

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** INMATE CLASSIFICATION GENERAL POLICY **K-100**

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**EFFECTIVE DATE:** 10-09-03

**REVISED:** 7-29-14

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** Title 15, Section 1050, C.C.R. PREA DOJ 115.41, 115.42, 115.62, 115.81

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### **POLICY**

A successful classification plan provides a safe and secure custodial environment, protects inmates and staff, and houses inmates appropriately. Additionally, it ensures the safety and security of the individuals, property, and programs within the Facility.

The purpose of this procedure is to establish a uniform process for the classification of inmates housed within the Kern County Sheriff's Office (KCSO) Detention facilities. The objective of the inmate classification plan is to systematically and continually assess the risk criteria and custody requirements for all inmates confined in the Sheriff's Detention facilities, including court holding facilities, temporary holding facilities, and Type I facilities under the control of the Sheriff.

Staff members assigned to a temporary holding facility, court holding facility, or Type I facility operated by the Sheriff, will adhere to the classification plan implemented by the Detentions Bureau Classification Unit. If the Classification Unit has not classified an inmate held in one of these facilities, staff will house the inmate appropriately, based on information received from the hazard screening process, PREA screening, arrest data and/or other available sources of information. The Classification Unit will forward any relevant information to the receiving facility.

Classification staff shall use information obtained during the PREA screening process to make individualized determinations about how to ensure the safety of each inmate, and to make or recommend housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive § 115.42(b).

Classification staff shall implement appropriate controls within their unit to ensure that sensitive information and responses pursuant to the PREA screening process is not exploited to the inmate's detriment by staff or other inmates § 115.41(i).

The classification of inmates will be equitable and objective, without discrimination against any individual based on sex, gender identity or expression, race, color, creed, cultural background, physical disability, sexual orientation, or national origin. These factors can be considered when necessary to protect the safety of the inmate, maintain racial balance in housing units, or for other purposes necessary for the security of the facility.

Classification assessments and housing decisions will be made based on factors including, but not limited to:

- Information obtained from the inmate
- Medical and mental health issues
- An objective PREA screening process
- In-custody behavior / history
- Charges/ sophistication of crime
- Escape history
- Information from other law enforcement agencies

#### **Procedure A: Classification Records**

An electronic classification record will be maintained in CJIS for each inmate held in Sheriff's Detention facilities. Inmate classification records shall contain updated classification information and shall thoroughly record all classification related actions regarding the inmate during the period of confinement. Classification records shall be retained for a minimum of five (5) years.

Additionally, the classification sergeant will retain the inmate record of any inmate who:

- Escaped from the custody of the Kern County Sheriff's Office or;
- Has been condemned to death and has been released to another agency or;
- Has been released and been designated by the classification sergeant as a special case whose file should be retained by classification;
- Has been accused of sexual abuse of another inmate

The classification sergeant will retain such files until the inmate is returned to the custody of the Kern County Sheriff's Office, at which time the file will be returned to the facility at which the inmate is housed.

All classification information is to be considered confidential and shall not be released outside of the Detentions Bureau, with the exception of other law enforcement or correctional agencies, who have received authorization from the Population Management Section Manager, Division Commander, or the Chief Deputy of the Detentions Bureau.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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<b>TITLE:</b>	<b>CLASSIFICATION UNIT RESPONSIBILITY</b>	<b>K-200</b>
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**EFFECTIVE DATE:** 11-15-93

**REVISED:** 07-28-14

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** PREA DOJ 115.41 and 115.81

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### **POLICY:**

The Classification Unit will be responsible for managing inmate population levels and determining appropriate housing for individual inmates throughout the Detentions Bureau. Classification Deputies will coordinate inmate movement between facilities and inmate transfers to and from other agencies.

### **Procedure A: Duties and Responsibilities of Classification Deputies**

#### **Classification Deputies will:**

- Classify all incoming inmates and assign appropriate housing locations.
- Review inmate classification status as required by State Law, Title 15, PREA standards, and Court decisions.
- Review classification of inmates identified as being PREA at risk or abusive (based on information obtained during initial intake PREA screening, initial classification, or the result of in-custody incidents) prior to transfer between facilities.
- Ensure all PREA at risk and abusive inmates are tracked to ensure safe housing movements and enable timely reviews.
- When needed, figure and re-figure sentence time on commitments that are not automatically calculated by CJIS.
- Notify the Special Investigations Division, or Department Intelligence Deputy, of gang intelligence or other information as needed.
- Notify the PREA Coordinator as needed.

