shall be filled out completely by the qualified health care professional and include the inmate's name, booking number, treatment/medication refused, the risks or consequences of refusal and the inmate's mental status. The form must be signed by the inmate and a witness (Wis. Stat. § 302.384).

In the event that the inmate refuses to sign, a notation to this effect shall be documented on the inmate signature line. This shall require a signed acknowledgement by two witnesses.

Documentation regarding the inmate's mental status shall be noted in the medical record, along with a brief note describing the intervention of the qualified health care professional.

The completed form is to be placed in the inmate's medical record.

It is the responsibility of the qualified health care professional to refer all refusal forms to the Responsible Physician.

If there are doubts regarding an inmate's mental capacity to make decisions, the inmate's refusal shall be referred to the Responsible Physician for evaluation.

All refusals of psychotropic medication shall be referred to the Responsible Physician or the authorized designee.

Any time an inmate refuses to take his/her medication, attend sick call or a scheduled medical appointment, a signed refusal must be obtained by the qualified health care professional.

The refusal form shall be a permanent part of the inmate's medical record.

The inmate may revoke his/her refusal at any time.

### 725.5 RECORDS

The Jail Administrator or the authorized designee shall work with the Responsible Physician to develop medical care consent and refusal forms and a system for retaining records in the inmate's health file in accordance with established records retention schedules.

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# Management of Health Records

## 726.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform manner of maintaining the active inmate health records for easy accessibility during clinical treatment, and the storage methods for inactive health records. This policy also recommends practices that will ensure the confidentiality of health record information by separating it from custody records.

### 726.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected health information** - Information that relates to the inmate's past, present or future physical or mental health or condition, the provision of medical care to the inmate, or the past, present or future payment for the provision of health care to the inmate (45 CFR 160.103).

## 726.2 POLICY

It is the policy of this office to maintain the confidentiality of inmates' protected health information. Inmate health records will be maintained separately from custody records and under secure and confidential conditions, in compliance with Wis. Stat. § 146.81 et seq.) and all local, state and federal requirements (Wis. Admin. Code DOC § 350.14(4)).

The Responsible Physician or the authorized designee will establish standardized facility procedures for recording information in the file and for the control and access to inmate health records. Inmate workers shall not have any access to inmate health records.

## 726.3 INITIATING A HEALTH RECORD

Following the initial medical screening process, the qualified health care professional shall initiate a health record for each inmate. The Responsible Physician shall be responsible for developing and implementing procedures for standardized record formatting.

## 726.4 CONFIDENTIALITY OF INMATE HEALTH RECORDS

Information regarding an inmate's health status is confidential. Active health records shall be maintained separately from custody records (Wis. Admin. Code DOC § 350.14(4); Wis. Admin. Code DOC § 350.15(2)). Access to an inmate's health record shall be in accordance with state and federal law (Health Insurance Portability and Accountability Act (HIPAA) of 1996 and the implementing regulations; Wis. Stat. § 51.30; Wis. Stat. § 146.82).

The inmate's protected health information may be disclosed, with the inmate's written authorization, to any person so designated. A fully completed authorization for release and/or a disclosure of protected health information form shall be required prior to disclosure based upon informed consent.

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The inmate’s protected health information may be disclosed by the qualified health care professional without the inmate’s authorization under certain circumstances and when approved by the Responsible Physician or the authorized designee. Those circumstances include:

(a) To known qualified health care professionals who are members of the health care team responsible for the inmate’s care.

(b) To custody staff regarding inmates as reasonably necessary to protect the safety, security and good order of the facility. Examples may include information that the inmate may be:

1. Suicidal.
2. Homicidal.
3. A clear custodial risk.
4. A clear danger of injury to self or others.
5. Gravely disabled.
6. Receiving psychotropic medications.
7. A communicable disease risk.
8. In need of special housing.

(c) To the local public health officer when an inmate is part of a communicable disease investigation.

(d) Pursuant to a court order or valid subpoena duces tecum, accompanied by satisfactory assurance that the inmate has been given notice and an opportunity to file an objection or efforts have been made to secure a protective order as required under HIPAA (45 CFR 164.512).

(e) To a law enforcement officer for purposes of a criminal investigation, to avert a serious threat to the health or safety any person or to fulfill mandatory reporting requirements.

(f) To a law enforcement officer when the inmate has died as a result of criminal conduct.

The inmate’s limited protected health information may also be disclosed to a law enforcement officer for purposes of identifying or locating a suspect or when the inmate is a victim of a crime. When reasonably possible, the approval of the Jail Administrator should be obtained prior to disclosure.

Attorneys requesting health record information regarding an inmate should be advised that an authorization for release and/or a disclosure of medical information form or an attorney release form signed by the inmate is required.

Family members may be informed of the inmate’s custody status and whether the inmate is receiving medical care. Family members requesting additional information must provide a proper authorization for release and/or disclosure of medical information form.

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The Jail Administrator, in consultation with the Responsible Physician, shall designate personnel who will be responsible for reviewing all requests for access to medical records and who will propose related policies and procedures and other activities designed to facilitate proper documentation of health care and access to records.

## 726.5 HEALTH RECORD CONTENTS

(a) To standardize record keeping and to identify responsibilities, the following should apply to inmate health records (Wis. Admin. Code DOC § 350.15(10)):

1. The qualified health care professional or the authorized designee should be responsible for ensuring that all required information and forms are included in the medical records. There should also be a periodic informal review as described in the Continuous Quality Improvement Policy.
2. The qualified health care professional or the authorized designee should be responsible for ensuring incoming written findings and recommendations are returned with the inmate from any off-site visit and filed in the inmate’s medical record.

(b) Inmate health records shall minimally contain, but are not limited to:

1. Identifying information (e.g., inmate name, identification number, date of birth, sex) on each page in the file.
2. Medical/mental health screening form.
3. Health appraisal.
4. Complaints of illness or injury.
5. A problem summary, containing medical and mental health diagnoses and treatments as well as known allergies.
6. Immunization records.
7. Progress notes.
8. Prescriptions and orders regarding medications.
9. Medical test results.
10. Treatment history.
11. Personalized and specific treatment plans when available or required.
12. Records of consent and refusal.
13. Authorization for release of information (including HIPAA forms).
14. Results of specialty consultations and off-site referrals.
15. Special needs treatment plans, if applicable.

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### 726.6 ACTIVE INMATE HEALTH RECORDS

Active inmate health records will be accessible to qualified health care professionals as necessary for the provision of medical treatment and other uses allowed by law or the Jail Administrator or the authorized designee, under exigent circumstances, to protect the safety, security and good order of the facility.

All entries in the inmate health record will have the place, date, time, signature and title of each individual providing care and should be legible.

Documentation in the inmate health record is done in the subjective, objective, assessment and plan (SOAP) format. An inmate health record is initiated at the first health encounter following the initial medical screening.

If an inmate has been previously incarcerated, the previous health record should be reactivated. If a new record has been initiated and a previous record exists, medical records personnel should merge the two records in order to compile a complete history, unless mandated statutory retention schedules have provided for the destruction of one file and there is a need to create a new file.

New information shall be entered on the health record at the completion of each encounter.

All inmate health records shall be returned to the file prior to the end of each watch.

### 726.7 INACTIVE MEDICAL RECORDS

When an inmate is released from custody, medical records personnel should remove the inmate’s health record from the active file.

The health record should be reviewed for completeness. Any loose documents should be filed according to the established health record format.

The health record should be securely stored in the area designated for inactive inmate health records, in accordance with established records retention schedules but no less than 10 years from the date of the last clinical encounter. Adult records and juvenile records may have different jurisdictional retention requirements.

Inactive inmate medical records may be stored off-site. Health record information from inactive files may be transmitted to specific and designated physicians or medical facilities upon the written request or authorization of the inmate.

### 726.8 ELECTRONIC MEDICAL RECORDS

If medical records are maintained in an electronic format, the system should be structured with redundancies to ensure the records will survive any system failure.

### 726.9 HIPAA COMPLIANCE

The Jail Administrator, in consultation with the Responsible Physician, shall ensure that a health record protection and disclosure compliance plan conforming to the requirements of HIPAA is

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prepared and maintained. The plan should detail all necessary procedures for security and review of the access and disclosure of protected health information.

At minimum, the plan will include:

- Assignment of a HIPAA compliance officer, who is trained in HIPAA compliance and will be responsible for maintaining procedures for and enforcing HIPAA requirements, including receiving and documenting complaints about breaches of privacy.
- Ongoing training on HIPAA requirements, depending on the level of access the member has to protected health information.
- Administrative, physical and technical safeguards to protect the privacy of protected health information.
- Procedures for the permitted or required use or disclosure of protected health information and the mitigation of harm caused by improper use or disclosure.
- Protocol to ensure privacy policies and procedures, any privacy practices notices, disposition of any complaints, and other actions, activities and designations required to be documented, are maintained for at least six years after the date of creation or last effective date, whichever is later.

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# Inmate Health Care Communication

## 727.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain effective communication between the treating qualified health care professionals and custody personnel. This communication is essential at all levels of the organization to ensure the health and safety of all occupants of the facility.

## 727.2 POLICY

It is the policy of this office that effective communication shall occur between the Jail Administrator and the treating qualified health care professionals regarding any significant health issues of an inmate. All health issues should be considered during classification and housing decisions in order to preserve the health and safety of the occupants of this facility.

When a qualified health care professional recognizes that an inmate will require accommodation due to a medical or mental health condition, custody personnel shall be promptly notified in writing.

The Jail Administrator shall be responsible for establishing measurable goals relating to processes that enhance good communication between the qualified health care professionals and the custody staff. The Jail Administrator should also establish, in writing, the desired performance objectives relating to practices that support good communication between the qualified health care professionals and the custody staff. The Jail Administrator should review the documents annually for any necessary revisions or updates in support of continuous improvement in the delivery of health care services.

## 727.3 MANAGING SPECIAL NEEDS INMATES

Upon an inmate’s arrival at the facility, the qualified health care professional, in consultation with the custody staff, should determine if the inmate has any special needs.

(a) If staff determines that an inmate has special needs, a communication form or other appropriate documentation relating to special needs should be completed and sent to classification personnel, the Shift Commander and the housing officer. This is to ensure that the inmate is assigned to a housing unit that is equipped to meet his/her special needs.

(b) The qualified health care professional should arrange for the appropriate follow-up evaluation.

(c) The health care of special needs inmates should be continuous and ongoing. At minimum, the inmate should be seen by the Responsible Physician or a qualified health care professional at least once every 90 days to evaluate his/her continued designation as a special needs inmate.

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(d) Inmates who have been determined by qualified health care professionals to require a special needs classification should be seen at least once monthly by a qualified health care professional.

(e) Prior to transfer to another facility, a medical transfer summary should be completed detailing any special requirements that should be considered while the inmate is in transit and upon his/her arrival at the destination. Discharge planning should be included, as appropriate.

(f) A treatment plan should be developed for each inmate and should include, at a minimum:

1. The frequency of follow-up for medical evaluation and anticipated adjustments of the treatment modality.
2. The type and frequency of diagnostic testing and therapeutic regimens.
3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment and using prescribed medications.

(g) When clinically indicated, the qualified health care professionals and the custody personnel should consult regarding the condition and capabilities of inmates with known medical and/or psychiatric illnesses or developmental disabilities prior to any of the following:

1. Housing assignment
2. Program or job assignment
3. Admissions to, and transfers from or between institutions
4. Disciplinary measures for mentally ill patients

(h) Qualified health care professionals and custody personnel should communicate about inmates who require special accommodation. These include, but are not limited to, inmates who are:

1. Chronically ill
2. Undergoing dialysis
3. In an adult facility, as an adolescent
4. Currently in treatment for a communicable disease
5. Physically disabled
6. Pregnant
7. Frail or elderly
8. Terminally ill
9. Mentally ill or suicidal

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10. Developmentally disabled

## 727.4 NOTIFICATION TO SUPERVISORS

In the event that there is no mutual agreement regarding an individual or group of inmates who require special accommodation for medical or mental health conditions, supervisors in the respective chain of command within the health care and custody staff should address these issues.

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# Forensic Evidence

## 728.1 PURPOSE AND SCOPE

The purpose of this policy is to maintain credibility between the inmates and the facility's qualified health care professionals by establishing clear guidelines restricting facility health care professionals from participating in the collection of forensic evidence for disciplinary or legal proceedings.

### 728.1.1 DEFINITION

Definitions related to this policy include:

**Forensic evidence** - Physical or psychological data collected from an inmate that may be used against the inmate in disciplinary or legal proceedings.

## 728.2 POLICY

Qualified health care professionals of this facility are generally prohibited from participating in the collection of forensic evidence or performing psychological evaluations for disciplinary or legal proceedings.

Qualified health care professionals of this facility should not be involved in the collection of forensic evidence except when complying with state laws requiring the collection of blood samples from inmates, provided the inmate has consented to the procedure and staff are not involved in any punitive action against the inmate.

Qualified health care professionals of this facility may collect blood or urine for testing for alcohol or drugs when it is done for medical purposes and under a physician's order. Qualified health care professionals of this facility may conduct inmate-specific, court-ordered laboratory tests and examinations or radiology procedures with the consent of the inmate.

Qualified health care professionals of this facility are prohibited from being involved in the following procedures:

(a) Psychological evaluations for use in adversarial proceedings

(b) Blood draws for lab studies ordered by the court, without inmate consent

(c) Any medical procedure, except emergency lifesaving measures, that does not have the inmate's written consent

It shall be the responsibility of the Sheriff or the authorized designee to arrange for appropriately trained professionals to collect forensic evidence for disciplinary or legal proceedings.

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# Oral Care

## 729.1 PURPOSE AND SCOPE

The intent of this policy is to ensure that inmates have access to dental care and treatment for serious dental needs. While the focus of this policy is primarily on urgent and emergent dental care, as with medical or mental health care, dental care is available based upon patient need.

### 729.1.1 DEFINITIONS

Definitions related to this policy include:

**Infection control practices** - Are defined by the American Dental Association (ADA) and the Centers for Disease Control and Prevention (CDC) as including sterilizing instruments, disinfecting equipment and properly disposing of hazardous waste.

**Oral care** - Includes instruction in oral hygiene, examinations and treatment of dental problems. Instruction in oral hygiene minimally includes information on plaque control and the proper brushing of teeth.

**Oral examination** - Includes taking or reviewing the patient's oral history, an extra-oral head and neck examination, charting of teeth and examination of the hard and soft tissue of the oral cavity with a mouth mirror, explorer and adequate illumination.

**Oral screening** - Includes visual observation of the teeth and gums, and notation of any obvious or gross abnormalities requiring immediate referral to a dentist.

**Oral treatment** - Includes the full range of services that in the supervising dentist's judgment are necessary for proper mastication and for maintaining the inmate's health status.

## 729.2 POLICY

Oral care for inmates shall be provided under the direction of a licensed dentist. Dental care should be timely and include immediate access for urgent or painful conditions. Protocols will be established regarding priorities for care when, in the dentist's judgment, the inmate's health would otherwise be adversely affected (Wis. Admin. Code DOC § 350.15(5)).

## 729.3 ACCESS TO DENTAL SERVICES

Emergency and medically required dental care is provided to each inmate upon request. Dental services are not limited to extractions. It is the goal of dental services to alleviate pain and suffering, ensure that inmates do not lose teeth merely as a consequence of incarceration and to provide appropriate dental service whenever medically required to maintain nutrition (Wis. Admin. Code DOC § 350.14(1).

Access to dental services should be as follows:

(a) All inmates wishing to see the dentist for a non-emergency issue shall complete a sick call form. Requests should be triaged according to the nature and severity of the problem and should be seen by a dentist according to assigned priority. Inmates

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requesting dental services on weekends or after hours will initially be evaluated by a qualified health care professional and referred appropriately.

(b) If an inmate suffers obvious trauma or other dental emergency, the qualified health care professional may arrange for immediate access to a dentist or may transfer the inmate to an emergency room for treatment.

(c) Inmates who are furloughed or sentenced to work release or another form of community release may see their own dentist pursuant to approval of scheduling arrangements with facility medical and custody staff. The inmate will be financially responsible for any payment. The Office is under no obligation to transport the inmate to this appointment.

(d) Records documenting all dental treatment should be maintained in the inmate's medical record file and retained in accordance with established records retention schedules. Examination results should be recorded on a uniform dental record using a numbered system.

(e) Medications prescribed by a dentist should be administered in accordance with pharmacy procedures and documented in the inmate’s medical record.

(f) Necessary dental services identified by a dentist that are not available on-site should be provided by referral to community resources as deemed necessary by the facility dentist.

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# Pharmaceutical Operations

### 730.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

730.1.1 DEFINITIONS

Definitions related to this policy include:

**Administration** - The act of giving a single dose of a prescribed drug or biological substance to an inmate. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

**Controlled substances** - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

**Delivery** - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose and instructions for taking the medication, the name of the prescribing physician and expiration dates). Under these circumstances a single dose at a time can be delivered to the inmate, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

**Dispensing** - Those acts of processing a drug for delivery or administration to an inmate pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

**Distributing** - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

**Dose** - The amount of a drug to be administered at one time.

**Drug** - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States or any supplement that is intended for

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use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

**Pharmaceutical operations** - The functions and activities encompassing the procurement, dispensing, distribution, storage and control of all pharmaceuticals used within the jail, the monitoring of inmate drug therapy and the provision of inmate/patient drug information.

### 730.2 POLICY

It is the policy of this office that pharmaceutical operations meet all federal, state and local legal requirements and be sufficient to meet the needs of the facility population (Wis. Admin. Code DOC § 350.16).

### 730.3 PHARMACEUTICAL OPERATIONS

(a) The Responsible Physician, in conjunction with the pharmacist, shall establish a list of all prescription and nonprescription medications available for inmate use.

1. Drugs approved for use in the facility should promote safe, optimum and cost-efficient drug therapy.
2. The list should be periodically updated.

(b) The Responsible Physician, in conjunction with the pharmacist, shall ensure appropriate medication storage, handling and inventory control.

(c) The Responsible Physician, in conjunction with the Jail Administrator, shall ensure that all medications provided by an arrestee during the admission process or brought to the facility after admission are inventoried and properly stored (Wis. Admin. Code DOC § 350.16(4)).

(d) The Responsible Physician shall inspect the pharmaceutical operation quarterly and regularly review charts on medication utilization.

(e) The Responsible Physician shall be responsible for establishing and maintaining a system for storing and accounting for controlled substances. A count of syringes, needles and controlled substances shall be taken and verified as correct, and documented at the change of each shift by two qualified health care professionals or a qualified health care professional and another staff member if a second qualified health care professional is not on-site. An incorrect count shall be reported immediately to the Shift Commander. Medications shall be stored under proper conditions of security, segregation and environmental control in locked drug cabinets at all storage locations (Wis. Admin. Code DOC § 350.16(5)).

1. Medication shall be accessible only to legally authorized persons.
2. Medication and device cabinets (stationary or mobile) shall be closed and locked when not in use.

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3. Controlled substances shall be stored and handled in accordance with DEA regulations.

4. The inside temperature of this refrigerator shall be maintained between 36 and 46 degrees. The inside temperature shall be monitored and recorded daily on a refrigerator temperature log.

5. Antiseptics and other medications for external use shall be stored separately from internal and injectable medications.

(f) Medication shall be kept in pharmacist-packaged or the original manufacturer's labeled containers. Medication shall only be removed from these containers to prepare a dose for administration. Drugs dispensed to inmates who are off grounds or are being discharged from the facility shall be packaged in accordance with the provisions of the federal packaging laws (15 USC § 1471 et seq.) and any other applicable state and federal law.

