Jail Bureau General Orders
Sheriff's Department
Monroe County, NY

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last update: March 2018

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COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE July 09, 2014	EFFECTIVE DATE July 11, 2014	NO. 001-14
SUBJECT: GENERAL ORDER JAIL BUREAU CHAIN OF COMMAND AND ORGANIZATION		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NYSSA 45, 48, 64			RESCINDS JBGO 01-00

Purpose: To familiarize Monroe County Sheriff's Office personnel with the organizational structure of the Jail Bureau, and to define the responsibilities of each component therein.

Policy: It is the policy of the Monroe County Sheriff's Office to have formal hierarchical structure through which an established chain of command is arranged, defined, directed, and coordinated.

I. Jail Bureau Chain of Command

A. Sheriff

B. Undersheriff

C. Superintendent

D. Major

E. Captain

F. Lieutenant

G. Sergeant

H. Corporal

I. Deputy

Note: In order to achieve and maintain effective leadership, command officers and supervisors will at all times, direct the activities of their subordinate members and employees.

II. Organizational Structure

The Superintendent maintains overall administrative responsibility for the Jail Bureau and is accountable to the Undersheriff. The Jail Bureau is divided by function into the following units:

A. Jail Administration (Administrative Major)

The following units are under the overall command of the Administrative Major.

1. Orders Management
2. Liaison to Other Agencies
3. Inmate Phone Service

4. Inmate Grievance Officers
5. Computer Systems
6. COMPSTAT
7. Personnel Support
8. PREA
9. Volunteers
10. Religious Services (Chaplain)
11. Educational Services
12. Food Service Contract Oversight
13. Law Library
14. Commissary Contract Oversight
15. Medical/Mental Health Contract Oversight
16. Administrative File System & Archiving

B. Jail Security Operations (Operations Major)

The following units are under the overall command of the Operations Major.

1. Security Staff Operations
    a. 1st Platoon MCJ and MCF
    b. 2nd Platoon MCJ and MCF
    c. 3rd Platoon MCJ and MCF
    d. Special Operations
2. MCJ/MCF Visits
3. Forensic Unit Operations
4. Jail Intelligence Unit
5. Jail Administrative Hearing Officers
6. Jail Records
7. Outside Work Program
8. Inmate Property
9. Prisoner Transport
10. Jail Maintenance
11. Institutional Helpers
12. MCJ/MCF Drug & Alcohol Programs & Rehabilitation Unit.
13. Counselor Services
14. Special Response Team

C. Each unit and component comprising of the Jail Bureau will fall under the direct command of one supervisor. According to the principle of "unity of command," members and employees will be held accountable to only one supervisor at any given time.

III. Responsibilities

A. Jail Administration (Administrative Major)

The Jail Administration Unit is comprised of the following units. The Administrative Major maintains overall command responsibility for the Jail Administration Unit and is accountable to the Superintendent. Responsibilities include generating, maintaining, distributing, and tracking a variety of documents relating to administrative functions of the Jail Bureau.

1. Orders Management

Responsible for ensuring that the Jail Bureau is in compliance with standards established by the **NYSCOC** and **State Accreditation Programs**, both initially and as part of an ongoing process. Responsible for updating and reviewing Jail Bureau General Orders, Special Orders, and Bulletins on an annual basis for operational effectiveness.

2. Liaison to Other Agencies

   Responsible for communications between NYS Commission of Corrections, NYS Sheriff's Association, area law enforcement agencies, and any other correctional based organizations.

3. Inmate phone services

   Responsible for inmate phone vendors and phone contract oversight.

4. Inmate Grievance Officers

   The Grievance Coordinator is responsible for assigning formal inmate grievances to Grievance Officers. Grievances will be processed as mandated by the **NYSCOC (9NYCRR, Section 7032)** and in accordance with **Inmate Grievance Program (JBGO-046).**

5. Computer Systems

   Responsible for Jail Management Software Applications, MoRis Booking System, Windows Network Security and eJusticeNY Security.

6. COMPSTAT

   Responsible for Jail Stat Program design and oversight.