- When appropriate, coordinate and share information with specialized units (e.g., Special Investigations Division) within the department as well as other allied agencies.
- Notify Correctional Medical and/or Mental Health staff of any pertinent information received on inmates.
- Review inmate classification appeals.
- Determine and coordinate the transfer of inmates within the Bureau.
- Manage inmate population within the guidelines of the Section K-320 of this manual.
- Review and process State Parole and C.Y.A. holds as required.
- Maintain classification records as needed.
- Perform other duties as required.



**Procedure A: Inmate Population Levels**

Under the authority of the Anderson v. Kern Court Order, inmates may be released early when any of the following conditions exist:

- When the number of inmates housed in the bureau exceeds ninety percent of the Board of Corrections rated capacity.
- When the number of inmates housed in a specific facility exceeds ninety percent of the Board of Corrections rated capacity for that facility.
- When the number of county inmates housed in a specific housing unit exceeds ninety percent of the bed space available for county inmates in that housing unit, inmates may be released from that housing unit.

**These releases become mandatory when the population in any housing unit, facility, or the bureau as a whole reaches 100 percent of Board of Corrections rated capacity.**

**Procedure B: Inmate Eligibility for Fed Cap Release**

When the classification staff determines that the population levels of a housing unit, a facility, or the bureau as a whole, are such that inmates should be released early pursuant to this section, the classification staff will determine which inmates are to be released. The eligibility of inmates to be released will be determined according to the following guidelines, based on departmental needs:

- Any unsentenced inmates charged with misdemeanor crimes, regardless of bail amount.
- Any unsentenced inmates charged with felony crimes, within criteria established by the Classification Unit supervisor.
- Any sentenced inmates unless the inmate poses an immediate threat to public safety if released.
- Any inmate being held on a state parole hold or probation hold, to include flash incarceration holds. Priority to release will be to given inmates who have a scheduled release date.
- Any inmates that are determined to be advantageous to release, due to special circumstances, upon authorization from the Detentions Bureau Chief Deputy.

- Any inmates being held in-custody by another agency on local charges, if that additional hold otherwise prevented their eligibility for early release.

Priority within the above listed eligible inmates will be determined by the Classification Unit Supervisor.

**Procedure C: Inmates Ineligible for Fed Cap Citation Release**

The following inmates shall not be eligible for Fed Cap Citation Release:

- Any unsentenced inmates charged with a felony crime of violence as specified in Penal Code Section 667.5

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: PRE-TRIAL RELEASE**

**K-350**

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**EFFECTIVE DATE:** 6-17-14

**REVISED:**

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** P.C. 1318, 1319, 667.5(c), 1192.7

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### **POLICY**

The Kern County Sheriff's Office will complete evidence-based risk assessments and provide recommendations to the court to aid in making informed decisions on releasing pre-arraignment and/or pre-trial inmates into the community.

The Sheriff's Office has adopted the Virginia Pre-trial Risk Assessment Instrument (VPRAI) to evaluate the level of risk an individual is to the community, risk of re-offending and risk to fail to appear for a court date.

This program will assess all inmates that are charged with a felony once voluntary written consent is received from the inmate. Inmates charged with a capital crime and those being held without bail are ineligible for this program.

### **INMATES NOT ELIGIBLE FOR PRE-TRIAL RELEASE**

The Kern County Sheriff's Office will not release any inmate that falls under the following criteria.