(g) Medication shall be properly labeled with the label firmly affixed to the prescription package. Each label shall indicate the name, address and telephone number of the dispensing pharmacy, in addition to:

1. The medication name, strength, quantity, manufacturer, manufacturer's lot number or internal control number and expiration date.

2. Directions for use, dispensing date and drug order expiration date. Accessory or cautionary labels shall be applied as appropriate.

3. In cases where a multiple dose package is too small to accommodate the prescription label, the label may be placed on an outer container into which the multiple dose packages are placed.

(h) Medication that is outdated, visibly deteriorated, unlabeled, inadequately labeled, discontinued or obsolete shall be stored in a separate secure storage area and disposed of in accordance with the following requirements (Wis. Admin. Code DOC § 350.16(10)):

1. Controlled substances shall be disposed of in accordance with the state and federal regulations.

2. Unused, outdated or discontinued doses or excess inventories of non-controlled drugs that have not been in the possession of the inmate shall be returned to the pharmacy for disposition.

3. Returned, non-controlled substances that have been in the possession of the inmate, unclaimed personal medication collected at intake or individual doses of medication removed from the original pharmacy packaging shall be destroyed

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at the facility by health services staff and placed in the medical waste disposal system.

4. Pharmaceutical waste shall be separated from other types of medical waste for handling and disposal purposes, and will be discarded in designated containers distinctly identified for medical waste.

(i) All medication preparation, storage and administration areas shall be clean, organized, illuminated, ventilated and maintained at an appropriate temperature range. Any mobile medication cart that is not being used in the administration of medication to inmates shall be stored in a locked room that meets similar requirements.

(j) Current drug reference information, such as a Physician's Desk Reference (PDR) or an approved website, shall be available to staff.

(k) An annual report on the status of the pharmaceutical operation will be prepared by the pharmacist and provided to the Responsible Physician and the Jail Administrator.

## 730.4 PRESCRIBING MEDICATIONS

All medications shall be prescribed in a safe and effective manner for clinically appropriate reasons and documented in the individual patient medical record. Records shall be retained in accordance with established records retention schedules (Wis. Admin. Code DOC § 350.16).

(a) Any medication prescribed by a qualified health care professional shall specify the drug name, strength, dose, route, frequency, discontinuation date, physician name, and indication for use if the medication is intended to be used as needed. Medication shall not be prescribed for an indefinite period. The qualified health care professional shall review medication regimens at specified time intervals. An order to continue or discontinue any medication shall be documented in the medical record, which will supersede any earlier orders for that medication. A physician's signature shall be required on all verbal orders within 72 hours of the order.

(b) Any medication prescription that is not complete or is questionable shall not be prepared until clarification is received from the qualified health care professional. Staff shall make an effort to obtain prescription clarification in a timely manner.

(c) Medication shall only be ordered upon approval of the Responsible Physician (Wis. Admin. Code DOC § 350.16(1)). Medication shall be prescribed and ordered from the facility list of approved medications unless the Responsible Physician approves otherwise.

(d) Some inmates may be permitted to possess and self-administer some medications when monitored and controlled, in accordance with this policy.

(e) Apparent adverse drug reactions shall be recorded in the inmate's health record by the qualified health care professional.

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(f) The qualified health care professional shall notify the Shift Commander of all known medication errors in a timely manner. Medication error reports shall be completed on all known medication errors.

(g) Unused medication shall be inventoried or disposed upon the inmate’s release or transfer (Wis. Admin. Code DOC § 350.16(10); Wis. Admin. Code DOC § 349.19). Medication brought into the facility shall be returned to the inmate upon release or delivered to the transporting deputy upon transfer (Wis. Admin. Code DOC § 350.16(9); Wis. Admin. Code DOC § 349.19).

## 730.5 PER DOSE MEDICATION ADMINISTRATION

Psychotropic medication, controlled substances, tuberculosis (TB) medication, seizure medication and those listed as directly observed therapy (DOT) shall be administered to inmates on a per dose basis. Health-trained custody staff members may administer medication on the order of the Responsible Physician or a qualified health care professional (Wis. Admin. Code DOC § 350.16(6)).

(a) Each medication ordered on a per dose basis for individual inmates shall be kept in the medication room of the facility.

(b) Medication dispensing envelopes bearing the inmate's name, booking number, housing location and the medication and its dosing schedule shall be generated for each inmate receiving per dose medication. These shall be administered from the individually packaged supply and delivered to the patient at each scheduled medication time.

(c) The qualified health care professional or health-trained custody staff member will confirm the inmate's identity with the name and/or booking number on the dispensing envelope prior to administering the medication.

1. Inmates should have a fluid container and adequate fluid to take the medication being administered.

2. The qualified health care professional or health-trained custody staff member should observe the inmate taking the medication to prevent "cheeking" or “palming”.

3. The qualified health care professional or health-trained custody staff member should inspect the inmate's mouth after the inmate swallows the medication to ensure it was completely ingested. If the inmate appears to be "cheeking" the medication, a chart entry will be made and a notation entered on the medication envelope, as well as the back of the Medication Administration Record (MAR). Custody staff shall be immediately notified of the suspected “cheeking” and shall follow-up with the appropriate security, corrective and/or disciplinary action.

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(d) Medication administered or delivered to an inmate shall be documented. Including who pescribed the medication, who administered or delivered the medication, and the date and time of administration or delivery. (Wis. Admin. Code DOC § 350.16 (7)).

1. In the event that medication cannot be administered (for example, the inmate is in court or the medication is not in stock), a note explaining the situation and planned action shall be made on the back of the MAR or on a progress note.

(e) The qualified health care professional or health-trained custody staff member shall have inmates who refuse their medication sign a refusal form at the medication round (Wis. Stat. § 302.384(3); Wis. Admin. Code DOC § 350.16(8)). If the inmate willfully refuses to sign the refusal form, the qualified health care professional or health-trained custody staff member shall advise custody staff, who should attempt to resolve the situation through voluntary compliance by reminding the inmate that a refusal to sign may lead to disciplinary action. The qualified health care professional or health-trained custody staff member shall also:

1. Note the refusal on the medication log including the date and time.
2. Review the medication logs for prior refusals.
3. Patterns of refused medications will be documented on the inmate’s medical record.
4. Make a reasonable effort to convince the inmate to voluntarily continue with the medication as prescribed.
5. Report continued refusals to the Responsible Physician.

(f) No inmate should be deprived of prescribed medication as a means of punishment.

## 730.6 SELF-ADMINISTRATION OF MEDICATION

Upon approval of the Responsible Physician or qualified health care professional, inmates may be allowed to self-administer prescribed medication other than psychotropic medication, seizure medication, controlled drugs, TB medication, any medication that is required to be DOT, or has the recognized potential for abuse.

The qualified health care professional ordering medication should educate the inmate regarding potential side effects and the proper use of the medication.

(a) Medication may be ordered through a pre-booking examination or medical clearance obtained at a hospital or other clinic, an emergency room visit or evaluation by an on-site qualified health care professional.

(b) Any questions the inmate may have concerning his/her medication should be addressed at this time.

(c) The inmate shall be instructed to carry medication at all times or to secure it in designated areas within the housing unit.

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(d) All self-administered medications are to be documented on the MAR.

(e) Upon receipt of the medication, the qualified health care professional or health-trained custody staff member should issue the inmate his/her medication as follows:

1. The qualified health care professional or health-trained custody staff member issuing the medication should confirm the inmate’s identity with the name and/ or booking number on the self-administer package.

2. When issuing self-administered medication, documentation on the MAR should include the number of pills issued and the qualified health care professional or health-trained custody staff member’s initials.

(f) The continuous quality improvement coordinator should monitor inmate compliance by randomly interviewing inmates about the name, purpose, dose, schedule and possible side effects of their prescription medication and will inspect the inmates' self-administered medication and review their medical records. Any violation of the rules will be reported to the custody liaison.

(g) Any self-administered medication may be changed to per-dose at the discretion of the medical staff if the inmate is not responsible enough to self-administer the medication or has a history of frequent rule violations. Documentation in the medical record should accompany any decision to change the medication to per-dose . Custody and health care staff should continuously monitor and communicate with each other regarding inmates complying with the conditions and rules for self-administered medication.

(h) Inmates who arrive at the facility with prescribed medication should be administered per-dose for any new medications or refills until the new medication or refill is received from the pharmacy.

## 730.7 NON-PRESCRIPTION MEDICATION

Any over-the-counter non-prescription medication available to inmates for purchase in the facility commissary shall be approved by the Jail Administrator and the Responsible Physician and reviewed annually.

The Jail Administrator and the Responsible Physician should establish a limit on the amount of non-prescription medication an inmate may purchase and have in his/her possession at any time. Inmates with medication in an amount above the proscribed limit may be subject to disciplinary sanctions.

## 730.8 TRAINING

All health-trained custody staff members authorized to deliver, administer and provide medication assistance shall be trained prior to engaging in any tasks related to delivery or administration of medication. Refresher training shall occur annually thereafter (Wis. Admin. Code DOC § 350.16(2)).

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# Privacy of Care

## 731.1 PURPOSE AND SCOPE

This policy recognizes that inmates have a right to privacy and confidentiality regarding their health-related issues. It also recognizes inmates' right to health care services that are provided in such a manner as to ensure that privacy and confidentiality, and encourage inmates use and trust of the facility's health care system.

### 731.1.1 DEFINITION

Definitions related to this policy include:

**Clinical encounters** - Interactions between inmates and health care professionals involving a treatment and/or an exchange of confidential health information.

## 731.2 POLICY

It is the policy of this office that, in order to instill confidence in the health care system by the inmate population, all discussions of health-related issues and clinical encounters, absent an emergency situation shall respect the inmate's privacy and encourage the inmate's continued use of health care services.

## 731.3 REPORTING INAPPROPRIATE ACCESS OF MEDICAL INFORMATION

The Jail Administrator and the Responsible Physician shall establish a process for staff, inmates or any other persons to report the improper access or use of medical information.

## 731.4 TRAINING

All corrections personnel, interpreters and qualified health care professionals who are assigned to a position that enables them to observe or hear qualified health care professional/inmate encounters shall receive appropriate training on the importance of maintaining confidentiality when dealing with inmate health care. The Training Sergeant shall be responsible for scheduling such training and for maintaining training records that show the employee attended, in accordance with established records retention schedules.

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# Inmate Health Care Medical Fees

**732.1 POLICY**

It shall be the policy of the Crawford County Sheriff's Department Jail to provide appropriate, necessary medical care and treatment for inmates held in custody regardless of the inmate's ability to pay.

**732.2 PROCEDURE**

I. Determination of Inmate for Payment of Medical Care.

A. Health care related services which may be charged to inmates include:

1. Over-the-counter (OTC) medications;
2. Prescription medications;
3. Nurse visits;
4. Emergency room visits;
5. X-rays / Lab tests; and/or
6. Hospitalization.

B. Jail and Huber inmates who request services for medical care will be billed at a predetermined amount per visit/occurrence.

C. Jail and Huber inmates being referred to the County Nurse by Deputies or Supervisors – or- being seen at the request of the County Nurse, will not be billed for such visits.

D. Jail and Huber inmates who are being seen by County Nurse as a follow-up to care/attention and/or treatment previously provided by medical staff will not be billed (i.e., the subject inmate submitted a request or was referred by staff, treated and requires follow-up and/or additional attention for the same condition/ailment.

II. Crawford County's Limit of Reimbursement for Medical Care

A. The Crawford County Sheriff's Department will pay the cost of all essential medical care for indigent inmates in the amount payable by medical assistance.

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III. Inmate Liability for Medical Care Costs.

A. The department will charge back to any inmate costs associated with medical care.

1. The obligation of the inmate to pay such costs is not dependent upon consent of the inmate and such payment will be taken from any monies held in the inmate’s commissary account.

2. If the inmate does not have funds to pay his/her medical bills in full, the inmate’s commissary account will remain in a negative balance.

3. If the inmate does receive funds for his/her commissary account, the Sheriff’s Department will deduct any unpaid amounts from the inmate’s fund balance.

4. These amounts may be paid by the inmate to the department after the inmate is released from the jail or Huber.

5. Any deficits or arrears in payment may be collected from inmates during subsequent incarcerations or through small claims action.

IV. Administration of Inmate Medical Care Fees.

A. The Jail Administrator has primary authority for administering financial processes involving inmate medical health care fees.

B. The Jail Administrator shall delegate certain transactions to other personnel as necessary.

V. Inmate Fee Collection Procedures.

A. OTC medications.

1. The inmate will initiate a county nurse visit request on the Medical Request Form.

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2. The county nurse will select the charge for the OTC and/or county nurse visit/activity on the form.

a. Future refills are billed for OTC only.

b. There is no charge for follow-up nurse visits.

3. The Deputy will deduct the money from the inmate's account by going to Lockdown software, click; residents – edit accounts- select inmate- billing – enter amount and save.

B. Prescription Medications (Crawford County Inmates).

1. When the prescription medication(s) arrives the jail deputy receiving the medications will bill the inmate under prescriptions, make two copies of the billing, one goes in the inmate's medical file and the other goes to inmate.

C. Prescription Medications (Out-of-County or Contract Inmates)

1. When the prescription medication(s) arrives the jail deputy receiving the medication will bill the inmate under prescriptions, make two copies of the billing, one goes in the inmate's medical file and the other goes to the inmate.

D. County Nurse visits by Crawford County inmates.

1. Same as above except Billing- County Nurse- Save.

E. County Nurse visits by out-of – county inmates.

1. Same as above except Billing- County Nurse- Save.

F. Doctor visit charge to inmates.

1. Same as D.1. above

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G. Emergency room fees.

1. If the County Nurse sends an inmate to the emergency room, the County Nurse must notify jail staff.

2. Once the jail staff is notified, the emergency room billing office will be notified and the bill will be requested to be sent to the Sheriff's Department.

3. When the bill arrives, the Jail Administrator will verify the inmate was sent to the emergency room and verify the Medical Assistance rate for charges.

4. If the inmate is a current resident, the Jail Staff will take copies of the bill and deduct funds from the inmate's account.

5. If the inmate is not a current resident (i.e., the inmate was released from custody prior to notification that emergency room care was provided and/or before the invoice from the emergency room was received), the Jail Administrator will maintain outstanding bills for future collection if and when the inmate returns to the Crawford County Jail or Huber.

6. If the inmate is an out-of-county detainee, the Jail Administrator will invoice the applicable county/agency.

H. X-ray charges.

1. See G.1. above.

2. Once the invoice arrives from the contracted x-ray vendor, the Jail Administrator/ Jail Staff will verify the inmate had the x-rays.

3. See G.4. and 5.

4. If the inmate is an out-of-county detainee, the Jail Administrator will invoice the applicable county/agency.

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I. Ambulance charges.

1. See G. above.

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# Reorder and Resupply of Medication

### 733.1 REORDER AND RESUPPLY

I. Reorder and Resupply of Medication.

A. The Deputy(s) who delivers inmate medications shall notify the Jail Administrator five days before any inmate medication will run out, if possible.

B. The Jail Administrator or designee will call pharmacy for re-fills and fills.

C. The County Nurse may also send a new prescription order or re-fill an order for an inmate.

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# Chapter 8 - Environmental Health

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# Sanitation Inspections

### 800.1 PURPOSE AND SCOPE

The Crawford County Sheriff's Office has established a plan to promote and inspect the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

### 800.2 POLICY

It is the policy of the Office to maintain a safe and sanitary facility. To accomplish this goal the Office will maintain a written plan that contains schedules and procedures for conducting weekly and monthly sanitation inspections of the facility (Wis. Admin. Code DOC § 350.12(13)).

The Jail Administrator will ensure that the plan addresses, at minimum, the following:

(a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control and safety surveys).

(b) Self-inspection check lists to identify problems and to ensure cleanliness of the facility.

(c) Procedures, schedules and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.

(d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the facility, and instructions on how to operate, dilute or apply the material in a safe manner.

(e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.

(f) Training requirements for custody staff and inmate workers on accident prevention and avoidance of hazards with regard to facility maintenance.

Consideration should be given to general job descriptions and/or limitations relating to personnel or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Office or by contract with private firms.

Inmates engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When inmate work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and equipment by submitting a work order to a supervisor. Shift Commanders will conduct cleaning inspections on a daily basis. The Jail Administrator or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

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## 800.3 WORK ORDERS

All reports of unsafe or unsanitary conditions as well as repairs needed to the physical plant and equipment shall be documented in a work order. The Jail Administrator will designate a staff person to receive these work orders and take appropriate action to ensure the repairs or action taken. All work and action taken will also be documented. Reports for budget resources above and beyond already budgeted maintenance items shall be reported to the Jail Administrator.

## 800.4 MATERIAL SAFETY DATA SHEETS (MSDS)

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Material Safety Data Sheet (MSDS) that is provided by the manufacturer or distributor of the material. The MSDS provides vital information on individual hazardous material and substances, including instructions on safe handling, storage, and disposal, prohibited interactions and other details relative to the specific material.

The Jail Administrator shall be responsible for ensuring that a written hazard communication plan is developed, implemented and maintained at each workplace. Each area of the facility in which any hazardous material is stored or used shall maintain a MSDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

(a) A list of all areas where hazardous materials are stored.

(b) A physical plant diagram and legend identifying the storage areas of the hazardous material.

(c) A log for identification of new or revised MSDS materials.

(d) A log for documentation of training by users of the hazardous material.

### 800.4.1 MSDS USE, SAFETY AND TRAINING

All supervisors and users of MSDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and detainees shall have ready and continuous access to the MSDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)(1)(ii)):

(a) Supervisors shall conduct training for all staff and inmates on using the MSDS for the safe use, handling and disposal of hazardous material in areas they supervise.

(b) Upon completion of the training, staff and inmates shall sign the acknowledgement form kept with each MSDS in their work area.

(c) Staff and detainees using the MSDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material in their workplace.

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### 800.4.2 MSDS DOCUMENTATION MAINTENANCE

Changes in MSDS information occur often and without general notice. Any person accepting a delivery, addition, or replacement hazardous material shall review the accompanying MSDS. If additions or changes have occurred, the revised MSDS shall be incorporated into the file and a notation shall be made in the MSDS revision log.

Supervisors shall review MSDS information in their work areas semi-annually to determine if the information is up-to-date and that appropriate training has been completed. Upon review, a copy of the MSDS file and all logs shall be forwarded to the Maintenance Supervisor or the authorized designee.

### 800.4.3 MSDS RECORDS MASTER INDEX

The Maintenance Supervisor or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of MSDS information. He/she will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semi-annual reviews will be maintained in the MSDS master file. The master index should also include a comprehensive, up-to-date list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

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# Hazardous Waste and Sewage Disposal

## 801.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Office recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures and precautions, but on adequate supervision and the responsible behavior of the staff and inmates. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

### 801.1.1 DEFINITION

Definitions related to this policy include:

**Hazardous waste** - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

## 801.2 POLICY

It is the policy of this office that any sewage and hazardous waste generated at the facility shall be handled, stored and disposed of safely and in accordance with all applicable federal and state regulations and in consultation with the local public health entity (Wis. Admin. Code DOC § 350.12(17)). The Jail Administrator or the authorized designee shall be responsible for:

- Contracting with a hazardous waste disposal service.
- Developing and implementing a storage and disposal plan that has been reviewed and approved by a regulatory agency.
- Including hazardous waste issues on internal health and sanitation inspection checklists.
- Including hazardous waste issues in the inmate handbook and ensuring that inmates receive instruction on proper handling and disposal during inmate orientation.
- Developing and implementing procedures for the safe handling and storage of hazardous materials until such time as the contractor removes the items from the facility.
- Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage and disposal of such items.