7. Personnel support

   Manages oversight of Personnel Order distribution, Performance Evaluation System, Early Warning System, Subpoena Service and Tracking, Employee Injury Reporting, Exposure Incident Reporting, Extended Sick Leave, Limited Duty and Military Roster Management, and Payroll.

8. PREA

   Responsible for the development, implementation, and overseeing the Jail Bureau's efforts to comply with the PREA standards in all of its facilities.

9. Volunteers

   Develops, administers, and coordinates self-help programs for inmates incarcerated in the facility. Programs include Alcoholics and Narcotics Anonymous, sex offender counseling, and general counseling in accordance with **Programs for Self-Improvement (JBGO-055).**

10. Religious Services (Chaplain)

    Responsible for the coordination of religious programs, including counseling, non-denominational bible studies, prayer services, and worship services in accordance with **Religious Services and Activities (JBGO-051).**

11. Educational Services

    Responsible for the implementation of the overall academic program, which consists of GED programs, life skills programs, and second language programs.

Provides inmates with tutors for academic assistance.

12. Food Service Contract Oversight

Responsible for the overall management of Food Service Operations within MCJ and MCF. Duties include meal substitution, special diets, and compliance with the health and safety requirements mandated by the **New York State Department of Health** and the **NYSCOC** in accordance with **Food Services Operations (JBGO-006).**

13. Law Library

Responsible for providing law library services in accordance with **Law Library (JBGO-014)** for sentenced and non-sentenced inmates including services for the blind and physically handicapped.

14. Commissary Contract Oversight

Responsible for ensuring proper accountability for funds deposited, expended, and withdrawn by, or for inmates.

15. Medical/Mental Health Contract Oversight

Responsible for emergency and non-emergency health care services, including medical, dental, and mental health services. All shift Supervisors will ensure that Contract Medical Provider addresses all inmate medical needs.

16. Administrative File System & Archiving

Responsible for managing the Administrative File System and Archiving Program.

B. Jail Security Operations (Operations Major)

The Major of Operations maintains overall command responsibility for the operation and administration of all Jail Units and is accountable to the Superintendent. The Security Operations Unit is responsible for the management and administration of the following units and processes:

1. Security Staff Operations

Responsible for ensuring the overall safety, security, and good order within the Monroe County Jail and Monroe County Correctional Facility.

2. MCJ/MCF Visits

Responsible for the overall operation of the Jail Visitation area (contact, non-contact, and any other special visits), and identifying and registering visitors in accordance with **Inmate Visitation (JBGO-002).**

3. Forensic Unit Operations

Responsible for the custody of inmate patients admitted to the Rochester Psychiatric Center in accordance with **Forensic Unit (JBGO-024).**

4. Jail Intelligence Unit

In conjunction with the District Attorney's Office, and other law enforcement agencies, is responsible for gathering information within the jail which may relate to criminal matters.

5. Jail Administrative Hearing Officers

Responsible to provide inmate(s), who are the subject of a disciplinary hearing, the opportunity to explain their behavior and any mitigating circumstances. The Hearing Officers will then make a determination of guilt or innocence in each charge of misbehavior. The determination must be supported by substantial evidence.

6. Jail Records

Responsible for ascertaining the legality of commitments, releases, discharges, and warrants involving incarcerations or releases of prisoners. Maintains a system of information and record storage in accordance with **Facility Record Retention (JBGO-025).** Processes writs and fugitive proceedings and accepts bail. Arranges transportation of prisoners to courts, hospitals, and other institutions.

7. Outside Work Program

Approved inmate trusties will be transported by deputies assigned to the Outside Work Program to approved work sites to complete work as directed by a facility sergeant. All outside trustees will be supervised in accordance with **Inmate Trusty Selection Process (JBGO-061)** and **Security Supervision (JBGO-047).**

8. Inmate Property

Responsible for implementing and maintaining a system of accountability, which will facilitate the proper handling and storage of inmate property.

9. Prisoner Transport

Responsible for planning, coordinating, and supervising prisoner movement outside the facility in accordance with **Prisoner Transport/Treatment (JBGO-025).**

10. Jail Maintenance

Responsible for routine and emergency upkeep and repair of Jail Bureau facilities and systems.

11. Institutional Helpers

Responsible for the oversight of employees at MCJ and MCF.

