

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
RESOLUTION 2022-79**

**A RESOLUTION APPROVING THE 2022-2023 MADISON COUNTY
DETENTION CENTER POLICY & PROCEDURE MANUAL**

WHEREAS, the Madison County Detention Center has developed and will maintain an organizational chart and operations manual; and

WHEREAS, the organizational chart and operations manual are approved by the Madison County Fiscal Court and filed with the Kentucky Department of Corrections annually;

NOW, THEREFORE, BE IT RESOLVED THAT THE FISCAL COURT DOES HEREBY APPROVE THE 2022-2023 DETENTION CENTER POLICY & PROCEDURE MANUAL AND AUTHORIZES THE JUDGE EXECUTIVE AND/OR HIS DESIGNEE TO EXECUTE SAME ON BEHALF OF THE COUNTY.

Motion made by Bathin, seconded by Tudor.

Vote:

Yes

No

Judge Executive Reagan Taylor

✓

Magistrate Ben Robinson III

ABSENT

Magistrate John Tudor

✓

Magistrate Roger Barger

✓

Magistrate Tom Botkin

✓

Signed:

R-79
Reagan Taylor
Madison County Judge Executive

Attested:

Kenny Barger
Kenny Barger
Madison County Clerk

6-14-2022
Date

6-14-2022
Date

MADISON COUNTY DETENTION CENTER

Policy & Procedure Manual 2022-2023 Fiscal Year

Approval Signature, Jailer:  Date: 6-15-22

Approval Signature, Judge Executive:  Date: 6/14/2022

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Table of Contents

Administration & Management

- 1-1 Organization
- 1-2 Legal Assistance
- 1-3 Public Information
- 1-4 Information System

Fiscal Management

- 2-1 Budget
- 2-2 Inmate Commissary

Personnel

- 3-1 Staffing
- 3-2 Training
- 3-3 Code of Ethics

Admission & Release

- 4-1 Admission/Legal Authority
- 4-2 Denial of Admission
- 4-3 Intake Procedures
- 4-4 Admission Information
- 4-5 Searches
- 4-6 Property
- 4-7 Inmate Orientation
- 4-8 Transfer or Release

Classification

- 5-1 Classification System
- 5-2 Housing Assignment
- 5-3 Administrative Segregation

Security & Control

- 6-1 Surveillance
- 6-2 Head Counts
- 6-3 Security Procedures
- 6-4 Weapons, Chemical Agents, & Security Equipment
- 6-5 Transports
- 6-6 Restraining Devices
- 6-7 Key Control
- 6-8 Special Inmates

2022-2023

Table of Contents Cont.

6-9 Logs & Reports

6-10 Use of Force

Safety & Emergency Procedures

7-1 Fire Prevention

7-2 Escape

7-3 Hostage

7-4 Riot

7-5 Medical Emergency

7-6 Mass Arrest

7-7 Natural Disaster

7-8 Suicide, Attempted Suicide, Death of an Inmate

Medical Services

8-1 Health Care

8-2 Health Appraisal Data

8-3 Medical Complaints & Records

8-4 Emergency Medical Services

8-5 Medications

8-6 Mental Problems

8-7 Infectious Disease

Food Services

9-1 Food Service

Inmate Sanitation & Hygiene

10-1 Sanitation

10-2 Hygiene

Inmate Programs & Services

11-1 Inmate Programs

11-2 Meaningful Activity

11-3 Religious Programs

11-4 Recreation

Inmate Rights

12-1 Court Decision Review

12-2 Access to Courts

12-3 Visits

12-4 Mail

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Tables of Content Cont.

- 12-5 Telephone
- 12-6 Grievance
- 12-7 Disciplinary Procedure
- 12-8 Disciplinary Process

Access to Facility

- 13-1 Business Hours
- 13-2 After Hours
- 13-3 Service Entrance
- 13-4 Staff Entrance

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 1: Administration and Management

Policy 1-1: Organization

Policy:

The Madison County Detention Center has developed and will maintain an organizational chart and an operations manual. The organizational chart and operations manual are approved by the Madison County Fiscal Court and filed with the Kentucky Department of Corrections.

Procedure:

- 1) The following is an organizational chart and operations manual of the Madison County Detention Center.
- 2) A copy of the written Policy and Procedure Manual will be provided to each new employee and available in the booking area of the Detention Center. Employees are responsible for knowing the content of the Policy and Procedure Manual and performing all duties as such.
- 3) The operations manual includes the following aspects of the Detention Center's operations:
 - A) Administration
 - B) Fiscal Management
 - C) Personnel
 - D) Security and Control
 - E) Sanitation and Management
 - F) Medical Services
 - G) Emergency and Safety Procedures
 - H) Housing Classification of Inmates
 - I) Inmate Programs
 - J) Inmate Services
 - K) Admission and Release of Inmates
 - L) Inmate Grievance Procedures
- 4) The operations manual will be reviewed and updated annually by the Jailer and designees. Copies of any changes or revisions will be forwarded to the Kentucky Department of Corrections and all sworn employees.

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 1: Administration and Management

Policy 1-2: Legal Assistance

Policy:

The Jailer shall be represented and advised by the Madison County Attorney at any time deemed necessary by the Jailer.

Procedure:

- 1) The Jailer will request legal assistance from the County Attorney in regard to procedures and legal action concerning the Detention Center's operations.
- 2) The County Attorney shall notify the Jailer in writing when legal representation or legal advisement to the Jailer is inappropriate or creates a conflict of interest. The Madison County Fiscal Court shall provide funding for adequate legal representation for the Jailer and employees when the Jailer and employees have acted within their official capacity and is involved in civil or criminal litigation as a result.
- 3) The Jailer shall notify the office of the Madison County Judge Executive of any unusual incidents at the Madison County Detention Center that could result in legal action against Madison County or its officials.

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 1: Administration & Management

Policy 1-3: Public Information

Policy:

There shall be a plan for the dissemination of information about the Detention Center to the public, governmental agencies, and the media. The public and inmates shall have access to the plan and specific rules, which affect inmates and public information.

Procedure:

- 1) With the consent of the inmate, news media shall be permitted to interview any inmate as set forth in the Detention Center's Daily Schedule, except when the safety and security of the Detention Center are affected.
- 2) The Jailer or his designee shall make all official statements to the news media relating to Detention Center matters.
- 3) Release of inmate information shall be done as follows:
 - A) All requests for information shall be addressed to the Jailer;
 - B) Governmental agencies shall be provided with information only pertinent to their specific action and with the consent of the inmate, excluding Criminal Justice and Judiciary requests; and
 - C) Relatives and private citizens shall only be provided with information equivalent to information that would be released to the media.
- 4) No information about an inmate shall be released that is harmful, embarrassing, or irrelevant to the purpose of the information release.
- 5) The interview between the news media and inmates will be for a maximum period of (15) minutes. The Jailer or their designee will schedule the date and time of the interview.
- 6) News media interviews with inmates will be conducted in a secure visitation booth unless otherwise authorized by the Jailer.

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 1: Administration and Management
Policy 1-4: Information System

Policy:

The Madison County Detention Center has established and will maintain an information system.

Procedure:

- 1) Detention Center information shall be retained in written form or on a computer database. All relevant inmate information and documents shall be manually entered or scanned into the Jail Tracker system.
- 2) Detention Center information and inmate records shall be stored in a secure manner to be protected from theft, loss, tampering, and destruction. Active inmate records shall be maintained for five (5) years after an inmate's release from custody. Records will be stored in a safe Madison County storage area and purged annually.
- 3) A telephonic report to the Kentucky Department of Corrections shall be made of all the extraordinary or unusual incidents within (24) hours of the occurrence, and a final written report within (48) hours. This report shall be placed in Detention Center records.
- 4) Extraordinary or unusual incidents shall include, but are not limited to:
 - A) Death of an inmate
 - B) Attempted suicide or suicide
 - C) Serious injury whether accidental or self-inflicted
 - D) Attempted escape or escape
 - E) Fire
 - F) Riot
 - G) Assault, employee, or inmate
 - H) Sexual assault
 - I) Occurrence of contagious or infectious disease or illness within the facility
- 5) Each shift shall maintain a Control Tower log, isolation logs, and post logs to record activity within the facility.
- 6) The information required by Kentucky Jail Standards for admission and release shall be retained for each inmate. Other information retained in each inmate's facility record shall include, but is not limited to:
 - A) Court orders

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 1: Administration and Management
Policy 1-4: Information System

- B) Personal property receipts
 - C) Infraction reports
 - D) Reports of disciplinary action
 - E) Work record and program involvement
 - F) Unusual incidents
 - G) Disposition of inmate's property and remains, in the case of death
- 7) Medical records shall be maintained as required by 501KAR 3:090.
- 8) The Detention Center Shall maintain records on the types of, and hours of training completed by each employee. Employees shall have access to their individual training record.
- 9) The Department of Corrections monthly prisoner report form will be completed maintained in Detention Center records and sent in by the Jailer.

Madison County Detention Center
Policy & Procedure Manual

2022-2023

Chapter 2: Fiscal Management

Policy 2-1: Budget

Policy:

The Jailer shall prepare and present a line-item budget request to the Madison County Fiscal Court using the format and forms prepared by the State Local Finance Officer.

Procedure:

- 1) The dates of preparing and presenting the annual budget are as follows:
 - A) The Jailer will prepare the annual budget for presentation to the Madison County Fiscal Court no later than April 1st of every year for review.
 - B) The budget will be submitted to the Madison County Fiscal Court no later than May 1st of every year.
 - C) The budget will be approved by the Madison County Fiscal Court no later than June 30th and submitted to the local and State Local Finance Officer for approval.
- 2) The fiscal records of the Jailer shall include wages, salaries, food, and operational supplies. Fiscal records shall be maintained according to KRS with the Madison County Treasurer.
- 3) Detention Center employees shall be paid on established pay dates as outlined in Fiscal Court procedures.
- 4) The Jailer shall inventory all equipment once per year and supply that inventory to the Madison County Fiscal Court.
- 5) The Madison County Detention Center budget shall be audited in accordance with the requirements of KRS 43.070.

2022-2023

Chapter 2: Fiscal Management
Policy 2-2: Inmate Commissary

Policy:

A commissary system for inmates has been established and a strict accounting of funds will be maintained. Inmates in permanent housing will not be allowed to possess money or any form of currency. Each individual inmate will have a commissary account.

Procedure:

- 1) When staffing and security permits, inmates will be allowed to purchase items from the commissary.
- 2) The following items will be available for purchase when stocking permits:
 - A) Phone cards
 - B) Soft drinks
 - C) Snacks
 - D) Stationary
 - E) Envelopes with postage stamps
 - F) Personal hygiene items
- 3) A commissary financial statement will be established and maintained in Jail records, and is to include:
 - A) Cost of goods sold
 - B) Profit of goods sold
 - C) Sale amount of goods sold
 - D) Exact items sold
 - E) Items purchased with commissary profits
- 4) The commissary account is subject to and will be audited as part of the annual County audit.
- 5) Items purchased or paid for from the commissary profits must benefit inmates. These items include, but are not limited to:
 - A) Recreation equipment
 - B) Television cable service
 - C) Reading materials
- 6) All money received will be placed on the inmate's account at the time of intake.

2022-2023

Chapter 2: Fiscal Management
Policy 2-2: Inmate Commissary

- 7) Money for inmates will be accepted by designation of the Jailer.
- 8) Inmates will have deductions made from their account when commissary purchases are made. A new balance will be available to inmates after each commissary activity.
- 9) Money will not be transferred between inmate accounts unless approved by the Jailer or their designee.
- 10) Upon release from the Detention Center, inmates may obtain their positive commissary balance in the Administrative Office Monday through Friday between the hours of 0800 and 1600.
- 11) Funds under five dollars (\$5.00) will be held for a period of one (1) year. If funds remain unclaimed, they will be considered forfeit. Inmates with funds over five dollars (\$5.00), a reasonable effort to return the positive balance will be made. The funds will be mailed to the inmate's last known address. Any returned check will be held for one (1) year from the day it was mailed, after which it will be considered forfeit. Any check not returned and unclaimed after one (1) year will be canceled and the funds will be considered forfeit. All forfeited funds will be surrendered to the Madison County Detention Center.

2022-2023

Chapter 3: Personnel

Policy 3-1: Staffing

Policy:

It is the policy of the Madison County Detention Center to recruit, select, and retain employees without regard to race, sex, religious beliefs, national origin, political affiliation, color, or age.

Procedure:

- 1) The Madison County Detention Center shall provide (24) hour staff supervision for all inmates.
- 2) All employees of the Madison County Detention Center shall be subject to a thorough investigation of their background, which can include but is not limited to:
 - A) Criminal/arrest record
 - B) Pre-employment medical screen
 - C) Previous employment history
- 3) All sworn Deputies of the Madison County Detention Center shall be at least (21) years of age.
- 4) There shall be at least one female Sworn Deputy on duty at all times to perform duties relating to female inmates.
- 5) Compensation of employees is outlined in the personnel plan.
- 6) The Jailer shall review personnel policies and the personnel plan annually to ensure that equal opportunities for employment exist for all positions.
- 7) All personnel assignments shall be based on Detention Center needs.
- 8) Administrative and sworn personnel will strictly follow the Madison County Detention Center Personnel Plan.

2022-2023

Chapter 3: Personnel

Policy 3-2: Training

Policy:

It shall be the policy of the Madison County Detention Center that staff training is an on-going process. The Jailer shall establish and monitor each employee's training and physical fitness to ensure satisfactory duty performance. Assistance in this effort shall be obtained from the Justice Cabinet Department of Corrections training.

Procedure:

- 1) The Jailer and designees shall receive certification for all local training efforts.
- 2) Sworn Deputies of the Madison County Detention Center shall receive a minimum of (24) hours of annual in-service training delivered by the Department of Corrections.
- 3) The Jailer shall require that all sworn Deputies complete (24) hours of annual training, which will include all training required by the Kentucky Department of Corrections and any electives the Jailer or his designee deems necessary.
- 4) The Jailer shall ensure that all sworn Deputies maintain a satisfactory level of physical fitness that will allow them to perform all required duties in the safest manner possible.
- 5) The Madison County Detention Center shall maintain records on types and hours of training completed by each sworn Deputy. Each Deputy shall have access to their individual record.
- 6) It is the policy of the Jailer that sworn Deputies of the Madison County Detention Center shall not carry firearms, chemical agents, or electronic control devices without prior training and authorization from designated training officers, unless otherwise approved by the Jailer.