## 801.3 DISPOSAL PROCEDURE

### 801.3.1 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

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The institution's use of the private system must be discontinued and the private system must be properly abandoned when public sewerage becomes available.

801.3.2 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed in designated containers and stored until removed by the contractor. Staff shall use universal standard precautions when in contact with hazardous materials, at a minimum, unless directed otherwise.

## 801.4 SAFETY EQUIPMENT

The Jail Administrator and the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

## 801.5 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Administrator in the event of an exposure to staff, inmates or visitors.

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# Housekeeping and Maintenance

## 802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

## 802.2 POLICY

The Jail Administrator shall establish a plan for housekeeping and maintenance of the facility. The plan should include, but is not limited to (Wis. Admin. Code DOC § 350.12(1):

- Schedules that determine the frequency of cleaning activities on a daily, weekly or monthly timetable, by area of the facility.
- Supervision of the staff and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, inmate supervision).
- Development of inspection forms.
- All inmate responsibilities, which should be included in the inmate handbook.
- A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- A process for the preventive maintenance of equipment and systems throughout the facility.
- Staff supervision of the provision and use of cleaning tools and supplies.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

### 802.2.1 ISSUANCE OF CLEANING

Inmates shall be offered the use of cleaning supplies daily (Wis. Admin. Code DOC § 350.12(12)).

## 802.3 SANITATION SCHEDULE

A daily, weekly and monthly cleaning schedule will be established by the housing unit supervisor. The facility staff should implement a site specific plan for cleaning and maintenance of each area of the jail (e.g., housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following recommendations include, but are not limited to, specific areas and items:

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(a) Daily cleaning:

1. Sweep and then wet mop the entire jail floor
2. Clean all cell block areas
3. Empty all trash receptacles (Wis. Admin. Code DOC § 350.12(16))
4. Clean all toilets and sinks
5. Clean all showers
6. Clean all tables used for common use and meals (Wis. Admin. Code DOC § 350.12(12))
7. Clean pass-through hatches used for passing meals and objects (Wis. Admin. Code DOC § 350.12(12))

(b) Weekly cleaning:

1. Dust bars and window ledges
2. Clean air conditioning/heating grates
3. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new inmate)
4. Pour water down floor drains to test for flow

(c) Monthly cleaning:

1. Walls
2. Ceilings
3. Bunk pans

802.3.1 INMATE PROPERTY STORAGE CONTAINERS

Inmate property storage containers shall be sanitized before reissue (Wis. Admin. Code DOC § 350.12(15)).

## 802.4 TRAINING

All custodial staff and inmate workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals and areas of responsibility.

## 802.5 INSPECTION CHECKLIST

The Jail Administrator or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly and monthly basis throughout the facility.

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The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Jail Administrator or the authorized designee for annual review, filing and retention as required by the established records retention schedule (Wis. Admin. Code DOC § 350.12(13)).

### 802.6 SKYTRON UV LIGHT

The Skytron UV Light is a machine that is to be used for disinfecting only.

The following safety precautions shall be used:

- Area to be disinfected shall be checked and cleared to make sure no one is present before starting the machine.
- Proper signs shall be hung on all windows and doors that could be opened during disinfecting process.
- Motion Fobs shall be placed on all doors that enter into the room being cleaned.
- Before operating the machine, on the job training shall be performed by a designee of the Jail Administrator.

### 802.7 SKYTRON UV LIGHT SCHEDULE

The Skytron UV light shall be used, in receiving cells and intox cell, every time someone has been housed in it and moved into general population.

Every general population Cell shall be done on a bi weekly schedule. Library house may be increased to perform cleanings. Extra help needed to monitor inmates shall be organized through Jail Administrator or designee,

Huber Cell, Huber bathroom, and visitation areas shall be done on a bi weekly schedule.

If a cell/area can not be cleaned with the Skytron due to officer safety or security concerns, the jail will contact the jail administrator. Only the jail administrator can approve a cell not being cleaned.

### 802.8 SKYTRON UV LIGHT RESPONSIBILITY

It shall be the responsibility of all shifts to complete the cleaning. Day shift and Night shift shall work together to make sure all cells are cleaned within a biweekly timeframe.

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# Physical Plant Compliance with Codes

### 803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the timeline, process and responsibilities for facility maintenance, inspections and equipment testing in compliance with all applicable federal, state and local building codes.

### 803.2 POLICY

It is the policy of this office that all construction of the physical plant be reviewed and inspected in compliance with all applicable federal, state and local building codes. All equipment and mechanical systems will be routinely inspected, tested and maintained in accordance with applicable laws and regulations (Wis. Admin. Code DOC § 350.12(1)).

### 803.3 COMPLIANCE WITH CODES AND STATUTES

Plumbing, sewage disposal, solid waste disposal and plant maintenance conditions will comply with rules and regulations imposed by state regulatory entities governing such practices.

### 803.4 RESPONSIBILITIES

The Jail Administrator shall be responsible for establishing and monitoring the facility maintenance schedule, the inspection schedules of the Shift Commanders and deputies, and ensuring that any deficiencies discovered are corrected in a timely manner.

Copies of the local jurisdiction’s applicable health and sanitation codes shall be kept in the facility by the Jail Administrator or the authorized designee. The Jail Administrator or the authorized designee is responsible for developing internal health and sanitation inspection checklists, for maintaining valid licensing and sanitation certificates and inspection reports and for proof of corrective actions.

### 803.5 PROCEDURE

All safety equipment (e.g., emergency lighting, generators) and/or an uninterruptible power source (UPS) shall be tested, inspected and documented (see the Emergency Power and Communications Policy).

Any remodeling or new construction shall have prior approval of the local fire, building and health authorities. Any required plans and permits will be procured prior to the commencement of any changes to the facility.

The following areas of the facility shall be inspected and evaluated for functionality, wear, and rodent or pest infestation. The list is not meant to be all inclusive:

- Admissions
- Food services
- Inmate housing

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- Laundry
- Loading dock/trash storage
- Warehouse
- Water systems and plumbing
- Emergency generators
- Fire safety equipment
- The entire physical structure of the facility, including, roof, walls, exterior doors, mechanical systems and lighting

**803.6 PLUMBING - FLOOR DRAINS**

All traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

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# Water Supply

### 804.1 PURPOSE AND SCOPE

The Crawford County Sheriff's Office recognizes the importance of providing the facility with safe potable water. The purpose of this policy is to establish guidelines for testing the facility’s water to ensure that the water is safe to consume.

### 804.2 POLICY

In compliance with federal regulations regarding safety of public water systems this facility will ensure the continued supply of safe potable water for use by inmates, staff and visitors through rigorous annual testing of water supplies (42 USC § 300f et seq.).

### 804.3 PROCEDURE

The Jail Administrator shall ensure that the facility's potable water source is tested by an independent public or private testing service at least once each year. Water quality will be certified to be in compliance with all federal, state and local regulations. Corrective measures shall be promptly taken if the test results fall below acceptable regulatory standards.

In the event that water testing reveals any significant hazards to the inmates or staff at the facility, the Sheriff, Jail Administrator and the Responsible Physician shall take immediate action to mitigate the problem.

The testing results, valid certificates of the sampling entity and the testing laboratory shall be kept in accordance with established records retention schedules.

Where the facility's water supply is obtained from a private source, the source shall be properly located, constructed and operated to protect it from contamination and pollution and the water shall meet all current standards set by the applicable state and/or local authority regarding bacteriological, chemical and physical tests for purity.

For facilities not served by a public or regulated private water supply, the water should be tested daily by the local authority within the facility's jurisdiction.

### 804.4 EMERGENCY PLAN

The Jail Administrator and the Responsible Physician shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for a minimum of three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

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# Pest Control

### 805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

### 805.2 POLICY

It is the policy of this office that pests be controlled within the facility (Wis. Admin. Code DOC § 350.12(10). The Jail Administrator or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Responsible Physician and the local public health entity, for the sanitation and control of pests, and to establish medical protocols for treating inmate clothing, personal effects and living areas, with specific guidelines for treating an infested inmate.

### 805.3 PEST CONTROL SERVICES

The Jail Administrator or the authorized designee shall be responsible for procuring the services of a licensed pest control professional to perform inspections of the facility at least monthly and to treat areas as required to ensure that pests are controlled. This program shal be documented.

### 805.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is pest infested or whose property is pest infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for inmates undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the facility or cleaned and treated by the following methods, as appropriate or as directed by the pest control provider or the Responsible Physician:

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

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Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the inmate and proper application of the appropriate product. The area used to delouse inmates needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated and the treatment used.

### 805.5 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by inmates (Wis. Admin. Code DOC § 350.12(10)).

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# Inmate Safety

### 806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a safety program to reduce inmate injuries by analyzing causes of injuries and identifying and implementing corrective measures.

### 806.2 POLICY

The Crawford County Sheriff's Office will provide a safe environment for individuals confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating inmate injuries and taking corrective actions as necessary to reduce accidents and injury.

The Sheriff shall appoint a staff member who will be responsible for the development, implementation and oversight of the safety program. This program will include, but not be limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of inmate injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

### 806.3 INVESTIGATION OF REPORTED INMATE INJURY

Whenever there is a report of an injury to an inmate that is the result of accidental or intentional acts, other than an authorized use of force by custody staff, the Sheriff or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified. Injuries resulting from use of force incidents will be investigated and reported in accordance with the Use of Force Policy.

### 806.4 INVESTIGATION REPORTS

The Shift Commander shall ensure that reports relating to an inmate's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Health record entries
- Any other relevant documents

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### 806.5 ANNUAL REVIEWS

The Sheriff or the authorized designee shall conduct an annual review of all injuries involving inmates for the purpose of identifying problem areas and documenting a plan of action to abate circumstances relating to inmate injuries.

The plan of action should include, but not be limited to:

- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- The person or persons responsible for taking corrective action and the target completion date.

The Sheriff shall consult with the Office risk manager to coordinate corrective action or to seek managerial/administrative guidance for implementing corrective action.

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# Inmate Hygiene

## 807.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Crawford County Sheriff's Office jail is maintained. The Crawford County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services and the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

## 807.2 POLICY

It is the policy of the Crawford County Sheriff's Office to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations (Wis. Admin. Code DOC § 350.12). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors, and visitors.

## 807.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen, or clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum inmate population so that a reserve is always available (Wis. Admin. Code DOC § 350.12(5)).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Administrator should be notified if additional storage space is needed.

### 807.3.1 BEDDING ISSUE

Upon entering a living area of the Crawford County Sheriff's Office jail, every inmate who is expected to remain in the facility for more than eight hours shall be issued bedding and linens including but not limited to:

(a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered monthly and before reissue, in accordance with facility operational laundry rules (Wis. Admin. Code DOC § 350.12(2)).

(b) One clean, firm, nontoxic, fire-retardant mattress and pillow (16 CFR 1633.1 et seq.; Wis. Admin. Code DOC § 350.12(5)).

(c) Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk (Wis. Admin. Code DOC § 350.12(7)). The Jail Administrator shall retain documentation from the mattress supplier that the mattresses meet the required specifications (Wis. Admin. Code DOC §

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350.12(6)). Mattresses will be cleaned and disinfected when an inmate is released or upon reissue.

(d) Two sheets or one sheet and a clean mattress cover and a pillowcase.

1. These linens shall be washed and exchanged at least weekly and before reissue (Wis. Admin. Code DOC § 350.12(3)).

(e) One clean washcloth, hand towel, and bath towel.

1. Towels shall be issued to inmates twice a week (Wis. Admin. Code DOC § 350.12(4)).

Linen exchange, including towels, shall be documented in the daily activity log. The Shift Commander shall review the daily activity log at least once per shift.

The Jail Administrator or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

### 807.3.2 CLOTHING ISSUE

An inmate admitted to a facility for 72 hours or more and assigned to a living unit shall be issued a set of facility clothing. The issue of clothing appropriate to the climate for inmates shall include but is not limited to the following:

- Clean socks
- Suitable outer and undergarments
- Footwear

Whenever an inmate’s clothing is confiscated, the inmate shall be issued appropriate facility clothing, including footwear (Wis. Admin. Code DOC § 350.12(8)).

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Administrator.

Clothing shall be laundered and exchanged twice each week, at a minimum (Wis. Admin. Code DOC § 350.12(9)). All exchanges shall be documented on the daily activity log. The Shift Commander or unit supervisor shall review the daily activity log at least once per shift.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate’s personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food services, medical, farm, sanitation, mechanical, and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires.

Footwear shall be cleaned and sanitized before reissue (Wis. Admin. Code DOC § 350.12(8)).

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The Jail Administrator or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Administrator or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by, or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried, and secured. Inmates shall sign and receive a copy of the inventory record.

### 807.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met (Wis. Admin. Code DOC § 350.12(9)).

### 807.5 INMATE ACCOUNTABILITY

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

### 807.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours shall be issued, at a minimum, the following items (Wis. Admin. Code DOC § 350.12(11)):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Administrator or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. Additional hygiene items shall be provided to inmates upon request, as needed.

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Inmates shall not be required to share personal care items or disposable razors (Wis. Admin. Code DOC § 350.12(11)). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the state governing body overseeing such practices.

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily. The Jail Administrator or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

807.6.1 PROVIDING FEMALE HYGIENE ITEMS AND TOILET PAPER
Basic female hygiene items and toilet paper shall be provided upon the inmate’s request (Wis. Admin. Code DOC § 350.12(11)).

## 807.7 BARBER AND COSMETOLOGY SERVICES

The Jail Administrator or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Jail Administrator shall ensure that the rules are included in the inmate handbook.

807.7.1 SCHEDULE FOR HAIR CARE SERVICES
Inmates shall have the ability to receive hair care services  first of every month or if deemed appropriate due to court. Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

## 807.8 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 12 inmates.
- One toilet to every 12 male inmates (urinals may be provided for up to half the toilets).
- One toilet to every eight female inmates.

## 807.9 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and every other day thereafter or more often if possible. There should be one shower for every 12 inmates unless federal, state, or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained.

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Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

### 807.10 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

### 807.11 RESPONSIBILITIES

The Jail Administrator shall ensure the basic necessities related to personal care are provided to each inmate upon entry into the general population. Appropriate additional personal care items may be available for purchase from the inmate commissary.

### 807.12 ADDITIONAL PRIVACY REQUIREMENTS

Inmates shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

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# Chapter 9 - Food Services

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# Food Services

### 900.1 PURPOSE AND SCOPE

The Office recognizes the importance of providing nutritious food and services to inmates to promote good health, to reduce tension in the jail and ultimately support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for inmates housed in the facility.

### 900.2 POLICY

It is the policy of this office that food services shall provide inmates with a nutritionally balanced diet in accordance with federal, state and local laws, and with regulations for daily nutritional requirements (Wis. Admin. Code DOC § 350.11(1).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in (Wis. Admin. Code DOC § 350.11(5).

### 900.3 FOOD SERVICES MANAGER

The food services manager shall be responsible for oversight of the day-to-day management and operation of the food services area, including:

- Developing, implementing and managing a budget for food services.
- Ensuring sufficient staff is assigned and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for staff and inmate workers.
- Contracting a food services that meats all nutritional requirments.
- Other duties and activities as determined by the Jail Administrator.

If a Food Services Manager is not appointed all above operations will be carried out by the Jail administrator or designee.

### 900.4 MENU PLANNING

All menus shall be planned, dated and available for review at least one month in advance of their use. Records of menus and of foods purchased shall be kept on file for one month (Wis. Admin. Code DOC § 350.11(2)). Menus shall provide a variety of foods and should consider appearance, dietary allowances, flavor, nutrition, palatability, temperature and texture. Menus shall be approved by a registered dietitian or nutritionist before being served.

Any changes to the meal schedule, menu or practices should be carefully evaluated by the food services manager in consultation with the Jail Administrator, dietician, medical staff and other

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professionals, and shall be recorded. All substitutions will be of equal or better nutritional value. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (Wis. Admin. Code DOC § 350.11(2)). Facility menus shall be evaluated at least quarterly by the food services supervisory staff to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules.

### 900.5 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift (Wis. Admin. Code DOC § 350.11(17)). Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time (Wis. Admin. Code DOC § 350.11(7)).

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected.

Garbage containers in the food service areas shall be covered, emptied daily and kept clean (Wis. Admin. Code DOC § 350.11(18)).

Cleaning agents shall be stored separately from food service items (Wis. Admin. Code DOC § 350.11(19)).

### 900.6 THERAPEUTIC DIETS

The food services manager shall be responsible for ensuring that all inmates who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A diet manual, which includes samples of medical diets, shall be maintained food services areas.

More complete information may be found in the Prescribed Therapeutic Diets Policy.

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### 900.7 RELIGIOUS DIETS

The food service manager, to the extent reasonably practicable, will provide special diets for inmates in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA) (Wis. Admin. Code DOC § 350.11(10).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets.

### 900.8 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect inmates from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (Wis. Admin. Code DOC § 350.11(12)).

Food production and services will be under staff supervision. Food production, storage and food-handling practices will follow the appropriate federal, state or local sanitation laws (Wis. Admin. Code DOC § 350.11(5)).

### 900.9 MEAL SERVICE PROCEDURE

Inmate meals that are served in a dining room or dayroom should be provided in space that allows groups of inmates to dine together, with a minimum of 15 square feet of space per inmate. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals shall be served at least three times during each 24-hour period. At least two meals must include hot food (Wis. Admin. Code DOC § 350.11(6)). Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that inmates receive meals that meet nutritional guidelines.

Inmates must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time, including a high-quality protein, such as meat, fish, eggs or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals, approved snacks will be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

Inmates who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Approved snacks should be served to inmates on medical diets in less than the 14-hour period if prescribed by the Responsible Physician or registered dietitian. Inmates on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal.

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As the mealtime approaches, facility staff should direct the inmates to get dressed and be ready for meals. Inmates should be assembled and a head count taken, to verify all inmates in the housing location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during inmate movement and meals. Meals shall be served under the direct supervision of staff.

Staff should direct an orderly filing of inmates to the dining room or assigned seating in the dayroom. Staff should identify inmates who have prescribed therapeutic or authorized religious diets so those inmates receive their meals accordingly.

It shall be the responsibility of the deputies to maintain order and enforce rules prohibiting excessive noise and intimidation of other inmates to relinquish food during mealtime.

The dining room shall have an area designated for inmates who have been prescribed a longer time to eat by a qualified health care professional, a dietitian or as deemed appropriate by a supervisor.

To the extent reasonably practical, an adequate number of food services staff and correctional personnel should supervise feeding in central dining areas. If reasonably possible, the supervisor should be present.

The Shift Commander should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food and any health or security issues.

In the interest of security, sanitation and vermin control, inmates shall not be allowed to take food from the dining area to their housing areas.

### 900.10 EMERGENCY MEAL SERVICE PLAN

The food services manager shall establish and maintain an emergency meal service plan for the facility.

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for inmates. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Administrator may declare an "Emergency Suspension of Standards" for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met.

In the event that the inmate food supply drops below that which is needed to provide meals for two days, the Jail Administrator or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Sheriff should consider requesting assistance from allied agencies through mutual aid or the National Guard.

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## 900.11 CONTRACTING FOOD SERVICES

The Crawford County Sheriff will obtain bids for feeding options and food transportation options when he sees fit. He will then bring the bids to the Crawford County Board of Supervisors and they will determine the best option. All food options will adhere to above policies and procedures.

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# Food Services Training

### 901.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury in the food services areas by developing and implementing a comprehensive training program for staff, contractors and inmate workers.