- Violent offenses (present arrest) pursuant to PC 667.5
- Serious offenses (present arrest) pursuant to PC 1192.7
- Offenses listed on the AB109 Crime Exclusion List.
- Charged with a violation of Formal Probation (only)
- No bail status – Parole, PRCS, ICE Holds, Extradition Holds, In-State Holds Out-of-County Holds, No Bail warrants.
- Violations of an active Criminal Protective Order

## **PROCEDURE A: Performing the Assessment**

### **The risk assessment staff will:**

- Routinely check the electronic records system for eligible inmates that have not been assessed;
- Explain the program and potential uses of the information offered to the inmate so that he or she may make an informed voluntary decision whether to participate in the pre-trial release interview;
- Obtain written consent from the inmate to collect information for the purpose of the pre-trial release program;
- Review the booking data and RAP sheet. This information will be entered into the electronic assessment form;
- Conduct an interview with the inmate to gather additional information necessary to complete the assessment form.
- Staff will attempt to verify the information from the interview.

## **PROCEDURE B: Mitigation Plan**

Conditions of the release are determined by Sheriff's staff and documented on the Own Recognizance (O.R.) form. Risk Assessment Deputies will explain the O.R. terms and conditions to the inmate, who will sign the O.R. agreement prior to release. A copy of the signed promise to appear will be sent to the Court.

- Low Risk – All inmates meeting the low risk criterion standard will be released on O.R. as authorized by the standing Superior Court Order.
- Below Average and Average Risk – Inmates meeting the below average or average criterion may be released on O.R., Supervised O.R., or EMP as authorized by the standing Superior Court Order. The release and conditions of release are determined by the Sheriff's staff.
- Above Average and High Risk – Inmates meeting the high-risk criterion will remain in custody unless approved by the Population Management Section Manager.

### **PROCEDURE C: Supervision**

Below average and average risk inmates released on O.R. may be monitored to ensure adherence to the terms and conditions of the Pre-Trial Release Program. Deputies assigned to EMP and Sheriff's Parole will be responsible for supervising inmates placed on the Pretrial Release Program.

### **PROCEDURE D: Technical and Criminal Violations**

If a person on the Pre-Trial Release Program commits a violation of the terms of release, the violation will be reviewed by staff to determine if revocation is necessary. If so, the defendant will be taken into custody and removed from the program.

If a person on the Pre-Trial Release Program is arrested for a new criminal violation(s), they will be booked and removed from the program.

If a person on the Pre-Trial Release Program fails to appear for a scheduled court appearance, they will be removed from the program. They will be ineligible for re-release onto the program that booking.

### **PROCEDURE E: Maintenance of Data Base**

The following will be tracked by the risk assessment staff:

1. Answers to the VPRAI questions
2. Final scores on each assessment
3. Number of Failure to Appears
4. Number of new arrests
5. Average Daily Population
6. Average Length on Program

### **PROCEDURE F: Communication with Justice Partners and Information Disclosure**

Risk assessment reports used to determine eligibility/suitability for release will be made available, upon request, to the court, prosecutor, and the defense counsel in criminal action.

Reports related to defendant compliance issues may also be made available to the court, the prosecutor and the defense counsel.

KCSO Risk Assessment staff will maintain confidentiality of Pre-Trial Program records.

Information obtained during the course of the pre-trial release investigation and during post-release supervision shall remain confidential and should not be disclosed unless authorized by Standards and California State/Federal laws that regulate the release of

medical information (e.g. HIPAA - Health Insurance Portability and Accountability Act). Any disclosure of pre-trial services information may be limited to the minimum information necessary to carry out the purpose of such disclosure.

**Staff may disclose information under the following circumstances:**

- To the court for the purposes of setting conditions of release, providing notification of court appearances, or notifying the court of violations of conditions of release, including orders of protection and failures to appear;
- To other service programs to which the defendant has been referred by the court or the pretrial agency or program, or to another pretrial program, provided the defendant consents to disclosure;
- To law enforcement authorities, upon reasonable cause to believe that such information is necessary to assist in apprehending an individual for whom a warrant has been issued for failure to appear or for the commission of a crime while on own recognizance release;
- To a probation department for use in any court ordered investigation such as a pre-sentence report or to assist in the supervision of a pretrial defendant who is subsequently convicted and placed on probation; and to individuals or agencies designated by the defendant, upon specific written authorization of the defendant.
- In cases in which KCSO Deputies or Risk Assessment staff has specific information leading to a good faith belief that the defendant intends to harm law enforcement authorities, particular individuals (e.g. victims), or the community at large, the agency or program shall inform the court of the nature of the potential harm. The agency or program shall disclose only such information as is necessary to fully advise the court.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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<b>TITLE:</b>	<b>ADMINISTRATIVE SEGREGATION</b>	<b>K-400</b>
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**EFFECTIVE DATE:** 06-30-90