2022-2023

Chapter 3: Personnel

Policy 3-3: Code of Ethics

Policy:

It shall be the policy of the Madison County Detention Center that all employees conduct their personal and professional lives in a professional manner. This is to ensure that facility security, rights of inmates, and rights of staff are preserved and never compromised.

Procedure:

- 1) The Madison County Detention Center's Code of Ethics requires that employees shall not:
 - A) Exchange personal gifts or favors with inmates, or inmates' family, friends, or constituents;
 - B) Accept any form of bribe or unlawful inducement;
 - C) Perform duties under the influence of any intoxicants, or consume any intoxicants while on duty;
 - D) Violate or disobey established rules, regulations, or lawful orders from superior officers;
 - E) Discriminate against any inmate on the basis of race, religion, creed, gender, national origin, or other individual characteristics;
 - F) Employ corporal punishment or unnecessary physical force;
 - G) Subject inmates to any form of unwarranted physical or mental abuse;
 - H) Intentionally demean or humiliate inmates;
 - I) Bring any type of weapon or contraband into the Jail without proper authorization;
 - J) Engage in critical discussions of staff members or inmates in the presence of inmates;
 - K) Divulge confidential information without proper authorization;
 - L) Withhold information that threatens the security of the facility, staff, visitors, inmates, or the community;
 - M) Through negligence or intentionally, endanger the well-being of self or another;
 - N) Engage in any form of business or profitable enterprise with inmates;
 - O) Inquire about, disclose, or discuss details of an inmate's crime other than as may be absolutely necessary in performing official duties;
 - P) Wear the Madison County Detention Center uniform or utilize equipment in an unprofessional manner;
 - Q) Enter into an intimate, personal relationship with an inmate while the inmate is incarcerated at the Madison County Detention Center;
 - R) Enter into an intimate, personal relationship with a former inmate of the Madison County Detention Center within six (6) months of the inmate's release.

2022-2023

Chapter 3: Personnel

Policy 3-3: Code of Ethics

- 2) The Madison County Detention Center's Code of Ethics requires that employees shall:
 - A) Comply with established rules, administrative regulations, and lawful orders from superior officers;
 - B) Treat each prisoner in a fair, impartial manner; and
 - C) Report a violation of the Code of Ethics to the Jailer.
- 3) All employee violations of the Code of Ethics shall be documented by the Jailer and made a part of the employee's permanent personnel file. Violations of the Code of Ethics will be grounds for termination at the discretion of the Jailer.

2022-2023

Chapter 4: Admission & Release

Policy 4-1: Admission/ Legal Authority

Policy:

No person shall be accepted into the custody of the Madison County Detention Center without clear and documented legal authority. All persons admitted into the custody of the Madison County Detention Center will enter through doors 054 and 054A. Booking Deputies must positively identify the Peace Officer escorting the detained persons.

Procedure:

- 1) The Booking Deputy shall review the documents obtained from the escorting Peace Officer for proper execution. Such documents shall include at least one of the following:
 - A) Arrest warrant
 - B) Post arrest warrant
 - C) Uniform citation
 - D) Probation and Parole detainer
 - E) Court order
- 2) The Booking Deputy shall follow the following procedure for identification:
 - A) If the escorting Peace Officer is not personally known to the Booking Deputy, they shall require the escorting Peace Officer to produce the following identification:
 1. A badge and photo identification showing unit number and signature of agency head.
 2. Any other form of identification the Booking Deputy deems necessary to establish positive identification.
 - B) If the escorting Peace Officer cannot or does not produce proper identification, or if the identification produced does not conform to the officer's person, the Shift Commander shall refuse to accept custody.
 - C) If custody is refused, the facts and circumstances surrounding the refusal will be noted by the Shift Commander in an incident report, logged on the control tower log sheet, and a denial of admission form will be completed.

2022-2023

Chapter 4: Admission & Release

Policy 4-2: Denial of Admission

Policy:

No person shall be admitted to the Madison County Detention Center in an unconscious state or with any evidence of serious illness or injury by the best judgment of the Booking Staff.

Procedure:

- 1) The Booking Deputy shall carefully observe the physical condition and behavior of the inmate being admitted.
- 2) If the injury or illness of the inmate appears serious, the Shift Commander shall:
 - A) Refuse acceptance of custody and recommend that the escorting Peace Officer seek medical attention for the inmate;
 - B) Not accept custody until the escorting Peace Officer provides documentation of the inmate's medical treatment by a licensed physician.
- 3) The Shift Commander on duty and escorting Peace Officer shall complete a denial of admission form, which lists the reason(s) for the denial and shall be signed. If the escorting Peace Officer refuses to sign the form, the Shift Commander shall write an incident report of the circumstances and obtain a witness signature.
- 4) If the inmate's injury appears minor in nature, the Shift Commander will note the injury on the admissions form and refer the inmate to facility medical staff.

2022-2023

Chapter 4: Admission & Release

Policy 4-3: Intake Procedures

Policy:

The Madison County Detention Center shall begin the initial intake process upon completed observation for injury or illness, and reception of proper admission documentation and authority identification.

Procedure:

- 1) Inmates who are admitted into the Madison County Detention Center shall be placed into the diversion holding area until searches and booking procedures have been conducted. This area serves as a holding area until inmates can be booked or released, in addition to making their initial entry phone call.
- 2) Inmates who are admitted in an impaired state shall be confined in a detoxification cell. A Booking Deputy or the Shift Commander shall confine these inmates in a detoxification cell until deemed fit to enter general population.
- 3) Prior to being housed in any housing unit, inmates shall be patted down, unless reasonable suspicion exists that the inmate may be concealing contraband, then a strip search of the inmate will be conducted.
- 4) If an admitted inmate is deemed fit for an assignment to permanent housing, the inmate shall be strip searched, dressed into inmate attire, and permanent housing classification procedure shall be followed.

2022-2023

Chapter 4: Admission & Release
Policy 4-4: Admission Information

Policy:

Accurate and complete records shall be made and maintained for all newly admitted inmates.

Procedure:

- 1) The proper intake forms shall be completed in a manual handwritten fashion, or in the Madison County Detention Center computer database utilizing the proper application. The following items will be completed on intake forms:
 - A) Time and date of incarceration;
 - B) Name, aliases, nicknames, and maiden name, if applicable;
 - C) Official charging citation number with six (6) digit KRS number, or UOR number;
 - D) Authority ordering incarceration;
 - E) Governmental agency being billed;
 - F) Name and agency of arresting or committing officer;
 - G) Date of birth;
 - H) Race;
 - I) Sex;
 - J) Height and weight;
 - K) Current or last known address;
 - L) Telephone number;
 - M) Marital status;
 - N) Spouse or next of kin;
 - O) Emergency contact;
 - P) Employer;
 - Q) Social security number;
 - R) Mental health history;
 - S) Medical and mental health screen;
 - T) The name of any known person(s) within the Madison County Detention Center who may be a threat to the inmate.
- 2) The Intake forms shall be a permanent part of the inmate's records maintained by the Madison County Detention Center.

2022-2023

Chapter 4: Admission & Release

Policy 4-5: Searches

Policy:

Sworn Deputies will conduct searches on all inmates entering the Madison County Detention Center in order to prevent contraband from entering the facility and its housing units.

Procedure:

- 1) Sworn Deputies may conduct a pat down search of an inmate at any time. The least invasive form of searching is conducted.
- 2) A strip search of an inmate upon intake is only conducted when there is reasonable suspicion that they may be in possession of an item designated as contraband. The least invasive form of searching is conducted.
- 3) A strip search of a general population inmate is only conducted when there is reasonable suspicion that the inmate may be in possession of an item of contraband; or upon the return of an inmate who has left the confines of the facility for court, an outside appointment, or work detail. The least invasive form of searching is conducted.
- 4) Manual or instrumental inspection of body cavities is conducted only when there is reasonable suspicion that the inmate is concealing contraband within their body and will be conducted only by medical professionals with the authorization of the Jailer or designee.

2022-2023

Chapter 4: Admission & Release

Policy 4-6: Property

Policy:

The personal property of inmates shall be respected by all Madison County Detention Center staff and shall be handled with care to prevent loss or damage.

Procedure:

- 1) The Booking Officer shall inspect all personal property of the newly admitted inmate during the search, including:
 - A) Money;
 - B) All clothing items;
 - C) All contents of inmate's pockets;
 - D) Other items not part of the inmate's clothing such as: purses, backpacks, keychains, jewelry, wallets, etc.;
 - E) Any form of contraband.
- 2) Any cash or personal property taken from an inmate upon admission shall be listed and completely described on a personal property intake form. The Booking Deputy and the inmate shall sign the intake form. If the inmate is under the influence of intoxicants, is a mental inquest detainee, or is mentally ill, there shall be at least one witness to verify the transaction. As soon as the inmate is able to understand and account for their property, they shall sign the form and it will be stored in the inmate's personal file.
- 3) All property items shall be placed into a labeled property tote and logged into the computer database. Large items or excess property will be stored in a secured facility storage area.
- 4) All inmate property in the custody of the Madison County Detention Center shall be stored in the designated personal property room, or in an excess facility storage area, which shall be secured and inaccessible to unauthorized persons.
- 5) Personal Property released to a third party must have the approving signature of the inmate, signature of the third party, and the signature of the Deputy who performed the transaction. The third party must have a valid form of identification. Personal property releases are not to include any form of clothing items that would be necessary for the inmate to wear upon release from the facility.
- 6) The Madison County Detention Center requires the confiscation of all items that could be considered contraband or is not on the permitted items list.

2022-2023

Chapter 4: Admission & Release

Policy 4-7: Inmate Orientation

Policy:

Inmates of the Madison County Detention Center have the right to receive orientation concerning the rules, regulations, schedules, and disciplinary procedures utilized within the facility.

Procedure:

- 1) The Booking Deputy shall advise each newly admitted inmate of the facility's rules, regulations, schedules, and programs available and shall show the inmate where they are posted. This information should include:
 - A) Mail, phone, and visitation schedules;
 - B) Commissary rules;
 - C) Medical access procedures;
 - D) Work assignments;
 - E) Disciplinary procedures;
 - F) Rules of inmate conduct;
 - G) Program information;
 - H) Procedure to file grievances with facility staff, judicial staff, medical staff, or the Corrections Cabinet;
 - I) Prison Rape Elimination Act.
- 2) Special assistance shall be given to illiterate and non-English speaking inmates.
- 3) The Booking Deputy shall obtain the signature of the inmate on the orientation form. This is to verify that the inmate was notified of the posted information pertaining to rules and regulations.

2022-2023

Chapter 4: Admission & Release

Policy 4-8: Transfer or release

Policy:

No inmate of the Madison County Detention Center will be released or transferred unless the legality of the action is clearly established, and the identity of the inmate is certain. Inmates will be released within (24) of the receipt of appropriate documentation.

Procedure:

- 1) All documents providing for the release of an inmate shall be forwarded immediately to the respective circuit clerk.
- 2) Before the releasing Deputy begins the formal release process, the Deputy must verify the legality of the action. If the releasing Deputy processing the release forms has reason to question the validity of the documents, they are to notify the Shift Commander, the Jailer, or designee.
- 3) The releasing Deputy will make certain that no detainers, holders, or warrants are pending which might prevent the release or transfer by checking the inmate's file.

-If on a transfer, additional detainers, holders, or warrants are discovered and there is no indication of priority, the Jailer or his designee will be notified. If any detainers, holders, or warrants are discovered, the releasing Deputy will notify the agency from which it was issued, by the most rapid means possible.
- 4) If all records are in order, the releasing Deputy shall inform the inmate that they will be released as soon as possible.
- 5) Prior to an inmate's release, the releasing Deputy should positively verify the identity of the inmate.
- 6) A release form shall be filled and signed with the name of inmate, date and time of release, and purpose of release and transfer.
- 7) If the inmate is being transferred, the receiving authority shall be identified and required to sign an authorized body receipt form.
- 8) Before a Deputy releases an inmate to an out-of-state jurisdiction, they shall consult with the appropriate County Attorney's Office.

2022-2023

Chapter 4: Admission & Release

Policy 4-8: Transfer or release

- 9) The inmate will be told to gather their personal belongings and all Jail issued property from the cell and escorted to the booking/releasing area.
- 10) The releasing Deputy will begin the release process. During this process, the Deputy will:
 - A) Observe the inmate change into their street clothes. This is done to observe for contraband, any physical injuries or illness, or any other abnormality, which may have occurred during incarceration. If anything unusual is observed, the Deputy will notify the Shift Commander immediately.
 - B) Check the inmate's bedding and linen. Any damaged or lost items will be billed to the inmate.
 - C) All accounted for bedding and linen will be turned over to laundry trustees for cleaning.
- 11) All inmates being released shall be issued their personal property in the following manner:
 - A) The releasing Deputy will secure the inmate's property tote and any other personal property and inventory the items.
 - B) The inmate will sign the property release form to acknowledge receipt of all property.
 - C) The inmate will be advised to return on the next business day to the Administrative Office to receive any money on their commissary account.
- 12) In the event that an inmate refuses to sign the property return form, the releasing Deputy requests another Deputy to witness and sign the return of the listed items.

2022-2023

Chapter 5: Classification

Policy 5-1: Classification system

Policy:

In order to preserve the security and safety of the Madison County Detention Center, its staff, and its inmates, a classification system is in place and will be utilized for all general population inmates. Every inmate will be classified upon relocation to general population. There shall be no discrimination such as race, color, creed, or national origin.

Procedure:

- 1) The Classifying Deputy shall review the admissions records and any existing facility records concerning the inmate for the following information:
 - A) Current violent felony
 - B) Violent felony convictions
 - C) History of escape
 - D) History of institutional violence
 - E) History of institutional disruptive behavior
 - F) Current holder or detainer from another jurisdiction
 - G) Special needs
- 2) The Classifying Deputy shall use the approved objective Jail Classification (OJC) Instrument to classify the inmate with the information collected by the review of facility records and current admission record. Only factual information will be used to achieve OJC. All bias from personal feelings about the inmate will be omitted from the process.