### 901.2 POLICY

The Crawford County Sheriff's Office ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff and inmate workers (Wis. Admin. Code DOC § 350.11(14).

### 901.3 TRAINING

The food services manager, under the direction of the Jail Administrator, is responsible for ensuring that a training curriculum is developed and implemented in the use of equipment and safety procedures for all food services personnel, including staff, contractors and inmate workers.

The training shall include, at minimum:

(a) Work safety practices and use of safety equipment.

(b) Sanitation in the facility's food services areas.

(c) Reducing risks associated with operating machinery.

(d) Proper use of chemicals in food services areas.

(e) Employing safe practices.

(f) Facility emergency procedures.

A statement describing the duties and proper time schedule should be developed for each job function in the facility’s kitchen and food services operation. The food services manager, at the direction of the Jail Administrator, should establish an employee/kitchen worker training course, and all staff or inmate workers shall be trained on how to assemble, operate, clean and sanitize kitchen equipment.

Information about the operation, cleaning and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service and repairs. The equipment must also meet any applicable government codes.

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### 901.4 TESTING

A test should be developed to determine and document that the food services worker understands the proper procedures demonstrated during training. Food services workers are required to pass the test in order to work in the food services area. Upon achievement of a passing score, the food services worker shall acknowledge receipt of the training in writing. The signed document shall be forwarded to the Training Sergeant and retained in the worker’s training file. Contracted service providers should be required to provide documentation and certification of their employees. Only trained personnel are authorized to use food services equipment.

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# Dietary Guidelines

### 902.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the inmates are met and that overall health is promoted through the use of balanced nutritious diets.

### 902.2 POLICY

It is the policy of this office that diets provided by this facility will meet or exceed the guidelines established in the current publication of the U.S. Department of Agriculture’s Dietary Guidelines for Americans (DGA).

### 902.3 REVIEW OF DIETARY ALLOWANCES

The food services manager is responsible for developing the facility’s menus and shall ensure that all menus served by food services comply with the DGA guidelines (Wis. Admin. Code DOC § 350.11(1). Any deviation from the DGA guidelines shall be reviewed by the Sheriff and/or Jail Administrator and the Responsible Physician.

The food services manager or the authorized designee shall ensure that the facility’s menus and dietary allowances are evaluated annually by a registered dietician, and that any changes meet the DGA guidelines. A registered dietitian must approve menus before they are used.

Menus should be evaluated at least quarterly by the food services manager or the authorized designee.

### 902.4 MENU CYCLE PLANNING

Menu cycle planning is performed by the contracted service between the Crawford County Sheriff's Office and a designee that the Crawford County Board of Supervisors has selected.

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# Food Services Workers' Health, Safety and Supervision

## 903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and inmate workers.

## 903.2 POLICY

The Crawford County Sheriff's Office will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All inmate food services workers will be properly supervised by custody staff to ensure safety and security at all times (Wis. Admin. Code DOC § 350.11(15)).

## 903.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered and served only under direct supervision by staff.

Work assignments shall be developed to ensure that sufficient food services staff is available to supervise inmate food services workers. The food services manager should coordinate with the corrections supervisor to ensure that sufficient correctional staff is available to supervise inmate meal service.

The food preparation area must remain clean and sanitary at all times (Wis. Admin. Code DOC § 350.11(5). The food services manager or the authorized designee shall post daily, weekly and monthly cleaning schedules for the equipment and food preparation area.

All persons who work in food service areas shall wear clean garments and clean caps or hairnets and shall keep their hands clean at all times when engaged in the handling of food, drink, utensils or equipment. Particular attention shall be given to the cleaning of fingernails (Wis. Admin. Code DOC § 350.11(11); Wis. Admin. Code DOC § 350.11(13).

Staff shall ensure inmate food service workers shall shower daily and are provided with clean work clothes (Wis. Admin. Code DOC § 350.11(11)).

## 903.4 MEDICAL SCREENING

The food services manager shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed:

(a) All food services workers shall have a medical examination prior to performing food service activities to screen for transmissible illnesses or diseases. The examination

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shall be conducted in accordance with local regulations and repeated at scheduled intervals.

(b) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.

(c) A supervisor shall inspect and monitor the health and cleanliness of food service workers, and remove anyone exhibiting any signs of food-transmissible disease from any food services area.

(d) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work (Wis. Admin. Code DOC § 350.11(12).

(e) Food handlers shall wash their hands with anti-bacterial soap and water immediately prior to performing food service activities and after using toilet facilities.

(f) Aprons shall be removed and secured in a clean storage area before entering the toilet facility.

(g) Food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.

(h) Vendor must submit evidence of compliance with state and local food safety regulations.

(i) Smoking at any time is prohibited in any food services area.

(j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.

(k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if he/she reports symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

### 903.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS

The food services manager is responsible for developing and implementing a training program for inmate food services that includes food safety, proper food-handling techniques and personal

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hygiene. Each inmate food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver or serve food. Food services workers should receive periodic supplemental training as determined by the food services manager (Wis. Admin. Code DOC § 350.11(14)).

The training curriculum for inmate food services workers should include, at minimum, the following topics:

- Proper hand-washing techniques and personal hygiene as it applies to food services work
- Proper application and rotation of gloves when handling food
- Proper use of protective hair coverings, such as hats or hairnets
- Wearing clean aprons and removing aprons prior to entering toilet facilities
- Maintaining proper cooking and holding temperatures for food
- Proper portioning and serving of food
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission
- Reporting illness, cuts or sores to the custody staff in charge

### 903.6 SUPERVISION OF INMATE WORKERS

Only personnel authorized to work in the food preparation area will be allowed inside. Inmate food handlers working in the kitchen must be under the supervision of a staff member (Wis. Admin. Code DOC § 350.11(15)). The Jail Administrator will appoint at least one qualified staff member, who will be responsible for the oversight of daily activities and ensuring food safety. The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Sufficient custody staff shall be assigned to supervise and closely monitor inmate food services workers. Staff shall ensure that inmate food services workers do not misuse or misappropriate tools or utensils, and that all workers adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays and food carts used in the preparation, serving or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

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### 903.7 SUPERVISION OF THE FOOD SUPPLY

The risk of conflict and protest is reduced when the inmate population has confidence in the safety and quality of their food. Custody staff should supervise the transport and delivery of food to the respective serving areas. Custody staff should ensure the food is protected and covered during transportation, delivered to the right location efficiently and under the right temperatures (Wis. Admin. Code DOC § 350.11(16)).

Food services staff should report any suspected breech in the safety or security of the food supply. Staff should be alert to inmate behavior when serving food, and cognizant of any comments concerning perceived contamination or portioning issues. Staff should report any suspicion of inmate unrest to a supervisor.

Any change to the published menu or the standard portioning should be documented and reported to the food services manager as soon as practicable.

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# Food Preparation Area

### 904.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

### 904.2 POLICY

It is the policy of this office to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

### 904.3 COMPLIANCE WITH CODES

The Jail Administrator is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies.

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas.

The food preparation area must avoid cross contamination and remain free from pest infestation.

### 904.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state and local building codes, comply with food and agricultural laws and standards and include any required approvals from any local regulatory authority.

The size of the food preparation area shall be adequate for the facility’s population.

Floors, floor coverings, walls, wall coverings and ceilings should be designed, constructed and installed so they are smooth, non-absorbent and attached so that they are easily cleanable.

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed and temperature-controlled for the food being stored.

Lighting throughout the kitchen and storage areas shall be sufficient for staff and inmates to perform necessary tasks.

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes shall be provided, if necessary.

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian.

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Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices or sharp corners.

### 904.5 TOILETS AND WASHBASINS

A sufficient number of toilets and washbasins shall be located near the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and inmate workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the inmate population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and inmate workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The food services manager shall be responsible for procedures to ensure:

(a) All fixtures in the toilet facilities are clean and in good operating condition.

(b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used by women shall have at least one covered waste receptacle.

(c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times.

If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

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# Food Budgeting and Accounting

### 905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility’s food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment and supplies for the delivery of food services.

### 905.2 POLICY

The Crawford County Sheriff's Office food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards.

### 905.3 PROCEDURE

The food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

(a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.

(b) Establishing a per meal, per inmate cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory.

(c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:

1. Meals prepared and served for each meal period.
2. Meals served per location.
3. Prescribed therapeutic diet meals served.
4. Authorized religious diet meals served.
5. Authorized disciplinary detention diet meals served.

(d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

(e) Bulk-purchasing nonperishable items to maximize the budget dollars.

(f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:

1. Following planned menus.
2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.

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3. Purchasing food that is in season.
4. Purchasing the grade of product best suited to the recipe.
5. Following standard recipes.
6. Producing and portioning only what is needed.
7. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
8. When reasonably practicable, responding to the inmate’s food preferences.
9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety and inmate abuse.

(g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain:

1. The common name of the product.
2. The amount to be purchased.
3. The trade, federal or other grade or brand required.
4. The container size and either an exact, or a range of the number of pieces in a shipping container.
5. The unit on which prices are to be quoted ( e.g., 6/#10 cans, 10/gallons).

(h) Establishing accounting procedures for financial statements and inventory control.

(i) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, inventory of food, supplies and equipment for the required period of time, as mandated by the governing body of the facility.

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# Food Services Facilities Inspection

### 906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and inmates.

### 906.2 POLICY

It is the policy of the Crawford County Sheriff's Office that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled documented inspections, both by facility staff and by an independent third party as required by law (Wis. Admin. Code DOC § 350.11).

### 906.3 CLEANING AND INSPECTIONS BY STAFF

The food services manager shall ensure that all equipment, appliances and utensils in the food preparation areas and dining areas are inspected monthly (Wis. Admin. Code DOC § 350.11(4)). Adequate hot and cold water should be available in the kitchen. The water temperature of all fixtures should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A documented cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods (Wis. Admin. Code DOC § 350.11(5)). Equipment, such as chairs, tables, fryers and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semi-annually
- Annually

The food services manager is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules. At the direction of the Jail Administrator or the authorized designee, the food services manager shall take prompt action to correct any identified problems.

#### 906.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the monthly documented inspection (Wis. Admin. Code DOC § 350.11(4)):

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- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.
- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, ware washing sinks and dishwashing machines meet minimum acceptable temperatures (Wis. Admin. Code DOC § 350.11(17)).
- Appropriate hand-washing stations are provided.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.

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- There is no evidence of cross-connection or cross-contamination of the potable water system.

### 906.4 CONTRACTING FOR INSPECTION

The food services manager is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

The Jail Administrator shall contract with an independent, outside source for a documented annual inspection of the food services facilities and equipment, to ensure that established state and local health and safety codes have been met (Wis. Admin. Code DOC § 350.11(3)).

Documentation of the inspections, findings, deficiencies, recommended corrective actions and verification that the corrective standards were implemented will be maintained by the facility in accordance with established records retention schedules.

A contract for services from an independent and qualified inspector should include, but is not limited to, the following components:

(a) The inspector should conduct a pre-inspection briefing with the Jail Administrator and other appropriate personnel, including the food services manager, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.

(b) The inspector should audit the policies and procedures of the food services operation.

(c) During the course of the inspection, the inspector should study and report on whether the following meet acceptable standards:

1. Walls, ceilings and floors are in good condition, smooth and easily cleanable.
2. The kitchen layout is properly designed to avoid cross-contamination.
3. The kitchen is properly lighted and ventilated.
4. The temperature controlled storage areas are in good operating condition and proper temperatures are being maintained.
5. Dry foods are properly stored off the floor, away from the walls and ceilings.
6. There is no sign of pest infestation.
7. All equipment is properly maintained, in a sanitary condition and is certified by one of the American National Standards Institute certification agencies (e.g., Underwriters Laboratories, Extract, Transform and Load, or the National Science Foundation product certification mark).
8. The dishwashing equipment is clean, in good operating condition and maintains proper washing and rinsing temperatures.
9. There is no evidence of cross-contamination between the potable and contaminated water systems.

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10. The ware washing area is clean and supplied with proper chemicals and Material Safety Data Sheets.
11. The food is properly stored, labeled and rotated according to first-in first-out procedures.
12. The food services staff and inmate workers are wearing clean uniforms and practice proper personal hygiene.
13. All food services workers are trained for proper food handling and there is a person in charge who is responsible for the food safety of the facility.
14. Appropriate hand-washing stations are provided.

Any deficiencies should be noted by the inspector in his/her inspection report and recommendations made for corrective action.

At the exit interview the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The food services manager should provide the Jail Administrator with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

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# Food Storage

### 907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, health and safety codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

### 907.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards (Wis. Admin. Code DOC § 350.11(8)).

### 907.3 PROCEDURES

The Jail administrator or designee shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from pest infestations and are maintained at the appropriate temperature for the type of food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and note the refusal on the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The food services manager will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

### 907.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be monitored and recorded once each day on a checklist.

All dry items shall be stored at least 6 inches off the floor and at least 6 inches away from any wall. Only full unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in airtight containers in the working or holding areas (Wis. Admin. Code DOC § 350.11(8)).

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All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

907.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS
Inmate workers or staff should clean the storage areas at least once each day by sweeping and mopping all floors and wiping down shelves and walls. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly. Staff will document the inspection and record the daily temperature on the storage area checklist (Wis. Admin. Code DOC § 350.11).

## 907.5 REFRIGERATED AND FROZEN STORAGE

Unless health codes dictate otherwise refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy and meat items, to extend shelf life. Freezers shall be maintained at 32 degrees or below.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method (Wis. Admin. Code DOC § 350.11(8)).

907.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS
Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include dismantling and cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (Wis. Admin. Code DOC § 350.11(5)).

907.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS
The storage of soaps, detergents, waxes, cleaning compounds, insect spray and any other toxic or poisonous materials are kept in a separate, storage area to prevent cross contamination with food and other kitchen supplies.

## 907.6 WASTE MANAGEMENT

The Jail administrator or designee shall develop and maintain a waste management plan that ensures the garbage is removed daily. This plan also should include methods to minimize the waste of edible food and to dispose of non-edible or waste food material without utilizing a landfill.

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# Prescribed Therapeutic Diets

### 908.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that inmates who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards.

### 908.2 POLICY

The Responsible Physician, in consultation with the food services manager, shall:

(a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.

(b) The therapeutic diets utilized by this facility shall be planned, prepared and served with consultation from a registered dietitian.

(c) The Jail Administrator shall comply with any therapeutic diet prescribed for an inmate.

(d) The Jail Administrator and the Responsible Physician shall ensure that the diet manual, which includes sample menus of therapeutic diets, shall be available to both health services and food services workers. A registered dietitian shall review, and the Responsible Physician shall approve, the diet manual on an annual basis.

As a best practice, all therapeutic diet prescriptions should be reviewed and rewritten, if appropriate, on a quarterly basis. This is to reduce the risk of an inmate developing an adverse medical condition or nutritional effect as the result of a diet that is inconsistent with the inmate’s current medical needs. A diet request form should be made available to inmates.

Pregnant or lactating women shall be provided a balanced, nutritious diet approved for pregnant women by a physician (Wis. Admin. Code DOC § 350.11(9); Wis. Admin. Code DOC § 350.15(11).

An inmate may abstain from any foods that violate the inmate's religtion. (Wis. Admin Code DOC 350.11(10)

### 908.3 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the health authority to compile a daily list of all inmates who are prescribed therapeutic diets. The list should contain the following information:

(a) Inmate’s name

(b) Inmate’s identification number

(c) Housing location or dining location where the meals will be delivered

(d) Inmate's therapeutic diet type

(e) Special remarks or instructions

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Any time inmates are assigned to a different housing area, correctional staff must notify the food services personnel immediately.

### 908.4 PREPARATION AND DELIVERY OF MEALS

The food services manager or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Responsible Physician, counting the number and type of therapeutic meals to be served and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements should be distributed with regularly scheduled meal service or may be distributed with inmate medications. Individual labels or written documents containing the following information should be prepared by the kitchen, clearly identifying each meal and any included snacks:

(a) Inmate’s name

(b) Inmate’s identification number

(c) Housing location or dining location where the meals will be delivered

(d) Inmate’s therapeutic diet type

(e) A list of items provided for the meal

The custody staff responsible for meal distribution shall ensure that any inmate who has been prescribed a therapeutic meal by the Responsible Physician or the authorized designee receives the prescribed therapeutic meal. Inmates who receive a therapeutic meal should sign for receipt of the meal. Therapeutic meal receipts should be retained in the inmate’s medical record for an amount of time necessary to resolve any dispute about the receipt or composition of a prescribed meal.

Unless a therapeutic diet was prescribed with a specific end date, only the Responsible Physician or the authorized designee may order that a therapeutic diet be discontinued.

Inmates who are receiving therapeutic diets must receive clearance from the Responsible Physician before he/she may receive a religious or disciplinary diet.

If prescribed by the Responsible Physician, supplemental food shall be served to inmates more frequently than the regularly scheduled meals. An inmate who misses a regularly scheduled meal shall receive his/her prescribed meal.

### 908.5 THERAPEUTIC AND RELIGIOUS MEAL RECORDS

Inmates receiving prescribed therapeutic diet meals and/or authorized religious diet meals must sign a document indicating:

(a) Inmate's name

(b) Inmate's identification number

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(c) Dates and times of service

(d) Housing location or dining location where the meals will be delivered

(e) Inmate's therapeutic diet type

(f) A list of items provided for the meal

All information regarding a therapeutic diet is part of an inmate’s medical record and is therefore subject to state and federal privacy laws concerning medical records.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

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# Chapter 10 - Inmate Programs

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# Inmate Programs and Services

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to inmates. The programs and services exist to motivate offenders toward positive behavior while they are in custody. The policy identifies the role and responsibilities of the Sergeant, who manages a range of programs and services.

### 1000.2 POLICY

The Crawford County Sheriff's Office will make available to inmates a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of inmates may include faith-based services, recreational activities, library access, educational/ vocational training and alcohol and drug abuse recovery programs (Wis. Admin. Code DOC § 350.31).

### 1000.3 SERGEANT RESPONSIBILITIES

The Sergeant is selected by the Jail Administrator and is responsible for managing the inmate programs and services, including the following:

(a) Research, plan, budget, schedule and coordinate security requirements for all inmate programs and services.

(b) Develop or procure programs and services as authorized by the Jail Administrator.

(c) Act as a liaison with other service providers in the community that may offer social or educational programs, (e.g., school districts, department of social services, health educators and substance abuse counselors).

(d) Develop, maintain and make available to inmates the schedule of programs and services.

(e) Develop policies and procedures and establish rules for the participation of inmates in the programs and services, including notification of availability, eligibility and schedules (Wis. Admin. Code DOC § 350.31(2)).

(f) Develop and maintain records on the number and type of programs and services offered, as well as inmate attendance at each offering.

(g) Establish controls to verify that the content and delivery of programs and services are appropriate for the circumstances.

(h) Accumulate data and prepare monthly and annual reports as directed by the Jail Administrator.

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(i) Develop policies and procedures for conducting criminal background checks on all volunteers, community resources and contract providers (see the Volunteers Policy) (Wis. Admin. Code DOC § 350.31(3)).

(j) Ensure inmates are not denied access to educational and vocational programs based solely on their indigent status.

### 1000.4 SECURITY

All programs and services offered to benefit inmates shall adhere to the security and classification requirements of this facility. To the extent practicable, the Sergeant will develop individualized programs and services for inmates who are housed in high-security or administrative segregation.

### 1000.5 DISCLAIMER

Inmate programs are provided at the sole discretion of the Crawford County Sheriff's Office in keeping with security interests, available resources and best practices.