**REVISED:** 03-06-18

**APPROVED BY:** Detentions Bureau Chief Deputy Tyson Davis

**REFERENCE:** TITLE 15, SECTION 1053, C.C.R., PREA DOJ 115.43, 115.68, USMS IGA 97-99-0196, Restrictive Housing

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### POLICY

Administrative segregation is a tool afforded to facility administrators to maintain safety, security, order and control of the jail. It provides an opportunity to protect potential victims, isolate potential predators, or to control an inmate or group of inmates that display the propensity to disrupt the proper operation of the jail.

Administrative segregation shall consist of separate and secure housing, but shall not involve more deprivation of privileges than is necessary to obtain the objective of protecting inmates and staff.

Inmates shall be eligible for administrative segregation if they are determined to be prone to:

- Promote activity or behavior that is criminal in nature or disruptive to facility operations;
- Demonstrate influence over other inmates, including influence to promote or direct action or behavior that is criminal in nature or disruptive to the safety and security of other inmates or facility staff, as well as to the safe operation of the facility;
- Escape;
- Assault, attempted assault, or participation in a conspiracy to assault or harm other inmates or facility staff;
- Or likely to need protection from other inmates.

Inmates likely to need protection from other inmates, including those at risk for sexual abuse, or recently abused, may be housed in administrative segregation if no other alternative exists.

**DEFINITIONS:**

- **Administrative Segregation:** The separate and secure housing of an inmate.

**DIRECTIVE #1**

Administrative segregation shall not be used as a means of punishment or discipline. Based upon the seriousness of an offense, an inmate may be administratively segregated pending a disciplinary hearing only if it is likely that the offense committed will continue and there is no reasonable alternative other than administrative segregation to stop the inmate's actions.

**Procedure A: Administrative Segregation of Inmates**

Classification staff shall conduct initial screenings of all inmates. Those requiring administrative segregation shall be noted in their classification record and scheduled for periodic reviews.

Staff members requesting that an inmate be reviewed for possible administrative segregation shall:

- Obtain the approval of the Shift Supervisor;
- Generate a Jail Management System (JMS) incident report as described in Section A-1500 of this manual;
- Notify a classification deputy;
- If approved, move the inmate to the housing location assigned by the classification deputy.

**Procedure B: Administrative Segregation of PREA at Risk Inmates**

When an inmate is administratively segregated at intake due to risk of sexual abuse, a classification deputy shall;

- Conduct a complete assessment of the inmate within 24 hours of placement to ensure administrative segregation is necessary and that the inmate is housed in the least restrictive housing available;
- Ensure that the inmate does not exceed 30 consecutive days of administrative segregation without documentation of the concern for the inmate's safety, including

articulation of why no alternative means of separation from abusers can be arranged;

- Conduct a review every 30 days or sooner to determine the need for continued separation from general population.

To the extent possible, inmates administratively segregated for this purpose shall have access to:

- Programs;
- Privileges;
- Education;
- Work opportunities.

If access is limited, the following shall be documented;

- The opportunity limited;
- Duration of the limitation;
- Reasons for such limitations.

### **Procedure C: Administrative Segregation of Federal Contract Inmates**

Staff members requesting that a federal contract inmate be administratively segregated either during initial intake or as the result of an incident shall:

- Obtain the approval of the Shift Supervisor;
- Generate a JMS incident report as described in Section A-1500 of this manual;
- Notify a classification deputy;
- Move the inmate to the housing location assigned by the classification deputy.

#### **The classification deputy will:**

- Notify the Federal Contract Liaison;
- Notify the Classification Supervisors via e-mail or phone;
- Conduct an initial review within 72 hours of the inmate's placement in administrative segregation to determine whether segregation is still warranted;
- Conduct a follow up review after the inmate has been in administrative segregation for seven (7) days;

- Conduct a follow up review every week thereafter for the first month and at least every 30 days thereafter.