-Any Deputy who is found to have altered an inmate's OJC from the provable facts will have their classification privileges revoked and may be subject to administrative action.
- 3) The Jailer or designee shall base selection of inmates for trustee status on the following criteria:
 - A) The nature of the inmate's offense(s)
 - B) Previous escape attempts
 - C) The inmate's daily behavior

2022-2023

Chapter 5: Classification

Policy 5-2: Housing Assignment

Policy:

Housing of inmates in the Madison County Detention Center shall conform to the established classification system for reasons of consistency, fairness, security, and safety.

Procedure:

- 1) The inmate classification system shall provide for the separation of the following categories of inmates.
 - A) Male and female inmates
 - B) Protective custody inmates
 - C) Mentally ill inmates
- 2) Prior to assigning an inmate to a cell, the Deputy shall check the cell roster board to determine which cells are currently available within the classification category of the inmate.
- 3) The Jailer or designee shall review housing assignments to ensure that classification categories and housing assignments comply with the Kentucky Jail Standards.
- 4) Once the inmate has been booked and a determination has been made that they will be housed in general population at the Madison County Detention Center, Deputies shall:
 - A) Conduct a strip search of the inmate.
 - B) Issue inmate clothing, linens, and hygienic supplies.
 - C) Place all personal property in a labeled property storage tote.
 - D) Place property storage tote in the property storage area.
 - E) Advise inmates housing assignment to the control tower operator.
- 5) Inmates will be housed according to their Objective Jail Classification. A housing plan in accordance with the OJC system will be available to Deputies. The Classification Coordinator will monitor this housing plan.
- 6) Assignment areas may change based on the number of inmates per classification.
- 7) Inmates that are considered special needs because of medical or mental health issues will be housed in isolation until the appropriate medical or mental health authority clears them.

2022-2023

Chapter 5: Classification

Policy 5-2: Housing Assignment

- 8) Inmates that are considered special needs due to the nature of their charge, or cooperation with law enforcement will be housed in a special needs housing cell.

2022-2023

Chapter 5: Classification

Policy 5-3: Administrative segregation

Policy:

Administrative segregation shall be used to separate those inmates who need to be isolated from the general population inmates. Inmates placed in administrative segregation shall receive all privileges granted to inmates in the general population. Exceptions to this would be certain materials or activities that may be a threat to the inmate's safety or the safety and security of the Madison County Detention Center.

Procedure:

- 1) Administrative segregation may be employed to separate inmates from the general population when they:
 - A) Cannot adjust to the general population environment.
 - B) Pose a serious threat to themselves, other inmates, or the security of the Madison County Detention Center.
 - C) Present a valid need for protection from other inmates as determined by Deputies with the approval of the Shift Commander.
 - D) Inmates charged with an infamous crime.
 - E) Have a communicable disease.
 - F) Require witness protection.
- 2) The decision to place an inmate in administrative segregation shall be made by Deputies on the basis of the following:
 - A) A request to be placed in segregation by the inmate. Such requests shall be made in writing, signed, and dated by the inmate.
 - B) Observations or reports from Deputies of persistent disruptive behavior, potentially disruptive behavior, or abnormal behavior that requires removal of the inmate from general population.
 - C) A report of issues from the general population inmates that is verified by Deputies.
 - D) Apparent need for protection.
 - E) Recommendation of judges, attorneys, or the arresting agency.
- 3) All surveillance checks shall be recorded on the appropriate logs. Checks shall be conducted at a minimum of once per hour.
- 4) If an inmate in administrative segregation by request decides that they no longer want to be segregated, they shall submit a written request to be removed. This request must be signed and dated by the inmate.

2022-2023

Chapter 5: Classification

Policy 5-3: Administrative segregation

- 5) Once a written request is received, Deputies shall reassign them to a regular housing unit appropriate with their classification. The Deputy performing the transfer shall complete an incident report.
- 6) When an inmate is assigned to administrative segregation the Jailer or designee will review their status every (72) hours. The Jailer or designee shall consider the following factors in the review:
 - A) Whether or not the conditions or circumstances that led to the segregation still exist.
 - B) The Deputy's observations of the inmate's behavior, attitude, and physical condition during segregation.
 - C) Any change in the risk presented to the inmate by placement in the general population.
 - D) The presence or absence of continued risk to the general population if the inmate is removed from segregation.
- 7) Each time a review is conducted, the process and results of that review shall be recorded.
- 8) Cells to be used for isolation purposes are: 034, 035, 036, 037, 040, 041, 049, 050, 059, 071, and 072. Inmates assigned to isolation cells are to be released from their assigned cell to shower once daily. The isolation area has its own shower facility in room 052. Room 052 is not to be used as a permanent housing cell. Under no circumstances shall inmates assigned to isolation be taken to another area for showering.

2022-2023

Chapter 6: Security and Control

Policy: 6-1: Surveillance

Policy:

It is the duty of every Deputy on duty to maintain regular surveillance of the inmates and their activities to ensure the safety and security of the facility, staff members, and inmates.

Procedure:

- 1) Regular Surveillance - Deputies on duty will conduct a visual inspection of each area that inmates are present, checking each inmate at a minimum of once every hour on an irregular schedule.
- 2) Special Surveillance - Mentally or emotionally unstable inmates, inmates identified as escape risks, inmates identified as suicide risks, detoxification cells, and mental inquest detainees shall be observed at a minimum of once every (20) minutes.
- 3) Observation - During surveillance rounds, Deputies shall observe inmate's behavior and appearance for unusual or questionable situations and events such as:
 - A) Bruising, cuts, or other bodily injury
 - B) Inmates expressing discontent or hostility
 - C) Signs of depression or malnutrition
 - D) Inmates not in their proper housing unit
- 4) Records - Deputies shall record any and all significant or unusual events that occur during their shift on the appropriate log sheet. The time when each surveillance round is conducted, and any specific areas checked shall be noted on the appropriate logsheet.
- 5) Change of Shift - When the relieving shift reports for duty, the Shift Commander being relieved shall direct the attention of the relieving commander to any significant or unusual events that have occurred during the shift. These events shall be noted on the cover sheet of the daily shift log.

2022-2023

Chapter 6: Security and Control

Policy: 6-2: Head Counts

Policy:

In order to prevent escapes and to ensure inmates are accounted for at all times, Deputies must make frequent and accurate head counts.

Procedure:

- 1) Before an inmate can be regarded as present, the Deputy conducting the head count must observe physical presence in addition to movement or speech of the inmate.
- 2) The head count shall be recorded on the appropriate log sheet and shall be signed by the conducting Deputy.
- 3) If the head count does not agree with the previous shift's count, including any subsequent recorded movement or inmates; the conducting Deputy shall immediately conduct a recount.
- 4) All admissions to, and removals from each housing area will be documented in writing on the control tower log sheet and documented in the following manner:
 - A) Inmate count form
 - B) Admissions and release forms
 - C) Isolation logs, if applicable
 - D) Detention Center computer database
- 5) There shall be at least three (3) documented inmate head counts every twenty-four (24) hours.

2022-2023

Chapter 6: Security and Control

Policy 6-3: Security Procedures

Policy:

All Deputies on shift shall be constantly alert to the need for safety and security and shall use all necessary means for maintaining safety and security.

Procedure:

1) Cell searches

- A) Deputies shall conduct special searches at any time that there is reasonable suspicion that contraband has been introduced to the area.
- B) First and second shift Deputies shall make every effort when time and security permits, to conduct routine searches of at least two (2) cells per shift, on a daily basis. Third shift Deputies shall conduct at least two (2) cell walk-throughs per shift, on a daily basis.

- 1. Before initiating a cell search, the inmates should first be removed from the cell. The Deputies who search the cell shall make every effort to leave the cell as neat and orderly as it was prior to the search being conducted.
- 2. Remove all linen from the bed and inspect them carefully. After inspecting the items, they are to be folded and set aside.
- 3. Closely and carefully examine mattresses, all furniture, sink and toilet, floor drains, ventilation grill, faucets, drains, and any openings in cell door tracks, light sockets, books, personal letters and papers, all containers, and small personal articles.
- 4. Examine all locking mechanisms to determine if they have or could be jammed.
- 5. Examine all panels and protective screens to determine if they have been loosened in preparation for removal or removed.
- 6. Following the cell search, no cell shall be left unlocked by Deputies.

- C) If contraband is located by Deputies during searches, the Shift Commander will be notified, and an incident report will be completed. The Jailer or designee will also be notified.

2) The Jailer or designee shall inspect the security and safety equipment on a monthly basis. This inspection may include, but is not limited to:

- A) All locking mechanisms
- B) All cell doors, cell areas, and the perimeter of the facility
- C) All video and audio monitoring devices
- D) First aid kits

2022-2023

Chapter 6: Security & Control

Policy 6-3: Security Procedures

- E) Fire extinguishers
 - F) Smoke detectors and fire alarms
 - G) Window casings and plates
 - H) Emergency communication equipment
 - I) Emergency electrical and generator systems
- 3) All hazardous or potentially dangerous materials, substances, tools, and supplies shall be used by inmates only under the direct supervision and authorization of Deputies.
- 4) All hazardous or potentially dangerous materials, substances, tools, and supplies shall be stored and secured in a location outside of the Madison County Detention Center.
- 5) All inmates shall be strip searched whenever reentering the Madison County Detention Center to exclude some inmates with trustee status, at the discretion of the Shift Commander.
- 6) Inmates shall never be permitted to perform or assist in any security related duties, nor shall any inmate be assigned to a position of authority over any other inmate. No inmate shall be given the responsibility of providing inmate services.
- 7) If any irregularities in safety and security are discovered during any cell searches, surveillance rounds, or security inspections, they are to be noted in the appropriate log sheet, a maintenance request form is to be filled if necessary, and an incident report completed and turned into the Jailer or designee. The Deputy in charge shall record dates and times of searches and inspections on the appropriate log.

2022-2023

Chapter 6: Security & Control

Policy 6-4: Weapons, Chemical Agents, & Security Equipment

Policy:

To ensure the safety and security of the Madison County Detention Center staff and inmates, no firearms shall be worn or carried in the confines of the facility, with the exception of the administrative office and sallyport. Deputies who have been certified and authorized by the Jailer may carry chemical agents and electronic control devices in the facility.

Procedure:

- 1) Firearms are never to enter the confines of the Madison County Detention Center unless under emergency conditions and approved by the Jailer.
- 2) All Firearms and any ammunition carried in an open-top fashioned carrier shall be secured in the designated weapons lockers outside of the secure area of the Madison County Detention Center.
- 3) Deputies supervising the entry to the Madison County Detention Center will require those that wish to enter to remove and secure firearms in the designated weapons lockers.
- 4) All chemical agents and electronic control devices assigned to, or in the custody of the Madison County Detention Center shall be stored in a secure location that is inaccessible to all unauthorized personnel.
- 5) All chemical agents and electoral devices assigned to, or in the custody of the Madison County Detention Center shall be inventoried each day and any irregularities shall be reported to the Jailer as soon as possible. Issuance of aforementioned agents and devices shall be maintained on a written log.

2022-2023

Chapter 6: Security & Control

Policy 6-5: Transports

Policy:

When a Deputy of the Madison County Detention Center must transport an inmate outside of the facility, safety and security will be the principal concerns.

Procedure:

- 1) The Deputy(s) who conducts transport operations will ensure that the inmate(s) are properly restrained utilizing mechanical hand and leg restraints, with a restraint belt.
- 2) Deputies of the Madison County Detention Center will conduct any vehicle transporting of inmates that is internal in nature.
- 3) When an inmate is transported by court order or writ, the Deputy in charge of the transport will ensure that the applicable legal forms are valid. When Deputies make a transport to another custodial facility, they must require the receiving institution to sign a verification of delivery form. All transports, including medical related, shall be documented on the control tower log sheet.
- 4) All inmates transported outside of the facility will be diligently searched before leaving the facility. This may include a strip search.
- 5) If Deputies of the Madison County Detention Center escort an inmate to court, the Deputies shall comply with all rules imposed by the presiding judge and shall be responsible for the movement, monitoring, and control of the inmate. Inmates will normally be transported to the Madison County Judicial Courts by the Madison County Sheriff's Office.
- 6) One (1) or two (2) Deputies may conduct transports, depending on the classification of the inmate(s) by approval of the Jailer or designee.

2022-2023

Chapter 6: Security & Control
Policy 6-6: Restraining Devices

Policy:

Restraining devices (i.e., handcuffs, leg shackles, and/or restraint chair) may be used by Deputies for the prevention of escape, self-harm, injury of another inmate or staff member, or the destruction of property. Restraining devices will never be used for punishment purposes.

Procedure:

- 1) When restraining devices are applied to an inmate, they will be used to restrict the movement of the inmate only to the degree necessary and will be affixed in such a way as to cause minimal discomfort and avoid injury to the inmate.
- 2) Inmates placed in restraints will be subject to more frequent observations by Deputies on duty. Inmates in restraints will be observed continuously.
- 3) No inmate will remain in any form of restraints for more than three (3) hours without examination by facility medical personnel.
- 4) Whenever an inmate is placed in restraints for self-protection or prevention of assault upon others, Deputies shall note the facts surrounding such restraint in an incident report and notify the Shift Commander.
- 5) Four (4) or five (5) point restraints are used only in extreme circumstances and only when other types of restraints would be deemed ineffective. Advanced approval is required from the Shift Commander before an inmate is placed in a four or five-point restraint device. At the discretion of the Shift Commander, the health authority or designee may be notified to assess the inmate's medical and mental health condition, and to advise whether, on the basis of serious danger to self or others, the inmate should be in a medical or mental health unit for emergency involuntary treatment with sedation or other medical management, as appropriate. If the inmate is not transferred to a medical or mental health unit and is restrained in a four or five-point position, the following minimum procedures are followed:
 - A) Continuous direct visual observation by staff prior to an assessment by the health authority or designee.
 - B) Restraint procedures are in accordance with guidelines approved by the medical health authority.
 - C) An incident report is to be completed, including all surrounding details and actions taken during the incident.