Nothing in this policy is intended to confer a legal right for inmates to participate in any program offered other than what is required by law or that which is medically required.

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# Inmate Welfare Fund

## 1001.1 PURPOSE AND SCOPE

The Office is authorized to maintain a fund derived from proceeds from the commissary, vending machines, telephones and other inmate-related commerce activities, to be used primarily to provide welfare and education programs for the benefit of the inmate population. This policy establishes guidelines for maintaining and administering the Inmate Welfare Fund.

## 1001.2 INMATE WELFARE FUND

The Jail Administrator in cooperation with the Finance Department will establish and maintain an Inmate Welfare Fund where proceeds derived from inmate telephones, commissary profits, vending machines and other income intended for the support of inmate programs, is deposited.

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general inmate population and enhancing inmate activities and programs. This includes capital construction and improvement projects in support of such programs, services and activities.

## 1001.3 INMATE WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Inmate Welfare Fund account:

(a) All proceeds from commissary operations

(b) Proceeds from vending machines made available for inmate use

(c) Proceeds from the operation of inmate telephones

(d) Proceeds from the sale of inmates' arts-and-crafts projects

(e) Donations

(f) Interest income earned by the Inmate Welfare Fund

## 1001.4 EXPENDITURE OF INMATE WELFARE FUNDS

The Inmate Welfare Fund shall be used solely for the welfare and benefit of the inmate population or as otherwise permitted by law.

Expenditures permitted from the Inmate Welfare Fund include, but are not limited to, the following:

(a) Education programs

(b) Recreational goods and services, such as:

1. Recreational equipment, games and sporting goods
2. Televisions and cable/satellite subscriptions, video players and content media
3. Library books

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4. Vending machines

(c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of inmates or to facilitate inmate programs

(d) Welfare packages for indigent inmates

(e) Alcohol and drug treatment programs

(f) Office facility canteens, including vending machines available for inmate use

(g) Inmate trust accounting system

(h) Envelopes, postage and personal hygiene items for indigent inmates

(i) Approved non-prescription, over-the-counter health aids for inmate use

(j) Libraries designated for inmate use

(k) Visiting room equipment, supplies and services

(l) Inmate activity programs, including:

1. Equipment for television viewing
2. Visiting music/entertainment groups
3. Music equipment and supplies
4. Activities equipment, supplies and services
5. Repair of equipment purchased from the Inmate Welfare Fund
6. Food or supplies for special occasions
7. Inmate awards for the purpose of providing umpires or referees, and maintaining activity equipment and apparel
8. Inmate tournaments and holiday events
9. Inmate club activities
10. Entertainment equipment, cable or satellite subscription services and other related supplies
11. Materials for faith-based programs

### 1001.4.1 PROHIBITED EXPENDITURES OF INMATE WELFARE FUND

Except as permitted by law, the Inmate Welfare Fund shall not be used to fund activities associated with any of the following:

(a) Security-related functions, including staff, safety equipment, radios, weapons or control devices that are specifically designated for use by the custody staff in maintaining the security, safety and order in the facility

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(b) Food service, staff costs, equipment and supplies

(c) Medical/dental services, staff costs, equipment and supplies

(d) Maintenance and upkeep of office facilities not otherwise permitted by law

(e) Janitorial services and supplies

(f) Transportation to court, medical appointments or other reasons not related to inmate programs

(g) Any other normal operating expenses incurred by the day-to-day operation of the Office

## 1001.5 FINANCIAL ACCOUNTING OF INMATE WELFARE FUNDS

The Crawford County Sheriff or Jail Administrator in cooperation with the Finance Department shall maintain an accounting system to be used for purchasing goods, supplies and services that support inmate programs.

An audit of the Inmate Welfare Fund shall be completed annually by a certified auditor recognized by the Office as an authorized financial auditor.

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# Inmate Accounts

### 1002.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures for managing, handling and accounting of all money belonging to inmates that is held for their personal use while they are incarcerated in this facility.

### 1002.2 INMATE ACCOUNTS

The Office will establish an inmate account for the purpose of receiving funds from authorized sources for inmate use. A separate account will be established for each inmate when he/she is booked into this facility.

When an inmate is admitted to the jail, a written, itemized inventory of the money in the inmate's possession shall be completed. Any subsequent deposits to the inmate's fund shall be inventoried and documented. An inmate shall be issued a receipt for all money held until his/her release.

An inmate may use money in his/her inmate account to purchases items from the inmate commissary or to bail out of jail. Inmates may receive and release money while in custody. Funds will be made available to inmates for their use in accordance with the rules and regulations established by the Jail Administrator.

### 1002.3 FUNDING SOURCES

The inmate account will only accept funds for deposit from approved sources. Funds deposited into an inmate's account will first be used to settle the inmate's negative balance, should one exist.

#### 1002.3.1 DEPOSITS DURING BOOKING

All money belonging to inmate shall be placed into a account registered to the inmate. This shall be done through the Kiosk. A reciept will be given to the inmate to sign. The signed copy shall be put into the inmates file to be kept for proof of money. The only time the Kiosk will not be used is if it is out of service. Then a paper copy of recipet shall be used and money shall be entered manually into Kiosk and stellar.

#### 1002.3.2 DEPOSITS THROUGH THE MAIL

All funds received by mail to be deposited to an inmate's account shall be delivered to the cashier after signed acknowledgement by the inmate.

Only cash, money orders and checks issued by federal, state, county or city government agencies that are received through the mail are acceptable for deposit into inmate accounts. Although cash may be accepted for deposit, it is not recommended that cash be sent through the mail. All personal checks, payroll checks and other unapproved monies will be forwarded to the personal property storage area and placed in the inmate's property bag.

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1002.3.3 VISITOR DEPOSITS
Anyone wishing to deposit money in the inmate's account may do so at any time they see fit. This can be done at the Kiosk in the lobbey.

## 1002.4 AUTHORIZATION FOR SELF-BAIL

Inmates wishing to use their personal funds as bail must sign an Authorization for Self-Bail transaction document. This transaction document must be received by the cashier before the inmate's account can be debited and a receipt issued.

## 1002.5 RELEASE OF FUNDS TO OTHER PERSONS

Inmates wishing to release all or part of their personal funds to a person who is not in custody must sign a release. The release shall be filled in the inmates follder. A check will be issued by Crawford County Jail staff.

## 1002.6 RELEASE FROM CUSTODY

The cashier will receive a daily roster of inmates scheduled for release. Each inmate’s account will be accessed and a report showing all activity on the account will be completed and filed after it has been adjusted to show a zero balance.

Staff members who are responsible for the release of inmates will notify the cashier of all impending releases, including those not on the scheduled release roster, by providing the list with the names and booking numbers to the cashier.

The cashier will release the money to the inmate after the inmate endorses the account report.

## 1002.7 CASHIER RESPONSIBILITY

The cashier will verify all funds received against the amounts recorded on the inmate account financial record. The cashier will then post the funds to the inmate’s account and prepare a receipt for the inmate.

At the end of every shift, each cashier shall be responsible for balancing all transactions completed during the shift and shall complete a cash activity sheet itemizing each type of transaction.

All monies shall be counted, verified against the transactions, bundled and placed in a designated secure safe or transferred to the Finance Department with appropriate transmittal documentation, in accordance with Office finance rules.

Any unresolved discrepancies found during the balancing procedures shall be promptly reported. The cashier reporting the discrepancies shall prepare a report showing the amount of the discrepancy.

The report shall include the following:

(a) Date and time each cash discrepancy was discovered

(b) Amount of overage or shortage

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(c) Explanation of the cause of the overage/shortage

(d) Documentation used to identify the error

(e) Recovery attempts

(f) Name of person reporting the discrepancy

(g) Name of person approving the report and the date approved

The supervisor shall initial the report prior to submission to the Finance Department for final review.

### 1002.8 SECURE BANKING OF INMATE FUNDS

All monies collected by custody personnel shall be secured daily in an officially designated and secure place, and verified by a supervisor.

### 1002.9 AUTOMATED KIOSKS

The use of automated kiosks for the deposit of monies into the inmate trust fund or to transfer inmate monies for the purchase of commissary or other authorized items will meet the financial accounting requirements of this policy and other standard financial practices.

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# Counseling Services

### 1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to inmates.

### 1003.2 POLICY

This office will provide counseling and crisis intervention services to any inmate 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) Deputies assigned to the facility who have specific training and expertise in this area.

The Jail Administrator shall coordinate with the Responsible Physician to develop and confidentially maintain records of counseling and crisis intervention services provided to inmates and to ensure that those records are retained in accordance with established records retention schedules.

The Jail Administrator shall ensure that request forms are available and provided to inmates who request counseling services. All inmate requests for counseling shall be forwarded to the Shift Commander. If an inmate displays behavior indicating a need for counseling or crisis intervention services, the facility employee shall notify the Shift Commander. The Shift Commander shall assess the need and area of counseling and make a reasonable effort to provide the inmate with the requested counseling as soon as practicable with consideration given to facility security, scheduling and available resources. Inmates who are victims of a sexual abuse or harassment incident will be informed of the availability and continuity of counseling (28 CFR 115.82; 28 CFR 115.83)

### 1003.3 NON-CRISIS COUNSELING

The Office shall, when reasonably practicable, make counseling services available to assist inmates who are being released into the community.

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# Inmate Exercise and Recreation

## 1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Crawford County Sheriff's Office facility will have sufficiently scheduled exercise and recreation periods and sufficient space for these activities, as required by law.

### 1004.1.1 DEFINITIONS

Definitions related to this policy include:

**Exercise** - The physical exertion of large muscle groups.

**Recreation** - Activities that may include table games, watching television or socializing with other individuals.

## 1004.2 POLICY

It is the policy of this office to provide inmates with access to exercise opportunities, exercise equipment and recreation activities in accordance with state laws or requirements. The Jail Administrator or the authorized designee shall be responsible for ensuring there is sufficient secure space allocated for physical exercise and recreation, and that a schedule is developed to ensure accessibility for all inmates (Wis. Admin. Code DOC § 350.33).

## 1004.3 ACCESS TO EXERCISE

Inmates shall have an opportunity to exercise and to use exercise equipment. At least one hour of exercise activity each day shall be outside the cell. When weather allows and where available, the inmates' exercise outside the cell shall be outdoors (Wis. Admin. Code DOC § 350.33).

The day Shift Commander shall use the approved daily log sheet to document when inmates of like classification status are scheduled to exercise each day and shall record the exercise of an inmate, or that the inmate has declined outside exercise.

Daily log sheets should be collected monthly and forwarded to the Jail Administrator. Log sheets shall be maintained in accordance with established records retention schedules.

## 1004.4 ACCESS TO RECREATION

Inmates shall have access to recreation activities outside their cells at least once a day. The length of time will be determined by the inmate's classification status, security concerns and operational schedules that preclude recreation during a period of time (e.g., meal times, searches, lockdown or court). The staff should ensure that the maximum time possible is provided to the inmates for this purpose.

Televisions, newspapers, table games and other items may also be made available to enhance recreation time (Wis. Admin. Code DOC § 350.34(1). Consideration will be given to the passive or active recreational needs of older inmates and inmates with disabilities (Wis. Admin. Code DOC § 350.33).

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1004.4.1 USE OF THE INMATE WELFARE FUND
Monies derived from the Inmate Welfare Fund may be used to purchase and maintain recreational equipment and supplies.

## 1004.5 SECURITY AND SUPERVISION

The staff supervising the inmates during exercise and recreation time shall document when each inmate has the opportunity to exercise or recreate, and when each inmate actually participates.

Staff shall be responsible for inspecting exercise and recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Inmates will not be permitted to use equipment without supervision. All equipment shall be accounted for before inmates are returned to their housing unit.

The supervising staff may terminate the exercise or recreation period and escort back to the housing unit any inmate who continues to act in an aggressive or disorderly manner after being ordered to stop by the staff. Whenever an exercise or recreation period is involuntarily terminated, the staff will document the incident and rationale for terminating the exercise period. The Shift Commander will determine whether disciplinary action is warranted.

## 1004.6 EXERCISE SPACE

Exercise areas, as specified by federal, state and/or local laws or requirements, should be sufficient to allow each inmate a minimum of one hour of exercise every day. Use of outdoor exercise is preferred but weather conditions may require the use of covered/enclosed space. Day room space is not considered exercise space (Wis. Admin. Code DOC § 350.33).

## 1004.7 INABILITY TO MEET REQUIREMENTS

In the event that the inmate population exceeds the ability of the facility to meet the exercise and recreation requirements, the facility should notify the governing body about the deficiency in space for exercise, that it may violate the law and/or the requirements, and request funds to remedy the situation. The facility should document all action taken to try to remedy the situation, including funding requests, population reduction requests and all responses to those requests.

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# Inmate Education, Vocation and Rehabilitation

## 1005.1 PURPOSE AND SCOPE

This office provides educational and vocational programs that are designed to help inmates improve personal skills, assist in their social development and improve inmate employability after release. The ability of the office to offer educational programs is dictated by available funding, inmate classification and other required inmate programs and routines.

## 1005.2 POLICY

The educational and vocational programs offered by the Office are available to all eligible inmates and are subject to schedule, space, personnel and other resource constraints.

Designated space for inmate education and vocational programs will, whenever practicable, be designed with input from educational/vocational service providers.

Adequate funding is required. If the funding source reduces or eliminates funding in these areas, educational and/or vocational programs may be reduced or eliminated.

Max classified inmates will not be allowed education classes unless there are no lower class inmates attending.

## 1005.3 SERGEANT

The Sheriff or the authorized designee shall be responsible for managing all aspects of the inmate educational and vocational program. Those duties include, but are not limited to:

(a) Conducting an annual needs assessment to determine the type of programs needed to serve the inmate population.

(b) Developing the program plans.

(c) Developing or directing the curricula for each educational, vocational and testing component.

(d) Developing and implementing individualized programs for high-risk or administrative inmates, as needed.

(e) Coordinating with corrections staff regarding the security issues associated with these programs.

(f) Developing and maintaining records of all needs assessments, all training offered, all inmate attendees, testing records and class evaluations.

(g) Forecasting the annual cost of the program and coordinating with the budget office to secure funding.

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### 1005.4 COURSE OFFERINGS

Course offerings will be subject to need, available resources, security concerns, available space and inmate classification, and may include the following:

(a) Basic education, General Educational Development (GED) preparation

(b) English as a second language (ESL)

(c) Basic literacy

(d) Substance abuse and healthy lifestyles education

(e) Parenting courses

(f) Basic computer instruction

(g) Basic life skills

(h) Vocational skills such as:

1. Cooking and food services
2. Landscaping, horticulture
3. Basic woodworking
4. Auto body and painting
5. Basic auto repair
6. Basic office skills

(i) Other courses as deemed appropriate by the Sergeant

### 1005.5 OUTREACH

Information about educational opportunities should be included in the general inmate orientation. At a minimum, inmates should receive instruction on how to request participation in the inmate education programs, along with eligibility requirements and rules for participation.

### 1005.6 ELIGIBILITY REQUIREMENTS

Educational/vocational programming (other than televised courses) may be offered to sentenced and pretrial inmates. The Jail Administrator or designee shall ensure that there is equal opportunity for participation for male and female inmates.

### 1005.7 INMATE REQUESTS

Jail staff shall inform inmates of GED when it is available and select people to attend. Equal opertunity to males and females shall be given. (ex every other week males and females)

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### 1005.8 SELF-STUDY PROGRAM

Whenever reasonably feasible the basic educational program may be presented by self-study tutoring and videotape programming.

Inmates admitted into the GED program are issued the necessary books and supplies. Studying is done throughout the day at scheduled periods when videotape programming is presented on closed-circuit television.

Upon completion of a GED self-study program, the inmate may be given the opportunity to take the GED test.

### 1005.9 HIGH-SECURITY/ADMINISTRATIVE SEGREGATION INMATES

To the extent reasonably practicable, high-security inmates and those held in administrative segregation may receive individual instruction in the form of a correspondence course.

### 1005.10 REHABILITATION PROGRAM

The Office provides opportunities for rehabilitation programs that are based upon victim and community input and are fashioned in a way that gives the inmate an opportunity to make amends for the harm done.

The Sheriff and Jail Administrator should work with other justice system partners to create such programs and opportunities. Examples include the following:

- Programs designed to deter domestic violence and substance abuse
- Community service, such as supervised public works projects
- Making restitution to victims
- Paying court fines

### 1005.11 DISCLAIMER

Nothing in this policy is meant to confer a legal right for inmates to participate in any educational offering. Educational programming is provided at the sole discretion of the Sheriff and Jail Administrator.

### 1005.12 CLASSROOM USE AND DESIGN

The demographics of the inmate population should always be considered when developing educational and other programs. Inmate classification and segregation requirements also need to be considered.

The Jail Administrator should encourage and include educators in the set up and design of classrooms that have been identified for inmate education programs. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers and administrators should be consulted to ensure that their needs are met.

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In addition to the traditional classroom approach to educational programming, there are several other delivery methods. These include independent study and computer education programs.

### 1005.13 NEW CONSTRUCTION OR RENOVATION

Whenever construction of new facilities is considered, the Jail Administrator may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels and educational equipment.

The Jail Administrator may seek technical assistance from consultants to school districts that provide education programs in correctional settings. There are also networks of educators who can provide valuable consulting services in order to keep pace with rapidly evolving program and legislative issues that are related to education.

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# Commissary Services

## 1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a commissary program that will give inmates the opportunity to purchase specific items not provided to them while in custody.

## 1006.2 POLICY

It is the policy of this office to provide commissary services so that inmates who are not on disciplinary restriction and who have funds posted to their inmate accounts may purchase items approved by the Jail Administrator (Wis. Admin. Code DOC § 350.35).

### 1006.2.1 RESTRICTED PRIVILEGES

Privileges may be restricted based upon inmate classification or status (Wis. Admin. Code DOC § 350.35).

## 1006.3 COMMISSARY ACCOUNTING

The Shift Commander shall be responsible for ensuring that all inmates who have commissary privileges have the opportunity to order and receive commissary items in a timely manner.

All inmates shall be afforded the opportunity to review an accounting of their money held in their account, to include deposits, debits and commissary goods purchased and received. Any discrepancy of the inmate’s funds shall be immediately reported to the Commissary Manager. If the Commissary Manager and the involved inmate cannot settle the discrepancy, the Jail Administrator shall be notified and the Jail Administrator will resolve the discrepancy.

## 1006.4 INMATE WELFARE PACKS

The Jail Administrator or the authorized designee shall monitor the provision of welfare packs to indigent inmates. Welfare packs shall include, but not be limited to:

(a) Two postage-paid envelopes and paper letters each week to permit correspondence with family members and friends.

(b) Personal hygiene items, including toothbrush, toothpaste, soap and other supplies deemed to be appropriate for indigent inmates.

The Sheriff may expend money from the Inmate Welfare Fund to provide indigent inmates with essential clothing and limited transportation expenses upon release.

## 1006.5 COMMISSARY

It shall be the policy of the Crawford County Sheriff’s Department Jail to ensure inmates are provided access to such needed or desired items as assorted snack food items, writing materials, certain personal hygiene items, etc…, and in order to minimize introduction of contraband into the jail, commissary service will be provided to the Crawford County inmates once a week.

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## *Commissary Services*

The Crawford County Sheriff’s Department Jail has contracted with Stellar Services, LLC, a private business firm specializing in inmate commissary services.

Inmates shall pay for commissary items from their personal funds.

Stellar Services, LLC

P.O. Box 320

McFarland, WI 53558

Phone: (608) 838-5937

Toll Free: (866) 320-4200

Fax: (608) 838-9786

Procedure

I. Ordering Procedure.

A. Inmates will order their commissary items by using the dayroom cell phone (free call to Stellar).

B. Deputies will distribute commissary items as soon as reasonably possible once items are delivered, (Usually Wednesday afternoon).