**During each review, the classification deputy will:**

- Interview the inmate;
- Determine if continued administrative segregation is warranted;
- Notify the Federal Contract Liaison of the results of the review.

**The Federal Contract Liaison or designee will:**

- Provide reports to the United States Marshals Service (USMS) on a monthly basis listing all USMS detainees who were detained in restrictive housing and the reasons for their assignment to such housing.

**Procedure D: Compatible Administratively Segregated Inmates**

The Classification Supervisor or his designee may house mutually administratively segregated inmates of the same classification.

- A classification deputy will interview the potential inmates for multiple housing.
- If the classification deputy determines the inmates are compatible, the classification deputy will note this in the comments section of the inmate's records and assign them appropriate housing.
- Inmates who have been determined to be prone to assault staff or other inmates, including those who have been determined to be PREA high risk for sexual abusiveness, will not be considered for multiple housing.

**Note:** An administratively segregated inmate designated as compatible is to be considered compatible **only** with his/her cellmate(s) as assigned by the Classification Unit and **not** with other inmates who are designated as compatible.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** CLASSIFICATION REVIEWS **K-500**

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**EFFECTIVE DATE:** 07-11-94

**REVISED:** 05-19-16

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** Title 15, Section 1050, C.C.R. DBPPM K-300, K-400,  
PREA DOJ 115.41

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### **POLICY**

To ensure that an inmate's classification status reflects up to date information regarding his or her custody situation, it is necessary to periodically review inmates' custody status. The classification unit will conduct inmate interviews and/or review the custody status of inmates housed in the Detentions Bureau Facilities and change inmate's classification as required.

Inmate interviews or status reviews will occur whenever an inmate is transferred from one facility to another, if there is a change in criminal charges, amount of bail, behavior, upon receipt of additional information that warrants re-evaluation, or as required for inmates considered PREA at risk.

### **DEFINITIONS:**

PREA at risk: A person determined through KCSO's booking / hazard screening, and the classification process based on criteria in DBPPM K-300 to be at risk of being sexually abused or harassed.

### **DIRECTIVE 1:**

An inmate who has been sentenced to more than 60 days may request a review of their classification no more often than 30 days from their last review. An inmate who is unsentenced may request a review of their classification no more often than 30 days from their last review.

**PROCEDURE A: Transfer Review Process****DIRECTIVE A-1**

Receiving Deputies processing inmates transferred from one facility to another shall have each inmate complete a PREA Facility Transfer Risk Reassessment form. If an inmate answers "yes" to question #1, Deputies shall contact classification.

Classification staff contacted by receiving Deputies shall;

- Conduct an in person interview with the inmate to determine the inmate's safety concerns.
- Ensure an appropriate housing assignment is made.
- Make any necessary confidential entries to the inmate's CJIS record.

**PROCEDURE B: Classification 30 day Review Process****DIRECTIVE B-1: General Classification Review**

**The Classification Deputy will:**

- Run the CJIS function IMDSPCLR on a daily basis.
- Review each inmate's electronic file to determine if a re-classification, change in housing assignment, or transfer is required.
- Ensure that the inmate is assigned to a housing location consistent with their classification status.
- Review each booking in the record, checking for issues such as open cases with no disposition or future court date, releases marked No Local Jail Sentence, jail sentences with no outdates, and unreleased-never filed open cases.
- Ensure the release dates for all court commitments are calculated.
- Ensure that all inmates who need to be tracked are on the proper notification list (CYANO, REMNO, OSHNO, CDCWL, etc.)
- Check appointments to confirm if inmates who are in-custody based solely on out-of-county warrants have had pick-up teletypes sent to the responsible agency.

- Check all inmates with a security level of 04 to ascertain if their level can be lowered.
- Double check Keep-Aways to be sure they are not housed in the same housing unit, or are both at the minimum facilities. Ensure the inmate is housed correctly based on gang affiliation.
- Justification for all administrative segregation and protective custody classifications must be based on clearly articulated criteria outlined in DBPPM K-300 & K-400. Such justifications should be made in the comments section of the classification record.
- Review incident reports written on inmates to determine if a classification and/or housing change is appropriate.
- Make any necessary re-classification, change in housing assignment, or transfer required.