2022-2023

Chapter 6: Security & Control

Policy 6-7: Key Control

Policy:

The control and accounting of keys is crucial to the security of the Madison County Detention Center. At no time shall any inmate be allowed to possess any keys for any purpose. The on-duty Shift Commander is responsible for supervising the issuance and returning of all facility keys.

Procedure:

- 1) All keys within the facility shall be kept in a secure location inaccessible to unauthorized personnel when not in use.
- 2) Each time a Deputy needs to use a key, it shall be requested and approved by the Shift Commander.
- 3) All keys must be returned to the key cabinet by the end of each shift. When all keys are returned the Shift Commander shall be notified. The Relief Commander will inventory all keys at the shift change and sign the key inventory log sheet. Any irregularities, missing or damaged keys shall be noted on this sheet.
- 4) The loss or damage of a key or lock shall be noted in an incident report and the Jailer or designee shall be notified immediately. If the loss appears to have occurred within the facility, the Shift Commander shall order a lock-down and conduct a search for the missing key(s).
- 5) All locks of doors or gates to outside exits shall be keyed differently from interior locks.
- 6) The Shift Commander shall maintain a key-tracking log in the booking area. This log shall indicate who is in possession of each key at any given time. All keys must be signed in and out of the key box.
- 7) The Jailer or designee will inventory the key box and key tracking logs on a weekly basis.

2022-2023

Chapter 6: Security & Control

Policy 6-8: Special Inmates

Policy:

The Madison County Detention Center will maintain practices to ensure the safe, secure, and controlled management of special inmates including work release, community service, and trustee.

Procedure:

- 1) All work release and community service inmates shall be strip searched upon re-entering the Madison County Detention Center.
- 2) All special inmates will be housed separate from the general population.
- 3) Any inmate who is permitted outside the Madison County Detention Center without direct Deputy supervision shall be logged out and back in on the control tower log sheet.
- 4) No special inmate shall have access to, or control of any form of weapon.
- 5) At no time shall an unsupervised trustee be permitted in an area occupied by the opposite sex.
- 6) All trustees permitted outside of the facility will be frisk searched before returning to their housing unit.

2022-2023

Chapter 6: Security & Control

Policy 6-9: Logs & Reports

Policy:

The Jailer shall require and maintain specific reports and logs to ensure consistency of daily operations and to document in writing those activities concerning inmate security, rights, duties, and safety.

Procedure:

- 1) Deputies involved in, or witness to the following occurrences, shall provide a written report to the Jailer or designee as soon as security permits:
 - A) Use of force
 - B) Fire
 - C) Disciplinary action
 - D) Assault
 - E) Emergency medical treatment
 - F) Suicide, attempted suicide, or notification of suicidal intent
 - G) Escape or attempted escape
 - H) Inmate vandalism
 - I) Any other unusual incidents
- 2) The Jailer will ensure that daily activity logs are maintained, which documents in detail, the activities within the facility. Relief Commanders will review and initial the log upon assuming duties at the change of shift. The following activities shall be routinely noted in the logs:
 - A) Security and safety inspections
 - B) Inmate counts
 - C) Movement of inmates inside and outside of the facility
 - D) Medical treatment
 - E) Mental health treatment
 - F) Meal schedule and meals served
 - G) Special notices
 - H) Staff roster for each shift
- 3) A telephonic report to the Kentucky Department of Corrections shall be made of all extraordinary or unusual occurrences within twenty-four (24) hours of the occurrence, and a final written report within forty-eight (48) hours. This report shall be placed in the Madison County Detention Center records. Extraordinary or unusual occurrences shall include, but are not limited to:

2022-2023

Chapter 6: Security & Control

Policy 6-9: Logs & Reports

- A) Death of an inmate;
 - B) Attempted suicide or suicide;
 - C) Serious injury, whether accidental, self-inflicted, or third party inflicted;
 - D) Attempted escape or escape;
 - E) Fire;
 - F) Riot;
 - G) Assault, whether by staff or inmate;
 - H) Sexual assaults;
 - I) Occurrence of a contagious or infectious disease, or illness within the facility.
- 4) Deputies shall record the date, time, party, and number called each time an inmate uses the telephone. Exceptions to this are where in-cell telephone services are provided. A log will be maintained for each inmate.
- 5) Before visitors are admitted for inmate visits, each visitor shall register with the receptionist or Deputy, who shall record the visitor's name, address, date of visit, and relationship to the inmate. The receptionist or Deputy shall then notify the Shift Commander that the inmate has a visitor. The Shift Commander will then notify the inmate and appropriate Deputy to coordinate the visit.
- 6) Monthly fire drills on every shift will be documented in writing. Any unusual occurrences during fire drills will be documented in an incident report to the Jailer or designee.

2022-2023

Chapter 6: Security & Control

Policy 6-10: Use of Force

Policy:

The Madison County Detention Center uses physical force only for the prevention of escapes, protection of staff, inmates, and others, the prevention of substantial damage to, or loss of county property, prevention of suicide or self-harm, and to enforce the rules of the facility while maintaining security and control over inmates. Only the minimum amount of force necessary to gain control of the inmate(s) will be used. All reasonable steps will be taken to reduce and prevent any incident or necessity for the use of force.

Sources:

Kentucky Revised Statutes: 503.010, 503.050, 503.060, 503.070, 503.080, 503.090, 503.100, 503.110, and 500.080(15)

Definitions:

Physical force - Force used upon, or directed toward the body of another person, including confinement and/or restraint.

Deadly physical force - Force used that may possibly cause death or serious physical injury.

Escape - The unlawful departure from custody or from a detention facility, in which a person is held or detained, with the knowledge that the departure is not permitted, or failure to return to a custody or detention facility following a temporary leave granted for a specific purpose and for a specific period.

Self-Protection or Protection of Others - Physical force believed necessary to protect oneself or another against the threat of imminent danger. Imminent means the person is immediately "there and then" in harm's way.

-There will be some basis for believing that physical force is necessary for self-protection or to protect another. The physical force used to repel an attack will not be in excess of that actually believed necessary to remove the threat of danger. Sworn staff will use only techniques taught in training as methods of protection. Deadly physical force will be used only if it is believed necessary to protect oneself or another from imminent death, serious physical injury, kidnapping, or sexual assault compelled by a threat.

Security Restraint Equipment - Authorized equipment used to control or restrain inmates.

Serious Physical Injury - Physical injury that creates a substantial risk of death, serious prolonged impairment to health, or loss or impairment of a bodily organ or appendage.

2022-2023

Chapter 6: Security & Control

Policy 6-10: Use of Force

Suicide Prevention - Non-Lethal physical force actually believed necessary to prevent an inmate from committing suicide or inflicting serious injury upon themselves.

Procedure:

- 1) Sworn Deputies in a position where use of physical force against an inmate may be necessary will be trained in the use of force.
- 2) Only the types of physical force currently approved by the Jailer will be used against an inmate.
- 3) Every effort will be made to videotape an incident where force is involved, including the efforts of the Deputies to persuade the inmate to comply with orders prior to the use of force. A copy of the facility surveillance should be kept and/or attached to the incident report.
- 4) In all cases involving the use of force, Deputies will take photographs of the inmate's injuries. Photographs will be taken even if no signs of physical injury are present.
- 5) All incidents involving use of force will be fully documented in an extraordinary incident report. The report will include:
 - A) Whether the incident was video/audio taped or the reason(s) it was not.
 - B) Copies of all photographs, video, and audio recordings.
 - C) The name(s) of Deputy(s) involved in the incident.
 - D) The Deputy responsible for photographing the inmate and scene of the incident.
 - E) The number of photographs that did not properly develop or are unusable.
- 6) All staff involved in, or witnessing, an incident involving the use of force will submit a written account of the incident before completion of their shift on that date. The report will specify the date and time the report is completed.
- 7) Guidelines for use of force; the degree of force employed depends on the circumstances and facts of the incident and is controlled by the following factors:
 - A) The degree of force threatened by or used by the inmate(s).
 - B) The Deputy's reasonable perception of the force threatened or used by the inmate(s).
 - C) Alternatives to use of force available to control the situation.

2022-2023

Chapter 6: Security & Control

Policy 6-10: Use of Force

8) Force is justifiable in the following situations:

- A) To protect oneself from personal harm.
- B) To defend, aid, or protect other staff, inmates, or third parties from personal harm.
- C) To prevent the commission of felonies to include escapes.
- D) To prevent suicides, or other serious self-inflicted physical injuries.
- E) To enforce institutional rules and regulations.
- F) To prevent serious damage to Madison County Detention Center property.
- G) To prevent or stop an inmate disturbance or riot.

9) Every use of force greater than a verbal command will require an incident report to be completed. All Deputies involved will be required to attach a supplement of their actions and or witness statements to the original incident report.

10) Any Deputy who uses force not in compliance with the Madison County Detention Center use of force policy shall immediately be relieved of all duties by the Shift Commander and be required to exit the facility. The Shift Commander will then send all materials and reports to the Jailer or designee for an internal investigation. Shift Commanders who do not follow this policy will also be subject to administrative action.

Definitions:

- 1) Deputy Presence - A uniformed Deputy who clearly identifies their self.
- 2) Verbal Command - Ordering an inmate to cease their actions immediately.
- 3) Escort - Removal of an inmate from an area in which they pose a threat.
- 4) Soft Physical Techniques - Chemical agents, electronic control devices, pressure points, physical restraints, and capture shields. Compliance results from the inmate wishing to relieve physical discomfort. Soft physical techniques have a moderate probability of compliance, as well as a lower risk of physical injury.
- 5) Hard Physical Techniques - A punch, kick, throw, or stun. Hard physical techniques have a higher probability of compliance, as well as a higher probability of injury.
- 6) Impact Weapon - Impact weapon strikes, such as batons or riot batons. These weapons have a very high probability of compliance, as well as a very high probability of injury.
- 7) Deadly Force - Firearms or any less lethal force when applied to the head, neck, or genitals.

2022-2023

Chapter 6: Security & Control
Policy 6-10: Use of Force

Use of Force Continuum

- 1) Mechanical Restraints - A Deputy may use mechanical restraints for:
 - A) Inmate(s) who are combative towards staff or others.
 - B) Inmate(s) threatening to harm themselves.
 - C) Inmate(s) who pose a threat to the security of the facility.
 - D) Inmate(s) attempting to cause a substantial amount of damage to property of the Madison County Detention Center.

- 2) Restraint Chair - A Deputy may use a restraint chair to restrain inmates for a prolonged period of time. Inmates placed into the restraint chair will be subject to constant observation by Deputies on duty. Inmates in the restraint chair shall be removed at least once every three (3) hours to use the restroom and be examined by facility medical staff. If medical staff is not available, the shift supervisor shall examine the inmate. The restraint chair may be used for:
 - A) Inmate(s) who are combative towards staff or others.
 - B) Inmate(s) threatening to harm themselves.
 - C) Inmate(s) who pose a threat to the security of the facility.
 - D) Inmate(s) attempting to cause a substantial amount of damage to property of the Madison County Detention Center.

- 3) Oleoresin Capsicum (OC) Spray - A Deputy may be issued a canister of OC spray when the Jailer or designee determines that the Deputy is properly trained and certified in its proper use. OC spray will only be used by Shift Commander approval, unless a Deputy is in a situation that requires action to be taken immediately. OC spray may be used for the following situations:
 - A) To protect staff member(s) from imminent danger.
 - B) To protect inmates from each other in a violent situation.
 - C) To control and restore order to an area.
 - D) To control disruptive behavior.

2022-2023

Chapter 6: Security & Control

Policy 6-10: Use of Force

- 4) Electronic Control Devices (ECD) - A Deputy may be issued or permitted to carry an ECD when the Jailer or designee determines that the Deputy is properly trained and certified in its proper use. These devices are intended to temporarily incapacitate non-compliant inmates and shall only be used by a Deputy when they are in a situation that requires action to be taken immediately. When using an ECD Deputies are never to intentionally target the sensitive areas such as the head, neck, genitals, or female breasts. The primary target area is the torso, and the secondary target is the arms or legs. If fired in probe mode, the Shift Commander will be the only person authorized to remove the probes unless the probes land in a sensitive area. Probes in a sensitive area shall be removed by facility medical staff or trained medical professionals.
 - A) To protect staff member(s) from imminent danger.
 - B) To protect inmates from each other in a violent situation.
 - C) To control and restore order to an area.
 - D) To control disruptive behavior.
- 5) Hard Physical Techniques - Hard physical techniques will be authorized when lesser amounts of force have failed or are not reasonably available or ready to deploy.
- 6) Impact Weapons - Impact weapons will be authorized only when lesser amounts of force have failed or are not reasonably available or ready to deploy. Impact weapons should be used carefully due to the high probability of injury.
- 7) Deadly Force - Deadly force will be used only if there is reasonable belief that it is necessary to protect oneself or another from possible death, serious physical injury, kidnapping, or sexual assault, compelled by threat of death or serious physical injury.

2022-2023

Chapter 6: Security & Control
Policy 6-11: Firearms

Policy:

The Madison County Detention Center Deputies may carry firearms once they have completed the minimum training required by the Kentucky Department of Corrections and are certified by the Jailer or designee. Deputies will be permitted to carry a personal firearm that shall be in a clean, working order at all times, free from defect and approved by the Jailer or designee. Deputies may only carry jacketed hollow-point ammunition for both on and off duty carry.

Procedure:

Madison County Deputy Jailers who wish to carry a firearm will be required to pass the facility firearms training course and qualification prior to being permitted to carry a firearm on or off duty. Each staff member will be required to qualify annually. Any Deputy that fails the initial qualification or annual qualification will not be permitted to carry a firearm on or off duty until they have passed the qualification test.

Permitted Firearms and Ammunition:

- 1) Staff members are expected to provide their own firearm if they wish to carry on or off duty. Any firearm that fires ammunition in the standard "handgun" range will be permitted once it is approved by the head firearms instructor/range master. Firearms that fire rifle rounds, shotgun rounds, or small caliber handgun rounds will not be permitted.
- 2) Ammunition will be jacketed hollow point that is produced by a reputable manufacturer. Full metal jacket, lead, compressed copper, zinc, and reloaded ammunition is permitted for practice only, and shall not be carried on or off duty.