C. Deputies will have inmates sign the commissary slip signifying he/she received the order intact and complete.

D. Completed commissary slips and invoice will be put on Jail Administrator’s desk.

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F. Commissary is a privilege and may be denied, although inmates need reasonable access to hygiene items.

II. Inmate Accounts.

When money is deposited for an inmate who has a debt, 25% of the money deposited will remain in their commissary account and the balance will go toward the payment of their debt.

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# Library Services

### 1007.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for funding of library services and for providing inmates access to leisure and legal reading materials.

### 1007.2 POLICY

This facility operates library services that provide leisure and legal reading materials to inmates. The Jail Administrator or the authorized designee is responsible for the administration of the library services and should appoint a capable staff member to serve as librarian to run the daily library operation. The library service shall include access to legal reference materials, current information on community services and resources, and religious, educational and recreational reading material (Wis. Admin. Code DOC § 350.34).

The librarian shall ensure that reading materials are provided to the general housing units and that any staff member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

Access to the inmate library or to library materials shall be based upon inmate classification, housing location and other factors that legitimately relate to the safety and security of the facility.

### 1007.3 LIBRARY FUNDING AND MAINTENANCE

The Jail Administrator may use monies from the Inmate Welfare Fund to offset the cost of salaries and the services and supplies necessary to operate the library. The librarian may enlist the assistance of the local public library and other community organizations in order to maintain and update the library. Donated books and materials should be screened by the librarian for allowable content and safety prior to being distributed to inmates.

The Office may reject library materials that may compromise the safety, security and discipline in the operation of this facility (see the Inmate Mail Policy for examples of materials that may be rejected).

The library shall be operated within the physical, budgetary and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility. The inmate services staff is responsible for the distribution of reading material.

### 1007.4 LEISURE LIBRARY MATERIALS

Each inmate is allowed to have no more than 2 games per cell block,  two books per inmate at any given time, and five magazines per inmate. Existing selections must be returned before new books may be selected by an inmate. Inmates who destroy or misuse books and library materials will be subject to disciplinary action and may be required to pay for the material. If staff believes the destruction was intentional, the matter may be referred for criminal prosecution.

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### 1007.5 ACCESS TO LEGAL PUBLICATIONS/LAW LIBRARY

All inmates shall have reasonable access to the legal system, which may include access to legal reference materials. Pro se inmates shall have priority regarding access to legal publications.

Legal information that may be provided through the library includes, but is not limited to:

- Criminal code sections.
- Copies of criminal and/or civil cases.
- Copies of judicial forms for criminal cases, civil cases and general litigation.

Inmates desiring access to the library or legal publications shall submit a completed legal information request to the housing officer. Only one request per inmate per week is allowed unless the inmate is a court ordered pro se. Inmates in disciplinary segregation shall have the same access to reading materials and legal materials as the general population unless a restriction is directed by the court.

The housing deputy will collect completed request forms and deliver them to the librarian. Upon receipt the librarian will time stamp, log and number the request and arrange for the inmate to have access to the library or to legal research services if they are available and do not conflict with scheduling and security concerns. Records of access to legal references and whether the requests were fulfilled or denied should be documented each day and maintained in the inmate's file in accordance with established records retention schedules.

Pro se inmates may keep minimal supplies for their case in their cells (e.g., paper, letters, reference materials), provided it does not create a fire hazard.

### 1007.6 ALTERNATE MEANS OF ACCESS TO LEGAL PUBLICATIONS

Nothing in this policy shall confer a right to access to a law library, and unless it is specified by court order, the Sheriff may provide access to the legal system by a variety of means that may include public or private legal research services (e.g., legal paging system).

### 1007.7 ACCESS TO LIBRARRY

I. Access to the Jail Library

A. All inmates with Minimum or Medium classification status and are in good standing may request to go to the library.

B. The inmate must put in a written request to use the law library. As for regular library, inmates will be asked if they wish to go to the library on Monday and Friday.

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C. First Shift Jail Staff will take inmates to the library on Monday and Friday between 7 a.m. and 7 p.m.

**1007.8 TYPES OF READING MATERIAL**

A. Newspapers

1) The Jail subscribes to a couple different newspapers that are furnished to the jail library for inmates reading.

2) An inmate may also subscribe to a newspaper, but it must come to the jail directly from the publisher and also the subscription must have prior approval.

3) Newspapers may be donated to the jail library, but will be searched and approved before put into circulation.

B. Books

1) No hard cover books will be allowed in the jail unless they are provided by the jail library or is approved by Jail Administrator.

2) Soft cover books may be donated to the jail library, but will be searched and approved before placed in circulation.

3) Soft cover books may also be purchased from publisher or clearing house and mailed directly to the Crawford County Jail.

C. Magazines

1) The Jail does subscribe to several magazines for the jail library.

2) Inmates are allowed to subscribe to magazines as long as they are

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paid for in full and they are approved by Jail Administrator or Deputies. The magazines must also be addressed to the Crawford County Jail.

3) Magazines may be donated to the Crawford County Jail, but will be searched and approved before placed in circulation.

D. Religious Publications

1) Inmates are authorized to have soft covered bibles or other types of religious texts.

2) Inmates may have religious publications brought to them by clergy, family, or friends but are subject to search and approval.

E. Legal Material

1) An inmate shall be permitted to receive all legal materials provided to him/her by the court and/or attorney.

2) If an inmate is represented by an attorney, all requests for legal material must be made by the inmate to his/her attorney.

3) If an inmate is not represented by an attorney, the inmate may request in writing specifying, if know, the exact materials desired.

a) The request will be submitted to the Jail Administrator who may interview the inmate to determine exactly what is needed.

b) The jail may provide access to Wisconsin State Statute Books to include photocopying of specific information.

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c) The Sheriff will be contacted to help resolve any problems concerning inmate(s) access to legal material.

F. Inspection of Library and Reading Materials

1) All library/reading materials entering the jail shall be searched for contraband before being delivered to the inmate to protect the security of the jail. (Legal material shall not be searched unless in the presence of the inmate).

G. Unauthorized Library and Reading Material

1) Library or reading material which is deemed to constitute an immediate threat to the security of the jail (e.g. information on weapons or explosives, escape plans, etc…) will not be allowed in the jail.

2) Library or reading material published specifically to provide information on growing or producing controlled substances will not be allowed in the jail.

3) Library or reading material that is unusually obscene (e.g. Bestiality, Child Pornography, Adult Pornography, etc…) will not be allowed in the jail.

4) Publications shall not be denied entry because of political or religious viewpoints expressed.

5) Publications denied will be secured in inmate’s locker and given back when released or denied entry into the jail.

6) The Sheriff shall have final discretion if there is a question about a particular material being allowed into the jail.

7) No electric games.

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# Inmate Mail

### 1008.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection and sending of inmate mail.

### 1008.2 POLICY

This office will provide ample opportunity for inmates to send and receive mail, subject to restriction only when there is a legitimate government interest.

### 1008.3 MAIL GENERALLY

Inmates may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of staff, visitors or other inmates, or pose an unreasonable disruption to the orderly operation of the facility.

However, inmates are only allowed to store a limited number of letters as determined by the Jail Administrator in their cell. Excess mail will be stored with the inmate’s personal property and returned at his/her release.

Upon request, indigent inmates will be permitted to mail up to two letters per week with postage to be billed to the inmate. There shall be, however, no limit to office-paid correspondence by indigent inmates to legal and other representatives as described in the section on confidential correspondence below.

### 1008.4 CONFIDENTIAL CORRESPONDENCE

Inmates may correspond confidentially with courts, legal counsel, officials of this office, elected officials, jail inspectors, government officials or officers of the court (Wis. Admin. Code DOC § 350.29).

This facility will also accept and deliver a fax or inter-office mail from these entities.

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.

### 1008.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Administrator whenever staff becomes aware of mail sent by an inmate that involves:

(a) Threats of violence against any member of the government, judiciary, legal representatives, victims or witnesses.

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(b) Incoming or outgoing mail representing a threat to the security of the facility, staff or the public.

The District Attorney or Corporation Counsel should be consulted in cases where criminal charges are considered against an inmate or there is an apparent liability risk to the Office that relates to suspension or restriction of mail privileges.

### 1008.6 PROCESSING AND INSPECTION OF MAIL BY STAFF

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. Incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays or during an emergency situation (Wis. Admin. Code DOC § 350.29).

Assigned deputies should open and inspect all incoming general mail of current inmates. The correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for inmates no longer in custody should not be opened (Wis. Admin. Code DOC § 350.29).

Except for confidential correspondence, outgoing mail may not be sealed by the inmate and may be read and inspected by staff when (Wis. Admin. Code DOC § 350.29):

(a) There is reason to believe the mail would:
    1. Interfere with the orderly operation of the facility.
    2. Be threatening to the recipient.
    3. Facilitate criminal activity.
(b) The inmate is on a restricted mail list.
(c) The mail is between inmates.
(d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an inmate is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the inmate’s property to be given to the inmate upon release (Wis. Admin. Code DOC § 350.29).

Inmates shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the inmate’s file in accordance with established records retention schedules (Wis. Admin. Code DOC § 350.29).

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Cash, government checks and money orders contained in incoming inmate mail shall be removed and credited to the inmate's account. Personal checks may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

### 1008.6.1 DESIGNATION OF STAFF AUTHORIZED TO READ MAIL

All staff members are authorized to read incoming and outgoing non confidential mail.

### 1008.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available. The impact the correspondence may have on other inmates and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to the address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

(a) Maintaining facility security.

(b) Preventing dangerous conduct, such as an escape plan.

(c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.

(d) Preventing harassment of those who have requested that no mail be sent to them by the inmate.

Correspondence and material identified for censorship shall be delivered to the Shift Commander, who shall make the decision if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple inmates.

## 1008.7 BOOKS, MAGAZINES, NEWSPAPERS AND PERIODICALS

Unless otherwise in conflict with this policy and prohibited by the Jail Administrator, inmates are permitted to purchase, receive and read any book, newspaper, periodical or writing accepted for distribution by the U.S. Postal Service.

Publications, magazines or newspapers shall be accepted only if they are mailed directly from the publisher to a named inmate. A local daily newspaper in general circulation, including a non-English publication, shall be made available to interested inmates (Wis. Admin. Code DOC § 350.34).

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### 1008.8 REJECTION OF MAGAZINES AND PERIODICALS

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:

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, 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; 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.

Staff shall notify the Shift Commander whenever a decision is made to reject books, magazines or periodicals. The Jail Administrator or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

### 1008.9 FORWARDING OF MAIL

Any non-legal mail received for a former inmate should be returned to the sender with a notation that the inmate is not in custody. Obvious legal mail should be forwarded to the former inmate’s new address if it is reasonably known to the facility. Otherwise, legal mail should be returned to the sender.

### 1008.10 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS

Indigent inmates shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Administrator. Writing materials should include the following (Wis. Admin. Code DOC § 350.29):

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- At least two pre-stamped envelopes for correspondence with family and friends
- Six sheets of paper
- One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with an elected official, officials of the Department of Corrections, attorneys and other officers of the court. Requests shall be screened and granted by the inmate programs coordinator, and should be based on need. Inmates should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

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# Inmate Telephone Access

### 1009.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting inmates to access and use telephones.

### 1009.2 POLICY

The Jail will provide access to telephones for use by inmates consistent with federal and state law. The Jail Administrator or the authorized designee shall develop written procedures establishing the guidelines for access and usage. All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

### 1009.3 PROCEDURE

Inmates housed in general population will be permitted reasonable access to public telephones at scheduled times in the dayrooms for collect calls unless such access may cause an unsafe situation for the facility, staff or other inmates. All calls, with the exception of calls to a verified attorney, are monitored and recorded.

Inmates are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or Jail Administrator, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

TTY/TDD or equally effective telecommunications devices will be made available to inmates who are deaf, hard of hearing or have speech impairments to allow these inmates to have equivalent telephone access as those inmates without these disabilities.

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations. Reasons for denial of telephone access shall be documented and a copy placed into the inmate’s file. The rules governing the use of the telephone will, in addition to being provided to inmates during orientation, be posted near the telephones.

The staff should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated, telephone privileges suspended and/or incur disciplinary action.

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception Policy.

Definitions:

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A. Blocking is a method of restricting inmate(s) from making calls, prepaid or collect to a specific destination telephone number.

B. Exigency means something that demands immediate action or attention; a pressing necessity; emergency.

C. Reasonable Belief is when a set of facts and circumstances exist which would lead a reasonable Deputy to conclude they are true at the time even though later may be proven erroneous.

II. Authorizing Access to The Inmate Phone Computer System.

A. Blocking destination telephone numbers, monitoring active calls, re-playing calls, or recording calls shall be done only upon the following authority.

1. A court order if necessary for extraordinary circumstances.

2. The Sheriff of Crawford County or his/her designee:

a. Chief Deputy.
b. Jail Administrator
c. Captain
d. Lieutenant
e. Sergeant

III. Justification for Accessing the Inmate Phone Computer System.

A. Blocking, Monitoring active calls, re-playing calls, recording calls shall be done only for the following reasons when a deputy sheriff

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has reasonable belief there is evidence of an inmate is involved in:

1. A new crime or misdemeanor;

2. A crime or misdemeanor for which an ongoing investigation is taking place or has been authorized;

3. Conduct otherwise legal, but prohibited by an order of the court or the State of Wisconsin Department of Corrections Probation and Parole.

4. Activities which threaten the safety of the public and law enforcement personnel;

5. Planning an escape; and/or,

6. Threatening the security of the Crawford County Law Enforcement Center or Jail.

IV. Initiating Access to the Inmate Phone Computer System.

A. Anyone requesting access to, or intervention in, the inmate phone system must have request approval.

1. Upon approved request made upon reasonable belief or when exigent circumstances exist which threatens the safety of the public or members of the law enforcement or jeopardize the security of the facility, the Sheriff or his/her designee shall be contacted by the quickest means available.

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a. Clerical persons and Deputy(s) shall notify the supervisor of their respective division.

b. If the supervisor is not authorized by the Sheriff to approve access or intervention in the inmate phone system, the supervisor shall immediately contact a supervisor who is so authorized.

2. All other non-emergency requests shall be routed to the Captain, Lieutenant Detectives, or Jail Administrator.

A. The Sheriff or his/her designee (for exigent/emergency circumstances) or the Captain, Lieutenant or Jail Administrator (non-emergency requests) shall approve or deny access to the inmate phone system. In all cases, where access had been authorized by the Sheriff's designee, the Sheriff shall be contacted as soon as practical, and notified by the authorizing supervisor, of the authorization and the circumstances dictating the need for that authorization.

### 1009.4 USE OF TELEPHONES IN HIGH-SECURITY OR ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are housed in high-security or administrative segregation may use the public telephones in the dayroom during the time allocated for that classification of inmate to utilize that space. If portable telephones are available in the facility, inmates who are housed in high-security or administrative segregation units may have reasonable access to the portable telephones.

### 1009.5 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court-ordered.

### 1009.6 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of custody, whether the inmate has been charged, tried, convicted or sentenced, reasonable and non-recorded telephone access to an attorney shall be provided

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to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Access to Courts and Counsel Policy.

### 1009.7 TELEPHONE CONTRACTS AND CHARGES

The Jail Administrator or the authorized designee is responsible for ensuring that rates charged to inmates are similar to those charged in the general public and that inmates are afforded a range of feasible calling options.

### 1009.8 TELEPHONE IN BOOKING

Detainee Access to Telephone in Booking.

A. Use of the telephone in booking room by detainees shall be controlled by the supervisor and/or the deputies under the following guidelines:

1. Compliant, cooperative detainees seated in the booking room, before or after the booking process, may be given the opportunity to make telephone calls to secure bond, notify others of confinement or obtain legal counsel.

2. Compliant, cooperative detainees who have completed the booking process, and have been placed in a receiving cell, who are eligible for release pending the posting of bond, may be allowed out of the receiving cell to make calls to secure bond.

B. Detainees who are marginally impaired by intoxication, mildly belligerent or profane but who completed the booking process may be allowed one or two opportunities to use the telephone to secure bond, notify others of there confinement or obtain legal counsel before being placed in a receiving cell.

1. The Deputy may offer the detainee the opportunity to make a telephone call after the detainee completes booking as an incentive to cooperate with the booking process.

2. Access to the telephone after the above detainee is placed in a receiving cell after an unsuccessful attempt to make contact with another person shall be at the discretion of the Deputy based on the degree of compliance the detainee demonstrates.

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C. A detainee who refuses to complete the booking process or whose presence in the booking room is disruptive will not be allowed access to the telephone by the Deputy.

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# Inmate Visitation

### 1010.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

### 1010.2 POLICY

The Jail Administrator shall develop written procedures for inmate visiting, which shall provide for as many visits and visitors as facility schedules, space and number of staff will reasonably allow (Wis. Admin. Code DOC § 350.30). These procedures are subject to safety and security requirements.

Court orders granting a special inmate visitation are subject to county legal review and interpretation.

### 1010.3 PROCEDURES

The Office shall provide adequate facilities for visiting that includes appropriate space for the screening and searching inmates and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

Limitations on the number of visitors and allotted visiting time is determined by:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Only people listed on jail visitation sheet may be permitted.

The Jail Administrator or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

The visiting area shall accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

#### 1010.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal or other government identification. All visits shall be documented through a log or register (Wis. Admin. Code DOC § 350.30(3)).

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(a) The registration form must include the visitor's name, address and the relationship to the inmate.

(b) A valid identification shall have the following:

1. A photograph of the person
2. A physical description of the person
3. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

(c) Additionally, an official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, police identification or a business card/letterhead of business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

1010.3.2 POSTING OF VISITING INFORMATION
Visiting policies, procedures and schedules shall be clearly posted in the public visiting area and in all inmate housing areas, as well as in the inmate handbook (Wis. Admin. Code DOC § 350.30(5)).

## 1010.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or there is reasonable cause to believe the visitor is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law (Wis. Admin. Code DOC § 350.30(4)).

## 1010.5 VISITING SCHEDULE

The Jail Administrator shall designate a person to develop a schedule for inmate visitation that includes daytime, evening, and weekend hours. Each inmate shall receive a copy of the visitation schedule in the inmate handbook at orientation. The visiting hours will also be posted in the public area of the facility (Wis. Admin. Code DOC § 350.30(1)).

Visitations will be Wednesdays 6pm- 8pm and sundays 1pm-4pm.

Holiday visitation will take place on Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, Christmas Day, and New Years Eve Day. Hous for holiday visitation will be 1pm-4pm.

Visitations will be limited to 15 minutes a person.

## 1010.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

Visitation may be denied or terminated by a Deputy if the visitor poses a danger to the security of the facility or there is other good cause, including, but not limited to, the following:

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(a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.

(b) The visitor refuses to submit to being searched.

(c) The visitor or inmate violates facility rules or posted visiting rules.

(d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the facility.

(e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Administrator.

### 1010.7 GENERAL VISITATION RULES

All visitors and inmates will be required to observe the following general rules during visitation.

(a) Children visiting inmates must be deemed age appropriate by the parent or guardian accompanying the child. If under 18 years of age the parent or legal guardian must be present. Where a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.

(b) An inmate may refuse to visit with a particular individual.

(c) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.

(d) Visitors must be appropriately attired prior to entry into the visitor’s area of the facility.

(e) Inappropriate clothing, such as transparent clothing, halter tops, excessively tight or revealing clothing, hats and bandannas or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable will not be permitted.