#### **DIRECTIVE B-2: PREA at risk Classification Review**

Inmates determined to be “at risk” of sexual abuse will be interviewed within 30 days in custody to determine if any unknown information exists that should be considered during the review process.

#### **The Classification Deputy will:**

- Obtain 30-day PREA “at risk” inmate list from classification SST.
- Interview “at risk” inmate(s) asking inmate about any new sexual abuse / sexual harassment, threats of abuse, or retaliation for reporting abuse / harassment.
- Obtain an “affirmative or negative” response from inmate(s) to “do you have any fears about your sexual safety?”
- Reassess each inmate’s risk of sexual victimization or abusiveness within 30 days from the inmate’s booking, based upon any additional relevant information received since the intake screening.
- Reassess inmates identified as at risk of sexual victimization within 30 days from the inmate’s booking based upon any additional relevant information received during the inmate’s interview.

- Reassess an inmate's risk for sexual victimization or abusiveness when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.
- Ensure that inmates at high risk of being sexually victimized are not housed in the same unit as inmates at high risk of sexual abusiveness.
- Document "class rev/30 day RA , new info considered" or "class rev/30 day RA, no new info".

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** RELEASE DATE CALCULATION **K-600**

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**EFFECTIVE DATE:** 6-30-90

**REVISED:** 01-26-10

**APPROVED BY:** Detentions Bureau Chief Deputy

**REFERENCE:** P.C. 4019(b) (c)

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### POLICY

Pursuant to Section 4019(b) and (c) of the Penal Code, inmates housed in the Kern County Sheriff's Office Detention Facilities will receive credit for work and good behavior, unless otherwise stated by the court.

Credit for work and good behavior will be awarded as follows:

- Except for inmates specified below, inmates will receive one day of credit for work and one day of credit for good behavior for each four-day period of confinement.
- The following types of inmates will receive one day of work credit and one day of credit for good behavior for each six-day period of confinement:
  - Any inmate required to register as a **sex offender** pursuant to Chapter 5.5 (commencing with Section 290) of the Penal code.
  - Any inmate committed for or who has a prior conviction for a **serious felony**, as defined in Section 1192.7 of the Penal Code.
  - Any inmate committed for or who has a prior conviction for a **violent felony**, as defined in section 667.5 in the Penal Code.

### DEFINITION(S):

For the purposes of this policy, the following definitions will apply:

- **Good Time:** One (1) day credit for each four or six-day period of confinement with good behavior.

- **Work Time:** One (1) day credit for each four or six-day period of confinement with satisfactory performance of assigned labor. Inmates are allowed work time credit whether or not labor assignments are available.
- **Concurrent Sentence:** When two (2) or more commitments run simultaneously.
  - **Note: All Commitments are assumed to run concurrently unless otherwise stated by the court of jurisdiction.**
- **Consecutive Sentences:** When two or more commitments run one after the other. (i.e., Upon completion of one sentence, the next sentence begins.)
- **Day Suspended:** When the terms of a commitment include the words "X-Day(s) Suspended", the number of days indicated will be subtracted from the total number of days to be served, after good and work time credits have been calculated.
- **Days:** One (1) day will equal twenty-four (24) hours. Any portion of a calendar day served in custody will be counted as one (1) day when calculating release dates.
- **Month:** One (1) month will equal thirty (30) days when calculating release dates.
- **Year:** One (1) year will equal 365 days when calculating release dates.
- **Stay of Execution:** A period of time granted to a convicted person before they must begin serving their sentence. A credit of one (1) day is given for the day the subject reports to begin serving the sentence indicated on the commitment.
- **Credit for Time Served:** Credit for time served while the subject was in custody before the sentence was imposed, as determined by the courts.

#### **DIRECTIVE #1**

Inmates may be subject to loss of work time on the un-served balance of their sentence or for good time on their entire sentence. Such loss of good or work time will only occur as a result of a disciplinary hearing in which the inmate was found guilty of violating inmate rules of conduct as described in DBPPM I-100.

#### **DIRECTIVE #2**

The courts will often sentence a subject to pay a fine, either alone or in conjunction with jail time. If the subject chooses not to pay the fine, the dollar amount of the fine is converted

into custody time by the court. In such instances, good and work time will be calculated on the entire sentence, including the time that was converted from the fine.