2022-2023

Chapter 6: Security & Control
Policy 6-11: Firearms

Carrying Firearms On and Off Duty:

- 1) Deputies who choose to carry while on duty will use a minimum of a level one (1) holster that provides a minimum of thumb break retention, or an internal trigger guard lock. Deputies will never carry the firearm in a careless or negligent manner and will only draw or brandish the weapon for law-enforcement purposes.
- 2) Deputies shall not discharge a firearm for the purpose of firing “warning shots.”
- 3) Any Deputy involved in drawing or discharging a firearm other than a training and/or sporting/recreational manner shall immediately report the incident to the on-duty Shift Commander and complete an incident report as soon as possible. The Shift Commander will notify the Jailer of any use of firearms by Deputies as soon as possible. The written report will include but is not limited to:
 - A) Names and addresses of witnesses
 - B) Extent of any injuries if applicable
 - C) Hospital and doctor providing treatment
 - D) Number of shots fired
 - E) Distance
 - F) Lighting conditions
 - G) Time of day
 - H) Serial number, make, and model of firearm used
 - I) Circumstances requiring the use of a firearm
- 4) While in the state of Kentucky, Deputies carrying a firearm in civilian clothing must have a Madison County Detention Center badge and/or county government issued identification card in their possession. Deputies wearing civilian clothing conducting official business may open carry a firearm in an approved holster and must have a Madison County Detention Center badge openly displayed in a professional manner. In all other circumstances Deputies will carry firearms in a reasonably concealed manner.

Training:

Each Deputy who wishes to carry a firearm on or off duty will complete the training course designed by the head firearms instructor and approved by the Jailer. Only the firearms instructor present for the qualification course will be permitted to sign the completion form for Deputies.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-1: Fire Prevention

Policy:

Deputies shall make every effort to prevent the occurrence of fires in the Facility through proper supervision of inmates and control of flammable materials in all cell areas of the facility, particularly inmate occupied sections. In the event of fire, the primary objective shall be the protection of lives of inmates, staff, and visitors. No rule or set of rules can completely cover procedures to be utilized in the event of fire, but the following steps should be taken.

Procedure:

- 1) The Jailer may designate a "Fire Prevention Deputy."
- 2) The Jailer or Fire Prevention Deputy shall be responsible for:
 - A) Ensuring that the facility is inspected by the on a semi-annual basis.
 - B) Ensuring that all fire detection and alarm equipment is tested on an annual basis, inspected on a monthly basis, and documented on the daily log.
 - C) Ensuring that a floor plan outlining evacuation routes and location of firefighting equipment is kept current and posted.
 - D) Ensuring that the Deputies enforce the following rules:
 1. Trash will be disposed of at a minimum of once per day.
 2. There will be no hoarding, storing, or stockpiling of paper products or other flammable materials (I.e., toilet paper, magazines, pictures, jump suits, sheets, etc.).
 3. Nothing is to be posted to the walls of occupied inmate areas.
- 3) The Jailer or Maintenance Deputy shall work with the local fire officials to develop a written evacuation plan, which shall be posted where it is accessible to Deputies. The plan shall include an outline for fire planning sessions, which are held quarterly. Fire drills organized by the Jailer or designee shall be conducted monthly, on each shift, and documented in writing on the shift log.
- 4) In the event of a fire of any magnitude, the shift commander will contact the Fire Prevention Deputy as soon as it is safe to do so.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-1: Fire Prevention

- 5) When a Deputy discovers or is notified of a fire, they will inform the control tower immediately, stating the nature and exact location of the fire (pile of clothes, mat, machine, etc.). If any Deputy is notified of a fire by an inmate, kitchen staff, visitor, or any other person who is not a Madison County Deputy Jailer, the Deputy will immediately investigate the report for accuracy before initiating fire procedures.
- 6) Upon being informed of a fire, or if the fire alarm sounds, the supervisor shall:
 - A) Instruct the control tower to identify the area of the alarm. Direct Deputies to the area for assessment of the situation.
 - B) Instruct the control tower operator to manually turn on the smoke evacuation system if it did not turn on automatically.
 - C) Call Madison County 911 to relay the status of the alarm AND request the assistance of the Richmond Police Department for back-up, if necessary.
 - D) Notify the Jailer or designee, and the Fire Prevention Deputy.
 - E) Direct Deputies to relocate inmates in the affected areas to the appropriate evacuation areas as described in the fire evacuation plans located throughout the facility.
 - F) Direct Deputies to secure other inmates in their cells (if in unaffected area), escort visitors out of the building, and proceed to the affected fire area to provide assistance.
- 7) The Shift Commander shall be responsible for the direction and coordination of all Deputies and support agencies to include the firefighters, until the Jailer or designee arrives on-scene. The shift commander or incident commander shall work with the fire department representative to coordinate all aspects of the fire evacuation and mitigation.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-2: Escape

Policy:

Since the custody of inmates is a primary mission of the Madison County Detention Center, whenever such custody is breached, the Deputies shall give the highest priority to the apprehension of the escapee.

Procedure:

- 1) The Deputy who first discovers an escape or apparent escape will:
 - A) Immediately advise the shift commander and give the following information:
 1. Name(s) of the escapee(s);
 2. Mode of transportation of the escapee(s);
 3. Time of the escape.
 - B) Secure the area from which the escape was made.
 - C) Secure all inmates in the vicinity of the escape area.
 - D) Place a freeze on all inmate movement and conduct an inmate count.
- 2) The shift commander immediately, upon being notified of an escape, will:
 - A) Provide the description and other pertinent information from inmate's admission and release form to the Madison County Sheriff's Office, Richmond Police Department, and Kentucky State Police.
 - B) Notify the Jailer and/or designee and the Judge Executive.
- 3) The Jailer will initiate an immediate investigation and order that all personnel involved file written reports as soon as possible.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-3: Hostage

Policy:

When an inmate, visitor, or staff member is taken hostage in the Madison County Detention Center, protection of the hostage, prevention of escape by the abductor, and prevention of the use of deadly force shall become the primary objectives.

Procedure:

- 1) The Deputies on duty shall immediately isolate the area within which the hostage is being held to prevent the abductor from leaving the area.
- 2) All Deputies on duty will be notified of the hostage situation and location. The Jailer and the Judge Executive shall be notified immediately. Local, state, and FBI authorities shall be notified.
- 3) The Jailer or shift commander shall appoint a negotiator. The negotiator shall:
 - A) Attempt to convince the abductor to release the hostage.
 - B) Be provided with all files, records, background, and history of the abductor.
- 4) The Madison County Sheriff's Office, Richmond Police Department, and Kentucky State Police shall be called and asked to assist in the maintenance of perimeter security as well as hostage negotiation.
- 5) Only the amount of force necessary to prevent the abductor from escaping or causing serious bodily injury or death to the hostage shall be used.
- 6) No firearms shall be introduced into the facility unless authorized by the Jailer or designee.
- 7) All Deputies on duty and involved in the hostage situation shall submit written reports to the Jailer.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-4: Riot

Policy:

When a riot situation (an uncontrolled violent disturbance by the inmates) develops, the following procedures will be put into operation to bring rioting inmates and the area they control under staff control with the minimum injury to visitors, staff, and inmates with the minimum amount of damage to property.

Procedure:

- 1) Deputies shall immediately isolate the area of rioters and lock down inmates not involved in the riot in a confinement area outside of the isolated perimeter.
- 2) If hostages are involved, procedures for dealing with hostage situations shall be followed.
- 3) As soon as possible, Deputies will notify the Jailer or designee, Madison County Sheriff's Office, Richmond Police Department, and Kentucky State Police. The Jailer shall determine the manpower necessary to quell the riot.
- 4) The Jailer, designee, or shift commander shall determine what equipment the Deputies will use in the attempt to diffuse the riot.
- 5) All doors that can be locked shall remain locked after all non-involved inmates, staff, and visitors have been extricated from the riot area.
- 6) The Jailer or designee (if available) shall make the decision to take appropriate action against the rioters. If the situation warrants immediate action, the Shift Commander on duty will have full authority to take appropriate action. Only reasonable and necessary force shall be used.
- 7) After the riot has been subdued, the Deputy-in-charge shall ensure that:
 - A) Injuries to Deputies and inmates be treated.
 - B) Rioters are identified and isolated from the general population.
 - C) Damage be assessed, and appropriate maintenance be provided.
 - D) Lock-down of non-rioting inmates be ended and normal routine resumed as soon as possible.
 - E) Written reports are filed by all witnesses and the prosecutor's office is notified to decide if criminal charges are to be filed against rioters.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-5: Medical Emergency

Policy:

In the event of mass illness among the inmates, the Jailer shall ensure that all inmates are examined and treated medically and that every effort is being made to discover the source of the mass illness and that measures be taken to prevent the mass illness.

Procedure:

- 1) All affected inmates shall be examined and treated by the medical personnel.
- 2) All contaminated material shall be preserved for analysis by the Madison County Health Department.
- 3) The Jailer or designee shall ensure that is notified of the incident and supplied with all information pertinent to the outbreak.
- 4) All local and state health and sanitation regulations will be complied with.
- 5) The Jailer will ensure that any conditions or procedures which would contribute to avoiding future occurrences or are ordered and fully complied with.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-6: Mass Arrest

Policy:

When the number of persons requiring detention as the result of a major civil disturbance resulting in mass arrests exceeds the maximum capacity of the facility, the secure housing of inmates shall be the primary objective.

Procedure:

- 1) The Jailer shall, upon notification of a civil disturbance resulting in the arrest of such a number of persons that would cause the capacity of the facility to be exceeded, provide for additional housing.
- 2) The Jailer shall obtain additional personnel which he considers necessary to provide:
 - A) Security for the increased number of inmates;
 - B) Admission, bailing, and release processing;
 - C) Support services;
 - D) Request the District Court Judge to set up court proceeding in the arraignment room.
- 3) The Jailer shall determine what additional equipment and supplies will be necessary to adequately accommodate the increased number of inmates. This will include but is not limited to:
 - A) Beds and bedding
 - B) Personal hygiene items
 - C) Food supplies

2022-2023

Chapter 7: Emergency Procedures

Policy 7-7: Natural Disaster

Policy:

The Jailer shall implement procedures which will affect an orderly and secure evacuation of visitors, inmates, and staff, and to protect and safeguard lives in the event of a natural disaster such as floods, earthquakes, tornadoes, or toxic agent release.

Procedure:

- 1) The decision to evacuate shall be made by the Jailer. In the event of an inability to contact the Jailer and there is imminent danger to the facility, a shift supervisor or the Jailer's designee can decide to evacuate all persons from the facility.
- 2) As soon as the decision is made to evacuate, Deputies will notify inmates that an emergency evacuation is in progress.
- 3) Inmates shall first be directed to the recreation areas. Visitors will leave through the public entrance. Inmates will be counted at this point, and count checked with last head count.
- 4) All inmates shall be assembled safely outside of the area threatened by the natural disaster.
- 5) At the time that all inmates have been assembled, security requirements such as additional manpower and equipment shall be ordered by the Jailer.
- 6) At the point when all inmates have been evacuated and secured, the Deputies, if not exposed to hazards or danger, shall remove the Madison County Detention Center's records, weapons, and valuable inmate property from the facility.
- 7) The Jailer shall inspect the facility following a natural disaster and obtain professional consultation in an effort to return the facility to an operable state.
- 8) The Jailer shall determine in advance, as a part of the natural disaster plan, which facility/facilities shall be utilized for confinement of inmates.

2022-2023

Chapter 7: Emergency Procedures

Policy 7-8: Suicide, Attempted Suicide, Death of an Inmate

Policy:

In the event of a suicide, attempted suicide, or death of an inmate, the Shift Commander and staff of the facility shall take all actions necessary to provide medical assistance to the facility medical staff/EMS. The staff will also work to preserve the scene and they shall cooperate with all medical and investigative authorities.

Procedure:

- 1) The Deputy who first witnesses or discovers an inmate who appears dead or had made a physical attempt at suicide will:
 - A) Use emergency medical procedures.
 - B) Deputies shall not enter housing areas until the other inmates have been secured and/or back-up assistance arrives.
 - C) While waiting for back-up, the Deputy may request the assistance of inmates.
- 2) Inmates who have attempted suicide will be referred to Mental Health triage.
- 3) Identification and investigation
 - A) Deputies will remove all inmates and seal off the scene in order to preserve it.
 - B) Notify the Jailer.
 - C) Upon verification of death by the medical personnel, the Jailer will:
 1. Notify the Madison County Coroner's Office if EMS has not already done so.
 2. Notify the Kentucky State Police.
 3. Order that a post-mortem examination in accordance with KRS 72.025 and Kentucky Jail Standards be conducted on the inmate.
 4. Determine the status of the deceased.
- 4) The Jailer will assign staff to complete the following tasks:
 - A) If the deceased was a federal, immigration, or military inmate, notify the appropriate agency immediately to advise of the death.
 - B) If the deceased was being held on a warrant from another jurisdiction, notify that jurisdiction.
 - C) Obtain the name, address, and telephone number of the emergency contact shown in the inmate's file.
 - D) Notify the appropriate relative or other person and tell them whether or not the inmate's property may be released.
 - E) Notify the court(s) to which the inmate's case(s) is/are assigned.
 - F) Implement routine "book-out" procedures in order to complete facility records.
 - G) Collect all property of the deceased.
- 5) Deputies involved shall file incident reports.

2022-2023

Chapter 8: Medical Services

Policy 8-1: Health Care

Policy:

All Madison County Detention Center inmates shall be entitled to health care comparable to that available to citizens and the surrounding community. Medical care at the facility shall be delivered under the direction of licensed medical staff. No Deputy or other employee shall ever summarily or arbitrarily deny an inmate request for medical services.