(f) All visitors must have footwear.

(g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.

(h) Food or drink is not permitted in the visitor’s area.

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(i) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Shift Commander. Transactions of this nature will not constitute a regular visit.

### 1010.8 SPECIAL VISITS

The Shift Commander may authorize special visitation privileges (Wis. Admin. Code DOC § 350.30(2)). The Shift Commander, who authorizes the special visit, will take into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the inmate
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor’s name and the reason why the visit was denied.

### 1010.9 ATTORNEY VISITS

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a private interview room. Staff shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the facility is compromised (see the Inmate Access to Courts and Counsel Policy) (Wis. Admin. Code DOC § 350.30(1)).

### 1010.10 SEARCHING INMATES

Inmates shall be searched before and after each contact visit (Wis. Admin. Code DOC § 350.30(6)).

A contact visit shall be defined as any time a inmate is in the same room with a visitor.

### 1010.11 DEFINITIONS

Shift Commander- Senior deputy on duty at the time.

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# Temporary Release of Inmates

## 1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and requirements for the temporary release of inmates.

## 1011.2 POLICY

It is the policy of this office to release inmates from custody only when it is legal and when it is done in a manner that protects the security of the facility.

## 1011.3 HUBER LAW

Any inmate who has met the eligibility requirements and received court approval may be granted permission to leave the facility for purposes that include (Wis. Stat. § 303.08):

(a) Seeking employment, engaging in job training, or working.

(b) Performing community service work.

(c) Conducting any self-employed occupation, including housekeeping and attending to the needs of the person's family.

(d) Attending court proceedings to which the inmate is a party or for which the inmate has been subpoenaed.

(e) Attending classes at an educational institution.

(f) Obtaining medical treatment.

(g) Obtaining counseling or therapy from an approved public or private treatment facility, or from a psychiatrist, psychologist, licensed clinical social worker, professional counselor, or a certified independent or advanced practice social worker who is authorized to practice psychotherapy.

(h) Attending an assessment to determine the person's need for counseling or therapy.

(i) Attending a parenting education program.

(j) Meeting with the inmate’s probation, extended supervision, or parole officer.

### 1011.3.1 ELIGIBILITY

In order to be granted the privilege of leaving the jail during necessary and reasonable hours, the following requirements must be met (Wis. Stat. § 303.08):

- The privilege has been expressly granted by the court.
- The inmate has been sentenced to a county jail for a crime, nonpayment of a fine or forfeiture, or contempt of court.
- The inmate is subject to a confinement sanction.
- The inmate is a probationer detained in county or tribal jail for a probation violation under Wis. Stat. § 302.335(2j).

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The Sheriff may refuse to allow the inmate to leave the jail as provided for a period of time, not to exceed five days, for any breach of discipline or other violation of jail regulations (Wis. Stat. § 303.08(10)).

### 1011.3.2 STAFF RESPONSIBILITY

The Jail Administrator shall ensure that attempts are made to secure employment or employment training for unemployed inmates (Wis. Stat. § 303.08(3)).

The Jail Administrator or authorized designee shall ensure the activities of inmates who are participating in the temporary release program are properly monitored.

### 1011.3.3 HOUSING

The Sheriff shall determine whether inmates will be housed in a Huber facility, work camp, or in the jail and may transfer inmates between facilities (Wis. Stat. § 973.09(4)(a)).

Inmates who are participating in the temporary release program and are housed in the jail should be housed in an area other than general population to reduce the possibility of contraband entering the facility. Factors to consider when determining appropriate housing for program participants include the following:

- Rated bed capacity of the facility
- Current occupancy
- Housing options and security capabilities outside the secure perimeter of the facility
- Number of inmates participating in the temporary release program

### 1011.3.4 DAILY ITINERARIES

Inmates must have an approved daily itinerary prior to leaving the facility. The itinerary should include the following:

- Scheduled start and stop times for activities
- Anticipated amount of travel time between the facility and the activity site
- Mode of transportation each way (e.g., bus, car, walk)
- Location of the activity
- Contact name, address, and telephone number at the site
- Contact name, telephone number, and driver’s information of the transport person if the inmate does not have a valid license
- Contact name and telephone number of a designated facility staff member

Any change to the itinerary must be approved in advance by the Jail Administrator or the authorized designee.

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1011.3.5 FINANCIAL MANAGEMENT
If the authorized activity is employment, the Jail Administrator shall ensure that all inmate wages, salaries, and benefits are collected and deposited in a trust checking account for the inmate.

Funds shall be disbursed in the following order (Wis. Stat. § 303.08(5)):

(a) Necessary travel expense to and from work

(b) Court-ordered support of the inmate's dependents, if any

(c) The board of the inmate

(d) Other incidental expenses of the inmate

(e) Payment of the inmate's obligations acknowledged by the inmate in writing or that have been reduced to judgment

(f) The balance, if any, to the inmate upon his/her discharge

1011.3.6 ACTIVITY VERIFICATION
Staff shall make scheduled telephone calls and random site visits to the location of the inmate’s activity to ensure compliance with the rules of the program.

1011.3.7 PROGRAM CONFLICTS
Temporary release program staff shall make every attempt to ensure that the inmate’s activities and work schedule do not conflict with his/her required participation in any facility treatment programs.

1011.3.8 DRUG TESTING
Random and scheduled drug testing shall be conducted on all inmates participating in the temporary release program. Any positive results may cause the inmate’s disqualification from the program, as well as disciplinary sanctions or criminal charges, if warranted.

## 1011.4 RECORDS
The following records shall be maintained by the Jail Administrator or the authorized designee on all inmates participating in the temporary release program:

(a) All payments and accounting associated with the program

(b) All contacts between the staff and employers prior to releasing inmates to work and the document confirming all employment information

(c) All daily logs of time worked and payments received

## 1011.5 OBTAINING EMPLOYMENT/VERIFYING EXISTING EMPLOYMENT.
In order to help inmates secure and maintain employment, Deputies shall attempt to assist inmates in finding jobs. Once an inmate has found a job, Jail Administrator or Deputies shall verify the inmate’s employment and monitor their attendance and progress on the job.

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*Temporary Release of Inmates*

A. When an inmate has been sentenced to jail, his/her Judgment of Conviction should specify whether he/she has Huber privileges.

B. If there is a question whether or not Huber privileges exist contact Clerk of Court, District Attorney, sentencing Judge, or if the sentence is Condition of Probation contact Probation Agent.

C. If Huber exists or employment is obtained, The Deputy will have inmate fill out Huber/Work Release Employment Information Form. Once form is filled out completely the Jail Administrator or Deputy will verify employment with the employer.

1. If the employer asks what the inmate is sentenced for you may tell them, but don't volunteer information about the offense.

2. The employer may also ask about Huber rules, they may be explained to them, but it is ultimately up to the Huber inmate to know and abide by the Huber rules.

3. Inmate must supply a weekly work schedule and understand the Huber rules and regulations.

a. Maximum of 6 work days per week;

b. Must be employed for a minimum of 32 hours per week and maximum of 50 hours per week.

c. The maximum amount of hours out per day is 12 hours (this includes travel time).

d. Job must pay minimum hourly wage.

4. If the Huber inmate rides or drives a car, proof of vehicle insurance, driver's license, and make, model, and license plate number of vehicle must be on file with the jail.

5. If the Huber/Work Release Employment Information Form is not completely filled out within two (2) working days the inmate will be held in until it is finished and verified.

D. If the Huber inmate has no job and wants to work the inmate may check job opportunities through newspapers, suggestions from family and friends, or through Job Center.

1. If requested the Jail Administrator or Deputy may assist inmate in securing employment by checking with known sources and informing the inmate of any possibilities. The Jail Administrator or Deputy may also pick-up applications from the Job Center for the requesting inmate.

2. The inmate may have applications dropped off or mailed to the jail.

E. An inmate may be allowed to leave the jail for a job interview providing the appointment is verified by the Jail Administrator or Deputy.

F. If the inmate wishes to leave the jail for a job interview:

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1. They must obtain time, and location of the job interview;

2. They must request and be approved to attend job interview by Jail Administrator or Deputy and must have the following information on the request:

   a. Name of prospective employer

   b. Address and telephone number of prospective employer;

   c. The exact time of interview.

3. If the Jail Administrator/Deputy approve and verify appointment the inmate will be given ample travel time to and from the appointment.

**1011.6 RESTRICTION OF HUBER RELEASE**

1. In order to maintain effective discipline in the jail, an inmate's Huber privileges may be temporarily restricted as punishment for violation of jail rules, in accordance with policies for discipline.

2. Under D.O.C. 350.15 (3)(a), Restrictions affecting Huber law privileges in accordance with Ss. 303.08 or work release in accordance with Ss. 973.09(4), are considered major rule violations for purposes of discipline and thus require a due process hearing before being imposed unless the inmate waives his/her rights to due process hearing. An inmate's privileges may be restricted up to five (5) days for each offense.

3. Restriction of privileges for a violation by an inmate who is in jail as a condition of probation are implemented the same but should be brought to the attention of the inmate's probation agent as soon as possible.

4. According to D.O.C. 350.15 (3), restrictions affecting Huber Law privileges fall under discipline for major violations of jail rules and therefore require that the inmate be offered a Due Process Hearing.

5. If an inmate is caught violating jail rules, he/she may be picked-up immediately by a Deputy/ Officer and returned to jail. The inmate will be placed in administrative segregation pending further investigation of the violation and pending a Due Process Hearing.

6. If the inmate is combative or his/her actions otherwise pose a threat to or breach the security of the jail, he/she may be placed in administrative segregation.

7. If the inmate is held in from employment, allow the inmate to call and notify his/her employer.

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8. Restrictions of work release for inmates serving time as a condition of probation will be handled the same, except the inmate's probation agent will be informed of the matter.

**1011.7 REVOCATION OF HUBER RELEASE PRIVILEGES**

1. In accordance with provisions of Ss.303.08 (2), an inmate's Huber privileges may be revoked by the sentencing Judge.

2. In accordance with provisions of Ss.973.09 (4), revocation of Huber privileges would require a Department of Corrections Judicial review hearing asking the Judge to revoke Huber release.

3. If an inmate has violated rules to a point where the Sheriff, Chief Deputy, Jail Administrator or Deputy feels the inmate's Huber privilege should be revoked, a report will be prepared describing the violation(s). The report will then be submitted to the District Attorney asking him/her to bring the matter before the court for full revocation of the inmate's Huber privilege.

4. If an inmate is sentenced as a Condition of Probation is to have Huber privilege revoked, it may be necessary to contact the Department of Corrections (Probation Agent) and ask them to start a judicial review. The judicial review brings the matter before the sentencing Judge as in the revocation of Huber privileges.

5. If the sentencing Judge agrees to the revocation of Huber privileges, a court revocation order will be issued and on file at the jail.

6. If an inmate is self-employed and defaults (more than once) on his/her Huber Fees, His/her Huber Privileges may be automatically forfeited under provisions of Ss. 303.08 (4).

E. If an inmate's Huber privilege is revoked, The Jail Administrator or Deputy will call the inmate's employer/school to inform them of the revocation.

F. The Jail Administrator or Sheriff, may, at his/her discretion, petition the court for reinstatement of an inmate's Huber privilege which have been revoked. Such privileges will only be reinstated upon formal authorization of the Judge.

G. According to Ss. 303.08 (2), an inmate may at time of sentencing or thereafter petition the court for Huber privileges, and in the discretion of the court may renew his/her petition.

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## 1011.8 CRAWFORD COUNTY JAIL ELECTRONIC MONITORING PROGRAM

### Rules and Regulations

All inmates placed on the Electronic Monitoring Program (EMP) are done so by the authority of the Sheriff, and at the discretion of the jail staff and the Jail Administrator.

(a) Preface

Inmates serving a court-imposed facility/work release sanction may be eligible to serve a portion of their sentence on the EMP. All eligibility is determined by the Jail Administrator or his/her designee and is based on the criteria listed in this policy. All references to inmates in this policy, including those housed in the Crawford County jail, are individuals participating in the EMP. If you have any questions regarding the material in this policy, please direct them in writing, to the jail staff or, in their absence, the Jail Administrator or the Sheriff.

(b) Eligibility

To be eligible to participate in the EMP, inmates must meet all of the following standards. (If any of the criteria are missing, the inmate is considered as nonviable for the program)

(a) Be sentenced for a criminal traffic offense or a nonviolent misdemeanor or to be determined by the Sheriff or Jail Administrator

(b) Have work release (Huber) privileges granted by the court

(c) Be free of any other detainer

(d) Have a verifiable address in the State of Wisconsin or to be determined by the Sheriff or Jail Administrator

(e) Have demonstrated a facility behavior record that is commensurate with community electronic supervision

Exceptions to any of the above listed criteria may be granted by the Jail Administrator. Final determination is made by the Jail Administrator or his/her designee. Information on past criminal history, previous incarcerations, and the appropriateness of the home may also be used in determining participation.

(c) Placement Site

Determining the appropriateness of an application for placement in the EMP is an essential part of the process. Therefore, the following rules shall apply:

(a) Inmates may not have firearms in their possession or at their residence during the EMP home detention period.

(b) Inmates may not have alcoholic beverages in their residence during the EMP home detention.

(c) Inmates cannot possess any item or substance that is illegal.

(d) Inmates cannot possess or use any illegal drugs or alcohol. Inmates must maintain absolute sobriety while participating in the EMP.

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(e) Upon request, inmates must provide all information regarding any individuals who may share the residence.

(f) Inmates must agree to the random search of their person, home, and vehicle while a participant of EMP.

(g) Inmates must comply with all staff requests, and or directives.

(h) Upon request, inmates must supply a blood, breath or urine sample for the purpose of determining substance abuse.

(i) Inmates cannot alter, destroy, or otherwise interfere with the electronic bracelet, support unit or any other equipment used in the EMP. By participation in the EMP, the inmate accepts all financial responsibility for daily costs and any damage done to the EMP monitor equipment issued to the inmate.

(j) No inmate can threaten (verbally or physically) any member of the jail staff, or other law enforcement official.

(k) Inmates must show respect toward staff members and law enforcement officials at all times.

(l) No inmate shall provide false information.

(m) Inmates must obey all municipal, county and state laws and ordinances. Inmates must report all contact with law enforcement to the jail staff within two hours of the contact.

(n) ALL monies earned will be controlled by the Sheriff or his agents in accordance with WI State Statute 303.08. If inmate’s term on the EMP is less than 20 days, inmate must prepay all associated fees. Crawford County inmates shall be charged $50.00 for hookup fee upon signing up for the EMP. There also will be a deactivation fee of $25.00 when there time is served. This fee will cover the cost of the straps, clips and the closing out of the case. The inmate also understands that they are responsible to pay a required daily cost of the EMP which would come out to $23.00 per day plus 5.5% sales tax would give you a total of $169.86 (7 days). These fees would be due every Saturday. Failure to submit fees will result in removal from EMP program.

(o) Inmates are required to take the most direct route to and from their permitted destination with no unauthorized stops.

(p) Inmates are required to arrive and return at their destination in the allotted travel time.

(q) Inmates shall complete and submit an accurate EM schedule one week before they begin participation in the program. Changes cannot occur until approved by the jail staff. During those periods that the inmate is scheduled to be at his/her place of detention, he/she must be at the place of detention unless he/she had received advance permission from the jail staff to be elsewhere. The inmates must return to his/her place of detention as specified in his/her EMP schedule unless he/she had received advance permission from the jail staff allowing him/her to deviate from the schedule. In case of emergency, the inmate must submit to the jail staff, as soon as possible thereafter, verifiable information regarding his/her whereabouts. Failure to submit this information promptly may result in the inmates’ immediate return to the Crawford County Jail.

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(r) No inmate is permitted to work more than six (6) days in a row or be away from the detention site more than twelve (12) hours a day. Exceptions can be requested and are at the discretion of the jail staff, Jail Administrator or designee. Any changes in the EMP schedule must be made one week in advance (i.e. work schedule, child care, counseling sessions).

(s) Inmates who quit or are terminated from their job must notify the Huber officers or designee as soon as possible following the job action.

(t) Inmates will be given travel time to get to and from work (not exceed one (1) hour). If more than one (1) hour is needed, inmate may request extra time for unforeseen circumstances only. All requests should be made to and are at the discretion of the jail staff.

(u) It has been explained and understood that violations of these rules may result in the inmates return to the Crawford County Jail and be taken off the EM and placed on Huber if so granted. If violation is a major one, this could result in Huber getting revoked.

(v) Any intentional failure to remain within the limits of the inmate’s detention, including rule violations, is considered an escape and may be referred to the District Attorney for prosecution.

(w) If the inmate is serving jail time as a condition of probation, any failure to conform to the EM rules may result in revocation of probation.

(x) Neither Crawford County nor the contract electronic equipment vendors are liable for any personal injury, death, or property damages as a result of participation in the Electronic Monitoring Program.

(y) The individual who wishes to participate in the EMP must complete the application and submit it to the Jail Administrator or designee one (1) week prior to a proposed start date. An interview is to be arranged and conducted to determine acceptance of the individual into the EMP at least one week before proposed start date.

(z) Inmates are required to contact the jail staff immediately in regards to any emergency or situation, which may require a possible deviation from inmates approved EMP schedule. The contact number for the Crawford County Jail is 608-326-0239.

(aa) The jail staff will have the right to restrict and/or prohibit visitors during an inmate’s time while participating in the EMP.

(d) Complaints

During your term on EMP, you may feel you have the basis for a complaint. When this is the case, you are encouraged to resolve the complaint informally with the staff member involved. When information resolution is not possible, written complaints and decision appeals are to be submitted in accordance with the chart provided below. Written complaints not filed in accordance will be dismissed.

Sheriff

Jail Administrator

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Jail Staff

All complaints properly submitted and forwarded will be reviewed by the jail staff employees. The legitimacy of each complaint will be determined and a response/resolution provided. Keep in mind that the complaint procedure is a vehicle to seek resolution to a legitimate factual concern; communicating false information is prohibited.

(e) Discipline

Types of disciplinary action may vary based upon the severity of the offense(s) and the frequencies which an inmate violates jail rules.Sanctions, which may be imposed as discipline, include:

(a) 1. Written reprimand

2. House arrest for up to 5 days per violation

3. Forfeiture of up to 2 days earned good time per each violation

4. Forfeiture of Huber privileges up to 5 consecutive days per violation “time to be spent in jail”

5. Complete loss of EMP status

6. Suspension or revocation of Huber privileges

Participants may have their status on EMP administratively suspended for up to 5 days at a time. Administrative suspension may occur for the purpose of investigating major rule violations or a series of violations. Work release privileges will be afforded in accordance with existing jail rules and policies.

(f) Medical

Jail staff must approve all requests for non-emergency medical treatment. You must notify a jail staff member of all emergency medical care that you seek as soon as feasible. Both emergency and non-emergency medical request must be accompanied with appropriate documentation. The Crawford County Sheriff’s Office is not financially responsible for your medical care. If prior to your placement on the EMP, you accrue medical bills while in the custody of the Crawford County Sheriff’s Office, the aforementioned cost will be deducted from your inmate account in accordance with Wisconsin State Statutes.

(g) Conclusion

If you have any questions regarding the EMP or any other issue related to your incarceration, please ask the jailer on duty.

All information contained in program rules are subject to review and changes by Sheriff or Jail Administrator.