### **DIRECTIVE #3**

Inmates who are remanded to the custody to the Sheriff on juvenile commitments are not entitled to good and work time. Classification staff will manually compute these outdates.

#### **Procedure A: Missing Commitments (Outdates)**

Any staff member who discovers that an inmate does not have outdate data in his/her CJIS record will advise the on-duty Classification Officer.

#### **Classification Personnel will:**

- Upon notification from any source that an inmate does not have an outdate, classification staff will ensure an outdate is computed.
- If after a review of the CJIS court dockets an accurate outdate has not been established or the classification officer has insufficient information to calculate an accurate outdate, the classification officer will contact the court of jurisdiction.
- Ensure the courts update the CJIS record.
- Verify that the outdate appears in the jail record
  - If it does not, manually enter the information via IMMNTSNT.





# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** COURT ARRAIGNMENT SCHEDULE

**K-1100**

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**EFFECTIVE DATE:** 06-30-90

**REVISED:** 01-27-03

**APPROVED BY:** Detentions Bureau Chief Deputy

**REFERENCE:** P.C. 825, *Youngblood v. Gates*, (1988), 200 Cal App. 3d 1302, *People v. Powell supra*, 67 Cal 2d 32, *People v. Hall*, (1964) 62 Cal 2d 104

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### POLICY

Section 825, California Penal Code, defines the maximum time a person can be held in-custody prior to arraignment before a magistrate. In the court case, Youngblood vs. Gates (cited above), the Appellate Court further clarified the maximum time a person could remain in-custody prior to arraignment.

County Counsel's Office issued an opinion that provides the following arraignment schedule. Person(s) arrested and placed in the custody of the Sheriff, shall be held in accordance with this arraignment schedule or released pursuant to Section 849, California Penal Code.

Facility Managers shall ensure that their Facility Policy and Procedure Manual sections do not conflict with this policy.

This policy has been approved by both the County Counsel's Office (Mr. John Irby) and the District Attorney's Office (Mr. Mike Saleen).

### Directive #1

#### In Custody Arraignment Schedule Deadlines

Date / Time Arrested:

Must Be Arraigned By The Following:

Saturday-Anytime

Tuesday-End of Court Day

Sunday-Anytime

Tuesday-End of Court Day

Monday-Anytime

Wednesday-End of Court Day

Tuesday - Anytime

Thursday - End of Court Day

Wednesday - Anytime

Friday - End of Court Day

Thursday - Anytime

Monday - End of Court Day

Friday - Anytime

Tuesday - End of Court Day

### **Directive #2**

#### **Holidays**

"If a holiday intervenes on a day other than a Saturday or Sunday, the outside limit is extended one day." (Youngblood v. Gates)

### **Directive #3**

#### **Admitted to Hospital**

If a person arrested is admitted to a hospital prior to arraignment, Section 825, California Penal Code does not apply. The time limits imposed by this section will commence upon the return of the arrested person to the detention facility and the Sheriff's custody. (People v. Hughes (1974) 38 C.A.3d 670)

### **Directive #4**

#### **Release**

Arrested person(s) held in custody at the expiration of the maximum confinement period listed above shall be released in accordance with facility procedure.

# KERN COUNTY SHERIFF'S OFFICE

## Detention Bureau Policies and Procedures

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**TITLE:** **INMATE GANG ACTIVITY** **K-1200**

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**EFFECTIVE DATE:** 12-20-90 **REVISED:** 07-11-94

**APPROVED BY:** Detention Bureau Chief Deputy

**REFERENCE:**

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### **POLICY**

In order to effectively classify inmates within the Bureau, to ensure the safety of staff and other inmates, prison and street gang members, as well as associates and sympathizers will be identified and housed accordingly.

### **DIRECTIVE #1**

Each inmate received for booking will be asked about their gang involvement. This information will be written on a confidential questionnaire and forwarded to the Classification Unit. The Classification Unit will use this information, and any prior information on the same inmate to make classification and housing decision. The Department's Gang Suppression Unit will act as a resource for current gang information as needed.