Procedure:

1) Staff:

- A) Medical staff is responsible for the medical services at the facility. This authority is supported by a written agreement between the Madison County Detention Center and the licensed medical staff. The medical staff is on call to the facility at all times, and their telephone number is posted in the booking area.
- B) The medical staff shall deliver services as ordered by the attending physician and shall not be restricted by the Jailer in their performance except to adhere to the security requirements of the facility.
- C) Emergency treatment is available through the local hospital.
- D) In some cases, Deputies can perform health related duties as described in their job descriptions.
- E) Any qualified health personnel shall provide the Jailer with copies of current state licenses and/or certifications which shall be part of the employee's personnel file.
- F) Inmates shall not perform any medical functions within the Jail.
- G) All medical procedures shall be performed according to written and standing orders issued by the responsible medical authority.
- H) Medical research shall not be permitted on any inmate in the Jail.

2) Training

The Madison County Detention Center staff shall be trained and certified and cardio-pulmonary resuscitation (CPR). All Deputies shall be trained in basic first aid, as defined by the American Red Cross.

3) Log

A daily medical log shall be maintained documenting specific medical treatment in the Jail. This log shall be kept current to the proceeding hour by medical staff.

2022-2023

Chapter 8: Medical Services

Policy 8-2: Health Appraisal Data

Policy:

Health appraisal data and medical screening for each inmate shall be collected in order to properly classify inmates, promote awareness, of a response to their medical conditions and maintain adequate records of the inmate's health status.

Procedure:

1) Preliminary Health Screening

- A) The Booking Deputy shall conduct the initial health screening at booking.
- B) This screening shall occur before inmate is placed in living area.

2) Form

The medical screening shall be recorded on a printed medical screening form that is approved by the medical staff and shall include, but is not limited to:

- A) Current illness and health problems;
- B) Medications taken and special health requirements;
- C) Screening of other health problems designated by the medical staff;
- D) Behavioral observations, state of consciousness and mental status;
- E) Notation of body deformities, markings, bruises, lesions, jaundice, ease of movement and other distinguishing characteristics;
- F) Condition of skin and body offices, including rashes and infestations;
- G) Disposition and referral of inmates to qualified medical personnel on an emergency basis.

2022-2023

Chapter 8: Medical Services

Policy 8-3: Medical Complaints and Records

Policy:

The Madison County Detention Center's inmates can make medical complaints daily for review by qualified medical staff to ensure appropriate medical attention. Medical records access shall be controlled by the Jailer.

Procedure:

1) Notification

At the time of admission, the Booking Deputy shall inform inmates both verbally and in writing of the procedures for obtaining medical care. The information may be included in the medical screening form which is signed by inmate upon admission.

2) Sick Call

The medical staff shall examine those inmates who require their attention. The medical staff on duty shall prepare the list of inmates requiring medical attention. Sick call conducted by the medical staff should be available to each inmate as follows:

- A) Minimum three (3) times per week.
- B) Attending physician will perform sick call a minimum of one (1) time per week.

3) Requests

Inmate requests for medical care shall be documented on a request slip. The slips shall be provided by the Deputies and medical staff upon request and shall be collected daily by medical staff.

4) Notification of Complaint

The Deputy shall immediately forward these slips to the medical staff. Cases shall be referred according to the medical staff's instructions.

- A) To the medical staff's office for treatment.
- B) To the appropriate Hospital Emergency Room for immediate examination/treatment.
- C) To the regularly scheduled sick call visit by the medical staff.

5) Records

The medical staff shall record all examinations, treatments, etc. in the inmate's medical file. The medical staff shall file all medical complaint slips and shall note the inmate's sick call visit.

2022-2023

Chapter 8: Medical Services

Policy 8-3: Medical Complaints & Records

6) Orders

Any order(s) given by the medical staff for an inmate shall be attached to the inmate's file. Each shift shall be responsible for checking the log and following all medical staffsorders as noted.

7) Access

The medical staff and the Jailer shall control access to the inmate's medical file. The medical staff-patient privilege applies to the medical record. The medical record is separate from custody, and other administrative records of the Madison County Detention Center.

8) Informed Consent

All examinations, treatments, and procedures affected by informed consent standards in the community shall be observed for inmate care.

9) Delousing

Upon admission and on a frequent basis following admission, the personal cleanliness of the inmate should be monitored, and inmates exhibiting signs of lice shall be required to shower and use delousing solutions approved by the medical staff.

10) Alternative Sources of Treatment

An inmate who has been prescribed treatment by a recognized medical authority and cannot receive that treatment in the Madison County Detention Center shall be moved to another confinement facility or hospital that can provide the treatment.

11) Inmates will be given foot fungus treatment when necessary.

2022-2023

Chapter 8: Medical Services

Policy 8-4: Emergency Medical Services

Policy:

Emergency medical services are available 24 hours a day to inmates (with approval of the shift commander) to ensure prompt emergency medical attention. All Deputies are trained to respond to medical emergencies, since an inmate's life may depend on appropriate first-aid. Emergency medical, dental, and psychiatric care shall be available to all inmates if the level of such care is available to the community.

Procedure:

1) Emergency Definition

Any of the following occurrences shall constitute an emergency, and their presence will initiate the medical emergency care plan:

- A) Severe bleeding
- B) Unconsciousness or multiple/prolonged seizure
- C) Serious breathing difficulties
- D) Head injury
- E) Severe burns
- F) Severe pain
- G) Suicide attempt
- H) Sudden on-set of bizarre behavior
- I) Health of life-threatening situations
- J) Drug or alcohol withdrawal

2) Notification

The Deputy confronted with a medical emergency will:

- A) Immediately administer first-aid.
- B) Call the medical staff in accordance with the medical emergency care plan and relay the emergency information. All numbers for the medical staff and other medical emergency personnel are posted in the control tower and booking areas.

3) Isolation

When necessary and/or possible, Deputies shall move the inmate to a holding cell or remove the other inmates from the scene.

4) First Aid Equipment

The first-aid box is located in the booking area.

2022-2023

Chapter 8: Medical Services

Policy 8-4: Emergency Medical Services

5) Records

The Deputy shall contact the supervisor and advise them of the problem. The Deputy shall file an incident report as soon as possible after the incident has ended and note incident in the daily shift log.

6) Emergency Instructions

The Deputy shall comply with the medical staff's instructions.

7) Transport

A) Emergency

If the inmate is transported to a hospital or the medical staff office, transportation will be provided by an emergency medical services unit, with an accompanying Madison County Detention Center Deputy.

B) Non-emergency

Transportation will be provided by a Madison County Detention Center Deputy.

8) Medical Emergency Care Plan

A) Be aware that an emergency can occur at any time.

B) Be ready to observe or be notified of an emergency.

C) First-aid must be given immediately.

D) Telephone the emergency transport unit.

E) Call for assistance from other Deputies/law enforcement.

2022-2023

Chapter 8: Medical Services

Policy 8-5: Medications

Policy:

To ensure the inmates receive the proper medications prescribed by the medical staff and that the medications be stored and administered in accordance with medical standards.

Procedure:

1) Storage

All medications (both prescription and non-prescriptions) and all needles/syringes are to be stored in a locked cabinet in the medical room, to exclude the glucose monitoring kit in booking.

2) Setting Up Medication

The medical staff in accordance with orders of the physician shall set up medication.

A) Inmates that are booked in with medication on their person

1. Medication should be inventoried, verified, counted, and bagged with identification, then deposited into the medical safe.

B) One of the two inmate medical questionnaire forms that are produced from the booking process should be placed in the "Medical" inbox for pickup by medical staff to determine immediate medical needs (if any) of the inmate.

C) Only in an emergency situation, and at the direction of Jail medical staff will Deputies distribute medication to an inmate that is not regularly scheduled to them.

3) Refusal

If an inmate refuses medication, the Deputy will note this fact on the log sheet, initial it, and notify the control tower operator. The Deputy may complete an incident report at their discretion.

4) Reporting

The Madison County Detention Center shall process all approved medical costs to the Controlled Intake or CSC Prisoners for reimbursement.

2022-2023

Chapter 8: Medical Services
Policy 8-6: Mental Problems

Policy:

Many persons committed into a facility bring with them serious mental problems while others begin to experience such problems after being confined in a facility. This necessitates close observation an appropriate referral and treatment.

Procedure:

1) Referrals

If a Deputy observes an inmate exhibiting signs of emotional instability or psychological distress, the inmate shall be placed in isolation for observation and the medical staff shall be notified immediately.

2) Orders

The medical staff shall determine the appropriate medical action(s) to be taken, and the Shift Commander shall determine what security precautions must be followed.

3) Suicide Prevention

Any inmate who is under observation due to suicidal tendencies shall have the following items removed from his cell:

- A) Items with which they could hang themselves.
- B) All sharp objects.

4) Deputies shall routinely observe all inmates; especially those newly admitted or just sentenced for abnormal behavior indicative of potential suicide, such as:

- A) Depression
- B) Sleeping difficulties
- C) Withdrawal from others
- D) Apathy, despondency
- E) Slow walking
- F) Slumped sitting
- G) Frequent crying
- H) Easily fatigued
- I) Weight loss
- J) Loss of appetite
- K) Talks of suicide
- L) Sudden mood changes
- M) Agitation
- N) Overt psychosis

2022-2023

Chapter 8: Medical Services
Policy 8-6: Mental Problems

- 5) Deputies shall inform the Shift Commander and their Relief Commander at the change of shift of any such observations. If it is decided that an inmate may be suicidal, the inmate shall be placed in an area where they can be constantly observed, and mental health triage personnel will be contacted.

2022-2023

Chapter 8: Medical Services
Policy 8-7: Infectious Disease

Policy:

During initial booking or one when an inmate is in permanent housing, if the inmate is identified as having an infectious disease or if there is cause to believe an inmate could have an infectious disease, the following procedure will be followed.

Procedure:

- 1) Inmate shall be thoroughly interviewed by the Deputy receiving information to determine validity of infectious disease. Deputy shall use all available information to verify any prior positive diagnosis and contact any medical personnel or other persons that could be of assistance in verifying inmate's disease and treatment.
- 2) Inmate shall be placed in an isolation cell.
- 3) The inmate will be examined by the medical staff as soon as possible. If further testing is required, the inmate will be transported to the Madison County Health Department or local hospital.
- 4) Positive results of any test for infectious disease will be followed by adequate treatment as recommended and approved by the medical staff
- 5) Test results of an inmate are to be confidential and made available to only the Jailer and Deputies of the Detention Center.
- 6) Inmate will remain in isolation until treatment is completed or medical staff determines they are not contagious.

2022-2023

Chapter 9: Food Services

Policy 9-1: Food Services

Policy:

To maintain the health of inmates, food served in the facility shall be of the highest quality and greatest variety possible within the budgetary constraints. Food will not be withheld as punishment.

Procedure:

- 1) The facility shall provide at least 2,400 calories per day. Meals will be palatable, served as soon as possible after preparation, and served at the appropriate temperature. Food flavor, texture, and appearance will be considered during meal preparation and service.
- 2) Inmates shall receive three (3) meals per day, one (1) of which shall be hot. Not more than (14) hours shall elapse between any two meals. The facility inmates, including those in disciplinary isolation and administrative segregation, shall be served meals at times designated by the Jailer.
- 3) Therapeutic and/or special diets are provided as prescribed by appropriate clinicians or when religious beliefs require adherence to religious dietary laws.
- 4) The kitchen staff shall maintain accurate records of all meals served. Such records should set forth the menu and the number of meals served, to include special diet and non-menu diet meals.
- 5) Food shall not be used for disciplinary or reward purpose.

2022-2023

Chapter 10: Sanitation and Hygiene

Policy 10-1: Sanitation

Policy:

Many persons committed into a facility bring with them serious mental problems while others begin to experience such problems after being confined in a facility. This necessitates close observation and appropriate referral and treatment.

Procedure:

- 1) The facility shall provide for the control of vermin and pest. Upon notification that any area of the facility is infested with vermin or pest, the Jailer and maintenance personnel shall take action to eradicate such infestation.
- 2) The Jailer shall ensure that sanitary measures to dispose of liquid and solid waste are available and utilized.
- 3) The Jailer shall develop a written plan to periodically clean and inspect mechanical equipment within the facility in accordance with the manufacturer instructions.
- 4) To ensure systematic sanitation of the facility, the Jailer shall create a schedule indicating areas within the facility to be cleaned, and the frequency of cleaning the areas. At a minimum the shower areas, floors, toilets, bathtubs, and sinks shall be cleaned daily.
- 5) Trash and garbage will be removed from the facility daily.
- 6) As required the Jail shall be inspected by the semi-annually.
- 7) The Jailer or designee will inspect the facility weekly, monthly, and annually.

2022-2023

Chapter 10: Sanitation and Hygiene

Policy 10-2: Hygiene

Policy:

All inmates of the facility shall maintain their personal hygiene and shall be provided all necessary opportunities and supplies to do so.

Procedure:

- 1) Except in detox cells, the Madison County Detention Center shall furnish clean and sanitized bedding to each inmate including but not limited to:
 - A) One (1) mattress
 - B) One (1) blanket
 - C) Two (2) sheets
- 2) Inmate bedding shall be cleaned and re-issued at least weekly.
- 3) Each inmate shall be issued a clean towel and washcloth upon admission to an inmate living area.
 - A) Towels and washcloths will be clean and re-issued at least weekly.
- 4) Inmates shall be permitted to bathe or shower daily. All inmates in the Jail shall be provided with hot and cold running water for bathing and showering.
- 5) All inmates shall be permitted to shave (2) times a week. No inmate shall be forced to shave except for medical purposes, trustee requirements, and/or under the specific orders of the medical authority. Haircutting services will be provided to inmates for a fee. Inmates shall not be forced to cut their hair except for medical purposes and under specific orders of the medical authority.
- 6) All inmates assigned to inmate living area shall be issued and permitted to obtain the following hygienic items necessary for maintaining proper personal hygiene:
 - A) Soap
 - B) Toothbrush
 - C) Toothpaste
 - D) Toilet paper
 - E) Female sanitary supplies
- 7) All inmates are issued clothing that is properly fitted and suitable for the climate that will be exchanged at least twice weekly.

2022-2023

Chapter 11: Inmate Programs and Services

Policy 11-1: Inmate Programs

Policy:

The facility shall provide programs and services to inmates to meet the individual, physical, social, educational, religious, and recreational needs of each inmate.