_____ _____

Inmate Date

_____ _____

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Deputy Sheriff Date

2/04/2020

**1011.9 ELECTRONIC MONITORING PROGRAM PARTICIPANT AGREEMENT**

Participant Name _____

Date Placed on Program

_____

I, _____, have been placed on Electronic Monitoring. As a condition of being allowed to participate in this Program, I agree to comply with all Program requirements set forth in this Agreement and to strictly follow the instructions of my assigned Huber/Jail Deputy in charge. I understand that any failure by me to comply with this Agreement or the instructions of the jail will be considered a violation of my supervision and may result in adverse legal consequences.

As a condition of my participation in the program, I agree to properly use and maintain the Electronic Monitoring device assigned to me by the Crawford County Jail. I agree to not intentionally damage or attempt to remove said device.

I acknowledge receipt of:

**Device Number: _____ and 1 device charger** **Initial Here**_____

I understand that I may be required to pay the daily cost of my Electronic Monitoring. If so ordered, I agree to pay the following cost per day on a schedule set forth in a separate payment agreement and will submit payments as directed by the Crawford County Jail.

**Daily Monitoring Cost _____** **Initial Here**_____

I understand that there will be a hook up fee of $50.00 upon signing up for the Electronic Monitoring. I agree to pay for deactivation fee of $25.00 when my time is served. This fee will cover the cost of the strap, clips and the closing out of the case. I understand that I am required to pay the daily cost of my Electronic Monitoring which is $23.00 per day plus 5.5% tax. The total is $169.86 (7 days) per week. These fees would be due every Saturday. I understand I will provide a weekly work schedule that includes date and time. I agree to random test of my blood, breath or urine from any deputy who stops and ask for it. I understand that there will be no alcoholic beverages, firearms or illegal drugs at the residence during the electronic home detention process.

I understand that I will be held responsible for damage to Electronic Monitoring device. I am aware that any efforts to disable the device will result in a violation of this agreement. I also understand that if I do not return the equipment in good working condition, I will be charged for the repair or replacement of the device as follows:

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**Full replacement of the Electronic Monitoring Bracelet: $800.00 Initial Here_____**

**Charger: $_____ Initial Here_____**

**Electronic Monitoring Program Participant Agreement continued--**

I understand it is my responsibility to keep the device assigned to me charged on a daily basis. This will require me to be stationary and charging for 2 hours a day. I agree and understand that this is not to take place while I am sleeping as to prevent damage to the unit/charger.

**Initial Here**_____

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# Inmate Work Program (Trustee)

## 1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Inmate Work Program. The Inmate Work Program allows inmates to improve and/or develop useful job skills, work habits and experiences that will facilitate a successful transition back to the community.

## 1012.2 POLICY

The Crawford County Sheriff's Office shall operate an Inmate Work Program within the secure perimeter of the facility, in accordance with all applicable federal, state or local work safety laws, rules and regulations, and to the extent that the operation of inmate work programs do not pose a risk to the safety of the staff, other inmates or the public. This policy establishes the requirements, selection process, supervision and training of inmates prior to and after entering the facility's Inmate Work Program.

## 1012.3 WORK CRITERIA

### 1012.3.1 SENTENCED INMATE WORK REQUIREMENTS

All sentenced inmates who are physically and mentally able should work. Inmates shall not be required to perform work which exceeds their physical limitations. Inmates may be excused from work in order to maintain their participation in an educational, vocational, drug abuse treatment or other program. The Office will abide by all laws, ordinances and regulations when using inmates to work in the facility (Wis. Stat. § 302.37(4)).

### 1012.3.2 PRETRIAL AND UNSENTENCED INMATE WORK REQUIREMENTS

Pretrial and unsentenced inmates may volunteer to participate in the Inmate Work Program but shall not be required to participate in work beyond maintaining the immediate living area (Wis. Stat. § 302.37(4)).

## 1012.4 INMATE WORKER SELECTION

The Jail Administrator or designee shall be responsible for the selection and assignment of inmates to the various work assignment programs. The Coordinator should solicit input from other custody staff in assisting with inmate selection and assignment. Staff shall take into consideration the following eligibility criteria:

(a) Inmates who have posed a threat in the past or have been charged with escape should be carefully screened for inmate work projects.

(b) The inmate's charges and classification are such that the inmate will not pose a security risk to other inmates, staff or the public.

(c) The inmate's capacity to perform physical tasks will match the job requirements.

(d) The inmate is able to learn the necessary work routines.

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(e) The special interests, abilities, craft or trade of the inmate will benefit the work assignment.

Inmates 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 inmates who work in the kitchen, around food products or who serve meals to the inmate population.

### 1012.5 WORK ON PUBLIC PROJECTS

Sentenced inmates may be assigned to public works projects with state, municipal and local government agencies, or to community service projects, with the approval of the Jail Administrator or a designee and in accordance with all applicable laws and regulations.

### 1012.6 PROHIBITION OF NON-PUBLIC WORK PROJECTS

Work projects on behalf of any private individual or to an individual’s private property are strictly prohibited and may constitute a violation of the law.

### 1012.7 SUPERVISION OF INMATE WORKERS

Facility staff in charge of work programs or who provide supervision of inmates assigned to work crews should adhere to the following:

(a) Inmate workers should be provided with safety equipment, clothing and footwear commensurate with the work performed. Safety equipment may include, but is not limited to, eye protection, gloves, hardhat or headwear and sunscreen for protection from sun exposure.

(b) Work periods shall not exceed 12 hours per day.

(c) Inmate workers should be provided with work breaks to allow them to take care of personal needs.

(d) Inmate workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.

(e) Inmates who work shifts during the early morning or late-night hours should be provided with a quiet space to allow for sleep during daytime hours.

Inmate workers shall be under the direct supervision of the facility staff at all times when they are on assignment through the Inmate Work Program.

Persons who are responsible for the supervision of inmates on work crews should receive training in basic areas of safety, security and reporting procedures.

Disciplinary action for inmate worker misconduct shall adhere to the Inmate Discipline Policy.

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### 1012.8 INMATE WORKER TRAINING

Inmates who are assigned to work in any area that may require the handling of any chemicals or the use of any equipment shall receive training from the respective Office supervisor prior to using the chemicals or equipment. Work-crew supervisors shall also train inmate workers on safety practices. Inmates should never be assigned to handle dangerous chemicals or equipment that normally require a level of expertise and competency beyond their demonstrated ability.

### 1012.9 INMATE WORKER INCENTIVES

The Jail Administrator is responsible for establishing an incentive program for inmates assigned to the Inmate Work Program. Incentives for inmates may include:

(a) Granting distinctive housing assignments, extra privileges, recreation and special rewards, as allowed by law, regulation and policy. Inmate welfare funds may be used to offset the cost of a reward program.

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# Religious Programs

## 1013.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates.

### 1013.1.1 DEFINITIONS

Definitions related to this policy include:

**Compelling government interest** - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Office, as opposed to something merely preferred, that can be furthered only by the policy under review.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Office adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

**Religious exercise** - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

**Substantial burden** - For the purposes of this policy, substantial burden means either of the following:

- There is a restriction or requirement imposed by the Office that places an inmate in a position of having to choose between following the precepts of his/her religion and forfeiting benefits otherwise generally available to other inmates, or having to abandon one of the precepts of his/her religion in order to receive a benefit.
- The Office puts considerable pressure on an inmate to substantially modify his/her behavior in violation of his/her beliefs.

## 1013.2 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

### 1013.2.1 CONDUCTING RELIGIOUS SERVICES

The facility should allow clergy members of each faith to conduct services at least once each week (Wis. Stat. § 301.33; Wis. Stat. § 302.39).

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1013.2.2 RELIGIOUS REQUESTS
Each inmate, upon request, shall receive religious ministration and sacraments according to his/her faith, and use of a Bible (Wis. Stat. § 301.33; Wis. Stat. § 302.39).

## 1013.3 CHAPLAIN

The Sheriff shall appoint an individual to serve as the chaplain for the facility. The chaplain shall be responsible for assisting the Jail Administrator with supervising, planning, directing, and coordinating religious programs (Wis. Admin. Code DOC § 350.32(1)). The chaplain may be responsible for duties including but not limited to:

(a) Coordinating religious services.

(b) Maintaining a list of accepted religious practices that have been approved by the Jail Administrator and ensuring the current list is available to the staff.

(c) Notifying inmates of the availability and schedule of religious services (Wis. Admin. Code DOC § 350.32(2)).

(d) Reviewing requests for religious accommodations.

(e) Providing or arranging for grief counseling for inmates.

(f) Distributing a variety of religious texts.

(g) Developing and maintaining a liaison with a variety of religious faiths in the community.

(h) Making reasonable efforts to enlist religious leaders from outside the community as necessary.

(i) Seeking donations for religious programs from the community, when appropriate.

(j) Working with inmate families when requested.

(k) Periodically surveying the facility population to determine whether current resources are appropriate for the inmate population.

(l) Providing guidance to the Sheriff and the Jail Administrator on issues related to religious observance.

## 1013.4 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing to the chaplain. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the facility’s list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the

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supervisor will work with the chaplain to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

A supervisor who does not grant the accommodation, either in part or in full, should promptly forward the request to the Jail Administrator, who, after consultation with legal counsel as appropriate, should make a determination regarding the request within 10 days following the inmate's request.

A Jail Administrator who does not grant an accommodation, either in part or in full, should forward the request to the Sheriff with the basis for the denial within 14 days of the inmate's original request being made. The Sheriff or the authorized designee will review the denial and respond to the requesting inmate as soon as reasonably practicable.

The Jail Administrator and the Sheriff shall be informed of all approved accommodations. The chaplain should make any necessary notifications to staff as necessary to meet an approved accommodation.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

#### 1013.4.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS

In an emergency or extended disruption of normal facility operations, the Jail Administrator may suspend any religious accommodation. The Jail Administrator may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

#### 1013.4.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Inmates may appeal the Jail Administrator's denial, suspension or revocation of an accommodation through the inmate appeal process.

### 1013.5 DIETS AND MEAL SERVICE

The Jail Administrator should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the facility. The chaplain shall provide a list of inmates authorized to receive religious diets to the food services manager. The food services manager shall establish a process for managing religious meal accommodations.

### 1013.6 HAIR STYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility.

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Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

### 1013.7 RELIGIOUS TEXTS

Religious texts should be provided to the requesting inmate, if the texts available do not pose a threat to the safety, security and orderly management of the facility (Wis. Admin. Code DOC § 350.32(3)).

### 1013.8 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

(a) Animal sacrifice

(b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security

(c) Self-mutilation

(d) Use, display or possession of weapons

(e) Self-defense or military training

(f) Disparagement of other religions

(g) Nudity or sexual acts

(h) Profanity

(i) Use of illegal substances or controlled substances without a prescription

### 1013.9 GROUP RELIGIOUS SERVICES

Group religious services may be allowed after due consideration of the inmate’s classification or other concerns that may adversely affect the order, safety and security of the facility.

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, videotapes).

### 1013.10 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug) (Wis. Admin. Code DOC § 350.32(3)).

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### 1013.11 RELIGIOUS GARMENTS AND CLOTHING

Inmates who practice a religion that requires particular modes of dress, garments, headgear, or other than standard-issue clothing, should generally be accommodated subject to the need to identify inmates and maintain security (Wis. Admin. Code DOC § 350.32(3)).

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of office-supplied head coverings when available and appropriate.

Inmates wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex, if they so desire. Religious garments that substantially cover the inmate’s head and face shall be temporarily removed during the taking of booking and identification photographs.

To the extent reasonably practicable, alternative housing may be considered to accommodate an inmate’s need for religious attire, while meeting the security needs of the facility.

### 1013.12 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES

The Jail Administrator shall ensure that there are sufficient facilities and resources for the chaplain to serve the inmate population, including providing access to areas of the facility. Space for group worship will be dictated by the availability of secure areas and the classification status of the inmates to be served. All recognized religious groups should have equal access to the space, equipment and services which the facility normally provides for religious purposes.

### 1013.13 COMMUNITY RESOURCES

The chaplain may minister his/her particular faith and any other similar faiths to inmates but should also establish contacts with clergy of other faiths, who can provide services to inmates of other religious denominations (Wis. Admin. Code DOC § 350.32(1)).

Whenever the chaplain is unable to represent or provide faith-based services to an inmate, a religious leader or other volunteer from the community, credentialed by the particular faith, should be sought to help provide services. All individuals providing faith-based services should be supervised by the chaplain. All efforts to contact faith-based representatives should be documented and retained in accordance with established records retention schedules.

Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program (see the Volunteers Policy). A volunteer could ensure that religious personnel who provide programming in the facility possess the required credentials and have the security clearance to enter the facility.

The chaplain, in cooperation with the Jail Administrator or the authorized designee, shall develop and maintain communication with faith communities. The chaplain shall review and coordinate with the Jail Administrator regarding offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

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### 1013.14 TRAINING

The Office shall provide training to facility staff on the requirements of this policy.

The Office shall also provide training in safety and security to the chaplain.

The chaplain shall approve and train clergy and religious volunteers (see the Volunteers Policy) (Wis. Admin. Code DOC § 350.32(5)). This includes the preparation of a training curriculum, as well as the development and maintenance of training records.

### 1013.15 POLICY

It is the policy of this office to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the facility (Wis. Admin. Code DOC § 350.32).

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# Chapter 11 - Facility Design

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# Space and Environmental Requirements

## 1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

## 1100.2 POLICY

It is the policy of this office to comply with federal and state laws, codes and correctional standards in matters relating to the jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the facility should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the facility should facilitate personal communication with inmates and direct visual observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal communication.

All parts of the facility that are accessible to the public should be accessible to and usable by disabled persons.

## 1100.3 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings and equipment should have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or inmate housing unit doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the facility in the event of an emergency.

## 1100.4 ENVIRONMENTAL REQUIREMENTS

### 1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for staff and inmates to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of inmates to sleep.

### 1100.4.2 NATURAL LIGHT

All inmate living areas should provide inmate exposure to natural light, unless prohibited by security concerns.

### 1100.4.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow inmates to sleep. Nothing in this policy is intended to limit or impair in any way staff’s ability to monitor the jail in a manner that is consistent with safety and security and good correctional practices. Noise measurements shall be documented in each housing unit at least annually by an independent expert.

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1100.4.4 VENTILATION

Ventilation systems, including those in toilet rooms and cells with toilets, should be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes and jail standards.

Other than an emergency situation, inmates or jail staff shall not adjust or restrict the ventilation systems without the express permission of the supervisor. Any adjustments made to the ventilation system shall only be allowed for the duration of the emergency or until qualified maintenance personnel can adjust or repair the ventilation system.

Air quantities shall be documented at least annually by an independent expert, and a report provided to the Jail Administrator.

1100.4.5 TEMPERATURE LEVELS

Temperature and humidity levels should be maintained at a level established bydeputy jailers on duty and deemed comfortable and cost efficient.

Staff shall immediately contact facility maintenance in the event that temperatures or humidity levels become uncomfortable.

Temperature levels shall not be used as punishment to inmates.

## 1100.5 CELL FURNISHINGS

Each inmate housed in this facility shall be provided with the following items:

- A sleeping surface and mattress in accordance with federal and state laws, codes and jail standards
- A writing surface and seat
- A storage area for clothing and personal belongings

## 1100.6 DAYROOMS

Dayrooms should be equipped with at least one shower for every 15 inmates or fraction thereof, and tables and sufficient seating for all inmates at capacity. Where inmates do not have continuous access to their cells, dayrooms should also be equipped with one toilet, an immediate source of fresh potable water and lavatory with hot and cold water for every 12 inmates or fraction thereof.

## 1100.7 EMERGENCY POWER

The facility shall be equipped with a sufficient emergency power source to operate communications, security and alarm systems in control centers, and emergency lighting in corridors, stairwells, all inmate housing areas, security control points and audio-visual monitoring systems.

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### 1100.8 DOUBLE CELLING

Double celling may occur with the approval of the Department of Corrections. The county board and sheriff shall determine jointly the adequate staffing needs, including support staff and services that are required to ensure the health, safety and security of the jail staff and inmates when using cells for double occupancy. The joint determinations shall be in writing and signed by the representatives of the county board and the sheriff and shall be filed with the Department of Corrections. The written joint determination shall remain in effect until rescinded or amended by mutual written agreement of the county board and sheriff. Unless there is adequate staff as agreed upon by the county board and sheriff, double celling may not occur (Wis. Admin. Code DOC § 350.20).

The Jail Administrator shall develop policies and procedures for double celling. Inmates housed in the same cell shall be of the same classification status.

For male and female housing areas, at least one cell or 15% of the jail's total number of cells, whichever is greater, shall be maintained for single occupancy. Receiving cells may not be used for double occupancy (Wis. Admin. Code DOC § 350.20).

### 1100.9 FACILITY STRUCTURE AND REQUIREMENTS

Facility structures constructed before March 1, 1990 shall comply with the requirements of Wis. Admin. Code DOC § 350.07.

### 1100.10 NEW CONSTRUCTION AND REMODELING

New construction and remodeling plans shall comply with the requirements of Wis. Admin. Code DOC § 350.04; Wis. Admin. Code DOC § 350.05; Wis. Admin. Code DOC § 350.06.

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# Smoking and Tobacco Use

### 1101.1 ADDITIONAL PROHIBITIONS

No person may smoke in a correctional facility (Wis. Stat.§ 101.123(2)).

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# Control Center

### 1102.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for a control center for monitoring and coordinating facility security, safety and communications. This policy addresses staffing, training, communications and monitoring capabilities.

### 1102.2 POLICY

It is the policy of this office to maintain a control center, designed as Dispatch, which shall be secure and staffed 24 hours each day to monitor and coordinate security, safety and communications.

### 1102.3 COMMUNICATIONS AND MONITORING CAPABILITIES

Dispatch shall have multiple means of direct communication capabilities with all staff control stations in inmate housing areas, including telephone, intercom and radio.

The Dispatch staff shall be responsible for monitoring fire, smoke and life safety alarms and shall have the means to summon assistance in the event of an emergency.

Dispatch shall be located in close proximity to the inmate living areas to enable staff to monitor and respond quickly to any emergency.

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# Crowding

## 1103.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the inmate population to the number of beds constructed in each inmate classification level. Occasionally, emergencies occur that will require the jail to exceed its approved bed capacity. This policy establishes the approved bed capacity of the facility, addresses temporary population excess and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

## 1103.2 POLICY

It is the policy of the Crawford County Sheriff's Office to manage the inmate population to the extent as is reasonably possible to avoid exceeding the facility’s approved bed capacity.

The Jail Administrator is responsible for ensuring that the facility has a sufficient number of housing units in an appropriate configuration so that inmates can be separated according to the facility’s classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the inmate population to the approved bed capacity as soon as reasonably practicable. The Office will take affirmative action to address excess population. In the event that the inmate population remains over capacity or continues to increase, a crowding committee should be formed to examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

## 1103.3 CROWDING COMMITTEE

The Sheriff or the authorized designee is responsible for forming the crowding committee and for facilitating its meetings. When the number of inmates exceeds the approved bed capacity of the facility, the Sheriff should schedule a meeting with the committee for the purpose of identifying potential solutions to reduce the population to, or below, the approved bed capacity.

A complete report describing facility population, conditions and mitigation recommendations should be provided to all members of the committee, as well as being released to the public.

The committee membership should include, but not be limited to, the following:

(a) The Sheriff of the Office

(b) The Jail Administrator

(c) A member of the local judiciary

(d) A representative of the District or Prosecuting Attorney’s Office

(e) A representative of the Public Defender's Office

(f) A representative from the City Manager’s/County Administrator’s Office

(g) A representative from the Office legislative body (counsel, supervisor, commissioner)

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(h) One or more members of the public

### 1103.4 DAILY INMATE POPULATION REPORT

The night shift onduty deputy jailer shall conduct a daily count ran on JMS.

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# Attachments

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