Procedure:

- 1) The Jailer or designee shall review monthly, inmate programs and services to ensure compliance with Kentucky Jail Standards.
- 2) The Jailer or designee shall coordinate with community resources, when possible, to provide inmate programs and services.
- 3) The Jailer shall ensure equal access to programs and services for all inmates provided the security and order of the Jail is not jeopardized.
- 4) The Jailer shall ensure that inmates are informed of program availability, times, and days on which they are scheduled.
- 5) The Jailer shall ensure that programs and services include but are not limited to:
 - A) Social services
 - B) Religious services
 - C) Recreational and leisure time activities
 - D) Library services
 - E) Educational programs

2022-2023

Chapter 11: Inmate Programs and Services

Policy 11-2: Meaningful Activities

Policy:

In order to reduce idleness, vandalism, and to encourage individual responsibility, inmates in the facility shall be provided with every opportunity to engage in meaningful activity.

Procedure:

- 1) All inmates are expected to keep their own quarters in clean and sanitary order. Each day, Deputies shall visually inspect the inmate living areas for personal housekeeping, to ensure that:
 - A) Floors have been swept.
 - B) Doorways and windows are clear of blankets, paper, or other material.
 - C) Plumbing fixtures are clean.
 - D) Personal articles are properly stored.
 - E) Bedding is properly placed on bunks.
 - F) Nothing is hanging on the walls.
 - G) No clotheslines.
 - H) Light fixtures are not covered.
 - I) Vents are not covered.
- 2) Whenever daily inspections indicate noncompliance of personal housekeeping, the Deputy shall first issue a specific verbal request to correct any problems and note same in the appropriate log. If after the verbal warning, the inmate(s) of a cell has not rectified defiance, the Deputy shall make an incident report and submit to the Jailer.
- 3) Unsentenced inmates shall not be required to work, except to do personal housekeeping.

2022-2023

Chapter 11: Inmate Programs and Services

Policy 11-3: Religious Programs

Policy:

The reasonable attempt shall be made by the facility to facilitate the free exercise of religious beliefs by inmates. The exercise of religious beliefs shall be limited only by legitimate security and operational considerations.

Procedure:

- 1) Regular services
 - A) Arrangements shall be made with local clergy to conduct regular ecumenical services each week.
 - B) Once the representative of the clergy has been escorted to the designated area, a Deputy shall go to each housing unit and announce the service will be held. The services will be held in the multi-purpose room, and the 063-recreation room.
 - C) At the completion of the service, the Deputy will return inmates to the housing area.
- 2) If an inmate wishes to meet with their own pastor, or with a representative of a religion for purpose of confession, pastoral counseling, or worship, the Deputy who received the request shall relay the request to the Jailer or designee. The Jailer or designee will then make the necessary arrangements.
- 3) Inmates shall not be required to attend or participate in religious services or discussions.

2022-2023

Chapter 11: Inmate Programs and Services

Policy 11-4: Recreation

Policy:

Because idleness produces stress and unrest among inmates, and since physical exercise is essential to the maintenance of health, the facility shall provide every opportunity for inmates to engage in recreational activities to the extent that its facilities and personnel will allow.

Procedure:

- 1) Inmates shall have the opportunity to participate in an average of at least three (3) exercise periods per week outside the cell. Where the security and safety of the Jail, and the weather permits.
- 2) Leisure time and recreation programs shall be scheduled to permit inmates to participate in but not be limited to:
 - A) Television
 - B) Card games
 - C) Basketball
- 3) During the recreation periods, the Control Tower Operator will monitor the inmates via camera monitors.

2022-2023

Chapter 12: Inmate Rights

Policy 12-1: Court Decision Review

Policy:

Federal and State courts have made numerous decisions affirming the constitutional rights of inmates. These decisions have consistently shown that detention facilities are civilly liable for practices, which deny or contradict the constitutional rights of inmates in their custody. The Jailer shall be responsible for familiarity with pertinent court decisions and or communicating them to the staff of the facility.

Procedure:

1) Review

The Jailer shall quarterly review recent court cases and detention facility standards to ensure that the facility and its practices comply with current requirements.

2) Written statement

A written statement of inmate rights, which shall include but not limited to:

- A) Access to courts
- B) Access to attorney
- C) Mail
- D) Telephone
- E) Grievance
- F) Search and seizure
- G) Disciplinary procedure
- H) Racial segregation
- I) Medical care
- J) Mental health care
- K) Religion

3) The statement of inmate rights shall be posted in a conspicuous place in the booking area of the Jail, and a copy shall be made available to the inmate.

2022-2023

Chapter 12: Inmate Programs and Services

Policy 12-2: Access to Courts

Policy:

The right of access to the courts is a fundamental right to all United States citizens. The facility shall take no action which interferes with this right or discourages any inmate from exercising this right, except such limitations as are necessary for legitimate security and operational considerations.

Procedure:

1) Inmates represented by attorney

- A) The facility has established procedures designed to provide inmates ample access to attorneys through visitation and mail. Any inmate who is represented by counsel shall make requests, verbal and written, for any legal reference material directly to their attorney.
- B) If any attorney brings or mails to the facility any legal reference material, the Deputies shall be responsible for inspecting such material for contraband in the presence of the inmate within 24 hours of its receipt, and having it delivered to the inmate.
- C) No staff member of the facility shall be allowed to refuse the delivery of legal reference material from counsel to an inmate. If a Deputy reports that the legal reference in an inmate's cell is accumulating to an unsafe level, or the amount of material is making cell inspections difficult, the Deputy shall notify the Shift Commander who will notify the Jailer.
- D) The Jailer shall then consult with the inmate's attorney to determine the most equitable solution. Should the situation become unmanageable for the facility, the Jailer will consult with the judge of the appropriate court and attempt to resolve the matter.

2) Inmate not represented by attorney

- A) Inmates not represented by an attorney may make written requests (on a plain sheet of paper) to any Deputy for legal reference material. Deputies may assist inmates and preparing the request, but they are under no obligation to do so. The request shall include:
 - 1. The inmate's name;
 - 2. The date of the request;
 - 3. A specific description of the requested material.
- B) The Deputy who receives the request for legal reference materials shall:
 - 1. Return the request to seek clarification from the inmate. If this occurs, the Jailer shall discuss or designate someone to discuss with the inmate, the nature of the request. If it is evident that the inmate is unwilling or unable to be more specific, the Jailer or designee shall advise the inmate that the

2022-2023

Chapter 12: Inmate Rights
Policy 12-2: Access to Courts

facility cannot act as a legal researcher and that the inmate may express a grievance if the inmate desires.

2. Use discretion in interpreting the request.
 3. Fill the request as stated or as interpreted by making photocopies of the appropriate materials and transmitting them for the inmate.
- C) Inmates not represented by an attorney shall be permitted to make no more than one request per week for legal reference material.
- D) The Jailer shall ensure the communications between the court and inmate are permitted. Regular telephone privileges shall be allowed for inmate/court communications.
- E) All telephone calls from the inmate to the Court shall be recorded in the telephone log except, where there is continuous in-cell phone service available. All personal appearances in court by the inmates shall be recorded.
- F) The Jailer shall ensure the right of inmates to confidential access to their attorney and their authorized representative.

2022-2023

Chapter 12: Inmate Rights

Policy 12-3: Visits

Policy:

It is the policy of the Jailer to enable and encourage inmates to maintain contact with family and friends through regular visits.

Procedure:

- 1) Families, friends, and relatives of inmates may visit Monday-Sunday at any time of the day using our GTL software system.
- 2) All visitations are conducted by video visitation using a smartphone, computer, or any other webcam device.
- 3) All inmates receive a free 30-minute visit voucher per week. Once this time has exceeded, then the cost will increase to \$0.25 a minute.
- 4) All friends and family must create a personal account that is linked to their personal information through the app or website (www.gettingout.com).
- 5) All videos, photos, and messages are subject for review and approval. Inappropriate content will be blocked and is nonrefundable.
- 6) Attorneys, clergy, and medical personnel shall be permitted to visit inmates at reasonable hours other than during regularly scheduled visiting hours and shall not be counted as an allotted visit.
- 7) Visitors including attorneys, clergy, and medical personnel shall register before admission and may be denied admission for refusal to register, for refusal to consent to search for any violation.
- 8) All visitors must present a valid government ID or Social Security card in order to register for their visit.
- 9) Inmates shall not be restricted in regard to whom they may have as a visitor unless the Jailer or designee determines that a visitor should be excluded due to the existence of one or more of the following conditions:
 - A) The visitor represents a clear and present danger to security.
 - B) The visitor has a past history of disruptive conduct at the Jail.
 - C) The visitor is under the influence of alcohol or drugs.
 - D) The visitor refused to submit to search or show proper identification.
 - E) The inmate refuses the visit.

2022-2023

Chapter 12: Inmate Rights

Policy 12-3: Visits

10) The Jailer shall not listen to visitor's conversations but may observe the visitation for security reasons, and all visitation conversations are recorded.

11) All video visitations are monitored, kept, and stored in an electronic system indefinitely.

2022-2023

Chapter 12: Inmate Rights

Policy 12-4: Mail

Policy:

It is the policy of the facility to ensure the ability of an inmate to communicate with persons outside the facility, except where such restrictions are clearly necessary to the maintenance of the order and security of the facility.

Procedure:

- 1) Any inmate may correspond with anyone outside the detention facility, so long as each letter or parcel bears the proper postage, except when the letter or parcel poses a threat to the security of the facility (i.e., escape plans).
- 2) If an inmate without funds wishes to send mail, the inmate can request postage and writing materials from the commissary fund. The commissary Deputy will supply the inmate with the following items:
 - A) Two postage envelopes
 - B) Five sheets of paper
 - C) One pencil
- 3) Letters addressed to inmates, except those from attorneys, the courts, facility staff, or other public officials may be opened and inspected by a Deputy for contraband and materials that threaten the security of a facility. A letter is a sealed document delivered by Postal Service or another legitimate service. This does not include non-postal types of communication.
 - A) Letters from attorneys, the court, or other public officials shall be opened by Deputies in the inmate's presence during the routine mail delivery.
 - B) Letter from attorneys, courts, or other public officials shall not be read by Deputies.
- 4) Parcels shall be opened by Deputies and inspected for contraband.
- 5) If a letter, parcel, or other incoming mail is discovered to contain contraband, the inmate will be verbally informed that items of contraband were found.
- 6) If money is found in an envelope or parcel the inmate will be given a receipt, and the amount of the deposit will be recorded on the inmate's account.
- 7) If any incoming mail is undeliverable (e.g., the inmate to whom addressed is no longer in custody), the mail will be returned to sender.

2022-2023

Chapter 12: Inmate Rights

Policy 12-4: Mail

- 8) The Jailer shall ensure that inmate's rights in accordance with court decision regarding correspondence are protected.
- 9) Censorship guidelines
 - A) Photographs or explicit drawings of nude persons whose sexual organs are fully exposed.
 - B) Illustrations and/or text which shows or describes the manufacture or fabrication of weapons such as firearms, bombs, and incendiary devices.
 - C) Other items which can categorically be expected to encourage violent or disruptive behavior by the particular inmate or among the inmates generally.

2022-2023

Chapter 12: Inmate Rights

Policy 12-5: Telephone

Policy:

Each inmate shall have equal and adequate access to a telephone to maintain community ties and contacts with attorneys. Unless disciplinary action deems otherwise, telephone calls will be permitted.

Procedure:

- 1) Inmates will be allowed a telephone call to maintain contact with community ties.
- 2) New admitted inmates shall be permitted a reasonable number of local or collect long-distance telephone calls to an attorney of their choice or to a family member, as soon as practical generally within (1) hour after arrival, until one call has been completed.
- 3) Any expenses incurred for calls shall be borne by the inmate or the party called.
- 4) In-cell telephone service is available to all permanent housing units except isolation. Once each week, inmates in isolation will be taken to a telephone for a five (5) minute telephone call.
- 5) Telephone calls shall be routinely monitored, and the inmate be notified.
- 6) The Shift Commander shall maintain a log of all telephone calls made by an inmate during the admission period or while confined in isolation. After the call has been completed, the time, number, and party called shall be noted by the Deputies on the telephone log. This applies to all calls, even if the party was not reached or the party refused to accept the reversed charges for a toll call. The Deputy need not keep a log in the case of continuous telephone service.
- 7) Telephone privileges may be suspended for a designated period of time if telephone rules are violated.
- 8) Designated telephone period for inmates in isolation: upon request and one week after initial call.

2022-2023

Chapter 12: Inmate Rights

Policy 12-6: Grievance

Policy:

Any inmate shall be allowed to file a grievance at such time as the inmate believes they have been subject to abuse, harassment, abridgment of civil rights, or were denied privileges specified in the posted rules (Grievances must be restricted to incidents which occur while the inmate is in custody of the facility). No inmate shall fear against reprisal for initiating the grievance procedure in an attempt to resolve legitimate complaints.

Procedure:

- 1) A grievance shall be made in the form of a written statement by the inmate promptly following the incident. The grievance shall be forwarded to the Jailer or his designee without interference.
- 2) The grievance shall state fully the time, date, and names of those Deputies and/or staff members involved, and pertinent details of the incident including the names of any witnesses.
- 3) Upon receipt of a grievance by the Jailer or the Jailers designee, the grievance shall be reviewed and determined whether it constitutes:
 - A) A prohibited act by a Deputy or staff member;
 - B) A violation of the inmate's civil rights;
 - C) A criminal act;
 - D) An abridgement of inmate privilege as cited in the posted rules.
- 4) If the grievance constitutes a prohibited act by a Deputy or staff member, a criminal act, or a violation of the inmate's civil rights, the Jailer shall order a prompt investigation. If the grievance constitutes an abridgment of the inmate's privileges, the Jailer may appoint an impartial member of the staff to investigate the grievance and make a report of findings and recommendations.
- 5) Any Deputy or staff member who subjects an inmate to harassment, curtailment of privileges, or any type of punishment because of a grievance, or attempts to prevent or interfere with the reporting of a grievance, shall be subject to disciplinary action.
- 6) Any inmate who submits a grievance to the Jailer will receive a response within 10 days following the investigation of the grievance, to include findings and actions taken by the Jailer.
- 7) If the inmate is not satisfied with the disposition of the grievance by the Jailer, they shall, in writing, set forth their grievance and their objection to the disposition of the

2022-2023

Chapter 12: Inmate Rights

Policy 12-6: Grievance

grievance. The inmate's appeal letter will then be forwarded to the Madison County Fiscal Court.

2022-2023

Chapter 12: Inmate Rights

Policy 12-7: Disciplinary Procedure

Policy:

Every inmate of the facility has the right to know what behavior is expected and the penalties for misbehavior. The disciplinary process must be fair and systematic so that no person, staff, or inmate may plead ignorance of the rules or bias in the procedure. Hasty, arbitrary, and/or corporal punishment shall not be allowed.

Procedure:

- 1) An inmate shall only be subject to discipline for those violations described in the posted rules, or those, which have been, or may be, prescribed by state law. If the offense committed constitutes a crime, the Deputy shall consult the shift commander to decide whether the Deputies will charge the inmate using the uniform citation book located in booking. Whether or not the offense constitutes a crime, the inmate shall be subject to disciplinary action.
- 2) Violations shall be classified as minor, major, or serious according to the following descriptions:
 - A) Minor violations shall include acts, which do not constitute a present and immediate threat to the security of the facility; its staff, inmates, visitors, or the inmates who committed the violation. Such violations may include:
 1. Failure to comply with a Deputy's lawful orders.
 2. Profanity, derogatory remarks, or gestures to any member of the staff, visitors, or fellow inmates.
 3. Unnecessary noise such as arguing, shouting, whistling, rockland, or pounding on doors and/or windows.
 4. Loud talking or unnecessary noise after lights out.
 5. Communicating (talking, signing, passing notes) through windows and doors to person(s) on the exterior of the Jail.
 6. Failure to perform routine duties such as cleaning housing areas and making bed during prescribed hours.
 7. Horseplaying, teasing, verbally harassing another inmate.
 - B) Major offenses shall include persistent minor rule infractions, cases where a determination is made that the remedy for a minor violation serves no deterrent effect, and rule violations which cannot be considered minor but do not constitute a present or immediate threat to the security of the facility, its staff, inmates, visitors, or the inmate committing the offense. Such violations may include:
 1. Repeated minor violations;
 2. Disobeying a Deputy;
 3. Lying to a Deputy;

2022-2023

Chapter 12: Inmate Rights

Policy 12-7: Disciplinary Procedure

4. Fighting, molesting;
 5. Minor damage of the facility (property value less than \$50.00);
 6. Abusing commissary visiting, and telephone privileges;
 7. Attempting to control the behavior of other inmates through coercion, force, or threat, or assigning work to other inmates;
 8. Abusing food service;
 9. Disrupting religious, medical, or food services or any other facility activity or program;
 10. Stoppage by placement of foreign matters into toilets or sinks;
 11. Retention of any medication issued at this facility or from any other source;
 12. Writing on the walls or furniture;
 13. Possession of anything not on the list of permitted items or authorized by the facility staff.
- C) Serious violations shall include acts, which constitute violations of statutory law and/or present an immediate threat to the security of the facility; its staff, inmates' visitors or the inmate committing the violation. Such acts include:
1. Repeated major violations;
 2. Assault on another inmate, staff member, or visitor;
 3. Escape, attempted escape, or aiding another in escape;
 4. Possession of alcoholic beverages or unauthorized drugs;
 5. Theft;
 6. Damage of facility property (in excess of \$50.00);
 7. Interfering with security operations of the facility;
 8. Arson;
 9. Possession of a weapon, chemical agent, or any object that has been modified so that it may be used as a weapon;
 10. Creating or inciting a riot;
 11. Malicious destruction, altercation, or misuse of property.

2022-2023

Chapter 12: Inmate Rights

Policy 12-8: Disciplinary Process

Policy:

Due process procedures are initiated to ensure that observable behavior, which has an adverse effect on another person, or the order of the facility, is corrected in a way, which prevents the arbitrary application of discipline. An inmate's right to due process is guaranteed by the Fourth and Fifth Amendments to the Constitution of the United States. At no time will an inmate be punished, harassed, neglected, or ignored in their pursuit of the right to due process during disciplinary proceedings.

Procedure:

- 1) When a Deputy witnesses a violation of rules by an inmate, or when a violation of rules is reported by an inmate or staff member, the Deputy shall initiate these procedures:
 - A) If the offending inmate is violent, there is immediate and reasonable cause to believe the inmate offender is violent, there is immediate and reasonable cause to believe the inmate will continue to inflict injury on another person or themselves, facility property, the inmate shall be promptly confined in an isolation cell. When such action is necessary, the Shift Commander shall be notified immediately for approval. Placement in isolation should not exceed 72 hours without a hearing.
 - B) The Deputy shall make a preliminary determination as to the nature of the violation: minor, major, or serious.
 - C) Minor Violations: If the violation appears minor in nature, the Deputy shall both verbally reprimand the inmate and inform them that continuing to violate facility rules may result in loss of privileges, or their actions can be reported to the Jailer or Shift Commander and noted in an incident report.
 - D) Major or Serious Violations: If the violation appears major or serious, the Deputy promptly prepares the rule violation report form stating fully and accurately all facts pertaining to the rule(s) violated. The Deputy shall include all information specified in an incident report. The report shall be delivered to the Shift Commander or Jailer immediately upon its completion.
 - E) Informing the Inmate(s):
 1. If the Jailer or Shift Commander classifies the violation as minor, they shall assess the appropriate penalty and inform the Deputy of their decision. The Deputy will inform the inmate of the penalty(s), record actions taken in an incident report, and notify the relieving shift of the inmate's status.
 2. If the Jailer or Shift Commander classifies the violation as major or serious, they shall provide the inmate with written notification of the charges on the appropriate form; inform the inmate that they have a right to request a hearing within a specific period of time.

2022-2023

Chapter 12: Inmate Rights

Policy 12-8: Disciplinary Process

- F) **Hearing Request:** If an inmate accused of a major or serious violation requests a disciplinary hearing, the Jailer shall review the request and determine if a hearing is warranted.
1. If the Jailer determines a hearing is warranted, they shall follow the hearing procedures as described.
 2. If the Jailer determines that a hearing is not warranted, they shall:
 - i. Assess the appropriate penalty.
 - ii. Inform the inmate in writing of the reason they were not granted a hearing, the penalty imposed, and the facts relied upon.
 - iii. Inform the Deputy, who will note it in their incident report.
 - iv. Inform other Deputies of changes in the inmate's status and take appropriate action.
- G) **Waiver:** Inmates accused of major or serious violations shall be informed that they may waive their right to a disciplinary hearing. Such a waiver shall be secured using the form labeled 'waiver of rule violation hearing.' Upon an inmate's waiving of rights for hearing, the Jailer shall follow the steps outlined above in F-2.
- H) **Investigation and Hearing Deputy:** If the violation warrants a hearing, the Jailer shall appoint an impartial Deputy to investigate the incident and designate an impartial Hearing Deputy. The Jailer may designate their self if they were neither a witness, nor a charging Deputy.
- I) **Investigation Report:** The investigating Deputy shall make a complete investigation within (48) hours of the accusation, including interviewing witnesses and parties involved. This Deputy shall prepare a complete report and submit it to the designated hearing Deputy.
- J) **Notice of Charges and Rights:** After the investigation is completed, the investigating Deputy shall inform the inmate in writing to the specific rule(s) broken, the accuser, the time, date, place of the violation, and the facts upon which the charge is based. The inmate shall also be informed of their rights at the hearing. The cited facts must be presented to the inmate no later than (24) hours following the conclusion of the investigation and at least (24) hours before the hearing.
- K) **Schedule and Notice:** The designated hearing Deputy shall schedule a hearing and notify the inmate of the date and time of such hearing.

2022-2023

Chapter 12: Inmate Rights

Policy 12-8: Disciplinary Process

- L) Assistance: If the inmate requests assistance in preparing the case, the Hearing Deputy shall interview the inmate to determine the inmate's ability to understand the hearing process. If the Hearing Deputy determines that the inmate needs assistance, they shall appoint someone to provide assistance.
- M) Hearing Instructions: The Hearing Deputy shall provide the following information to the inmate and the accusing Deputy or staff member.
 - 1. The inmate has the right to be given a written notice of the charges against them.
 - 2. The inmate may request assistance in preparing the hearing.
 - 3. The inmate has the right to testify or remain silent regarding the alleged violations.
 - 4. Each side has the right to present any documents and to examine or review any and all documents introduced as evidence.
- N) Hearing Procedures; the hearing Deputy shall:
 - 1. Ask inmate if they understand the purpose of the hearing and if they have any questions.
 - 2. Determine if a neutral investigation of the incident was conducted within forty-eight (48) hours.
 - 3. Determine if the inmate was placed in isolation prior to receiving written notice of charges or before the hearing took place.
 - 4. Examine written notice of charges; the notice shall include:
 - i. Name of Deputy or staff member who observed and reported the violation
 - ii. Specified rule broken
 - iii. Time, date, and place of violation
 - iv. Description of the conduct constituting the violation
 - 5. Read violation charges; each violation is to be pursued separately.
 - 6. Call witnesses to testify separately to include:
 - i. Deputy reporting the violation(s);
 - ii. Deputy's witnesses, documents, and evidence;
 - iii. Cross examination;
 - iv. Inmate's statements;

2022-2023

Chapter 12: Inmate Rights

Policy 12-8: Disciplinary Process

- v. Inmate's witnesses, documents, or evidence (reasons for any limitations placed on testimony or witnesses shall be stating in writing by the Hearing Deputy);
 - vi. Cross examination;
 - vii. Continue this procedure for each violation and until all evidence and witnesses have been concluded;
 - viii. The Hearing Deputy may summarize what they believe the evidence has shown.
- O) Conclusion:
- 1. The Hearing Deputy shall find either probable cause or no probable cause of each charge and shall announce the decision at the conclusion of the hearing. Substantial evidence of guilt must be found before assessing penalties.
 - 2. Imposition of penalties:
 - i. Specific disciplinary action to be taken.
 - ii. See list of penalties which may be imposed.
 - 3. Provide inmate with a written statement of facts relied upon and reasons for action; also include the specific disciplinary action to be taken and the time limit on the penalty.
 - 4. Inform the inmate that they may appeal this decision by submitting a written statement to the Jailer requesting a review of the hearing findings within twenty-four (24) hours.
- P) Penalties: Penalties assessed for violations shall be limited to placement in isolation and/or denial of privileges. Placement in isolation or denial of privileges shall be for a specified length of time in hours or days.
- 1. A maximum time limit for which penalties may be imposed for each classification of offenses are as follows:
 - i. Minor offenses - denial of privileges up to (96) hours
 - ii. Major offenses - denial of privileges and/or isolation up to (30) days
 - iii. Serious offenses - denial of privileges and/or isolation up to (60) days

2022-2023

Chapter 12: Inmate Rights

Policy 12-8: Disciplinary Process

2. Privileges which may be denied:

- i. Entertainment such as: radio, television, games, and movies
- ii. Commissary, excluding necessary hygiene items
- iii. Visits by friends

3. Rights which may not be denied:

- i. Visits by attorney
- ii. Visits by clergy
- iii. Telephone calls to attorney or clergy
- iv. Minimum of one visit per week by family
- v. Two hours of exercise per week
- vi. Adequate food
- vii. Adequate light, ventilation, temperature control, and sanitation
- viii. Medical care
- ix. Proper clothing, bed and bedding, use of toilets, sinks, and showers

Q) Records: All records from the disciplinary hearing shall be stapled together and placed in the inmate's file. If the inmate is found not guilty of the violation charged, the records of such hearing shall not be used against them in any future disciplinary action.

R) Appeal: If the inmate desires to appeal the decision, they shall be furnished with pencil, paper, and an envelope to file a written appeal. The appeal shall be addressed to the Hearing Deputy and must be filed within (24) hours of the close of the hearing. The Hearing Deputy shall transmit the request of an appeal hearing to the Jailer immediately.

1. Upon receipt of a request for an appeal hearing, the Jailer shall set a date and time for the hearing, conduct such an additional investigation as they deem necessary, review the record of the previous hearing, and conduct an appeal hearing. If the Jailer was a witness to the incident, a party to previous hearing, or involved in the original investigation, they shall not serve as the appeal hearing Deputy, but shall appoint another impartial person to serve.

2022-2023

Chapter 13: Access to Facility

Policy 13-1: Business Hours

Policy:

The general public will have access to the public lobby and receptionist during normal business hours, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.

Procedure:

- 1) Business will be conducted during the posted business hours at the administrative area in the front office of the facility.
- 2) During posted business hours, the general public will be entering through the public entrance to the front office of the facility.

2022-2023

Chapter 13: Access to Facility

Policy 13-2: After Hours

Policy:

The general public will have limited access to the facility after the posted business hours.
The general public will report at entrance door 068.

Procedure:

- 1) General public will have access for purposes such as: bonding of inmates, delivery of materials, and property releases.
- 2) The general public shall report to door 068 to communicate with the Control Tower Operator or window clerk, if available.
- 3) Attorneys and clergy shall report to door 068 to communicate with the Control Tower Operator, or window clerk, if available.

2022-2023

Chapter 13: Access to Facility

Policy 13-3: Service Entrance

Policy:

The service entrance will be used to deliver all food, mechanical, electrical, and laundry supplies and equipment.

Procedure:

- 1) Service vendors will be admitted to the service entrance at door 001. Vendors shall activate the intercom to communicate with the Control Tower Operator.
- 2) A Deputy and kitchen staff, if available, will supervise all vendor supplies being brought into door 001. At no time will vendors be allowed outside of the service area and into the secured area unless escorted by a Deputy.

2022-2023

Chapter 13: Access to Facility

Policy 13-4: Staff Entrance

Policy:

The staff of the facility shall use the designated staff entrance doors unless unusual circumstances occur.

Procedure:

- 1) The staff of the facility shall use the staff entrance doors 055, 054, and 54A.
- 2) The staff shall report to doors 055, 054, and 54A and communicate with the Control Tower Operator for entrance into the facility. If the Control Tower Operator has any reason to question the identity of persons at these doors, a Deputy will be sent to determine the identity of the persons in question.