12. MCJ/MCF Drug & Alcohol Programs

The Director of the Inmate Drug and Alcohol Programs implements and coordinates drug and alcohol treatment for sentenced inmates. Counseling responsibilities include education programs, self-help meetings, group and individual counseling sessions, as well as placement for post release treatment.

13. Counselor Services

The counselor's responsibilities include providing inmates with orientation to facility programs, policies, and services. Prepares work release and furlough applications, facilitate group counseling, and provide post release planning for support services.

14. Special Response Team

Responsible for the oversight and governing of the Special Response Team's tactical command, operations, training, equipment and response to emergency situations. (The Superintendent authorizes all Special Response Team activations.)

By order of the Sheriff,

Patrick M. O'Flynn

• Indicates significant changes from the previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER Jail Bureau	DATE OF ISSUE September 18, 2015	EFFECTIVE DATE September 19, 2015	NO. 002-15
SUBJECT: GENERAL ORDER Inmate Visitation		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PART 7008 OF TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK (9NYCRR PART 7008)			RESCINDS 02-12

Purpose: To establish and maintain policies and procedures for inmate visitation within the Monroe County Sheriff's Office (MCSO).

Policy: It is the policy of MCSO to observe policies and procedures which will enable staff to conduct visitation procedures within the MCJ and MCF in accordance with Part 7008 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7008).

Definition: **Permanent Visit**: A one hour weekly visitation slot that is scheduled and reserved based upon availability and inmate status, by staff in accordance with procedures detailed herein. A permanent time for a visit is a privilege that is subject to staff discretion.

Direct Supervision: Security staff are in the same room with, and within reasonable hearing distance of the inmate(s).

I. General Provisions

A. The Superintendent or his designee will establish and publish a schedule of visits for MCJ and MCF to ensure inmates have the opportunity of scheduling at least two, one-hour visits weekly. If requested and if scheduling permits, these visits may be scheduled consecutively.

B. The visitation area will be utilized for all parole hearings, line-ups, public defender night, and other professional visitations, marriages, contact and non-contact visitation.

* C. Civilians may schedule visits either in person or via the telephone during Jail visitation hours. In addition, inmates committed to MCJ and MCF may request a visit by submitting a **Visit Request Form (JB-012-13A)** to visiting area supervisor or visits staff member.

D. The maximum number of visitors allowed at any one time will not exceed two (2) adults and two (2) lap children. Visitors who have entered the visitation area will not be allowed to exit and be readmitted. Should visitors leave the visiting area, the visit will be terminated immediately. The only exception to this will be if the visitor has scheduled two consecutive visits, in which case the visitor(s) may leave for a restroom break after the first visit.

E. Requirements to Enter Jail Visits

1. Persons 18 years of Age and older require a valid government issued photo identification.
2. Persons 16 and 17 Years of Age

   a. Must present valid current photo identification issued by a school or other approved government agency.

   b. Must present an original birth certificate and be accompanied by a parent listed on the certificate.

   c. If a minor is under the care of a legal court appointed guardian he/she must present guardianship papers from issuing court and be accompanied by their legal guardian.

   d. Any person under the age of 18 who desires to enter visitation area without his/her parent or legal guardian must present a written notarized letter of permission from their parent/legal guardian that can be verified. This letter will include the name, date, address and telephone number of his/her parent or legal guardian as well as the name of the individual(s) they are permitted to visit. Persons under the age of 18 entering the visitation area must be accompanied by an adult over the age of 18.

3. Persons under 16 years of age must meet the above requirements (Section E. 2.) with exception of photo identification.

F. Orders of Protection

1. The Visits Area Supervisor will designate staff to record Orders of Protection received from the courts in the inmate's visitor's log. At no time will a visitor be allowed into the visitation area to visit with an inmate if an active No Contact Order of Protection exists between the two.

2. If the order of Protection is a No Offensive Contact Order, the visit shall take place in the contact visitation area given that both parties are adhering to the directives set forth by the issuing court.

3. Any other type of Order of Protection will be reviewed by the Visits Area Supervisor and visitation will take place as directed in the order.

G. Each inmate shall be entitled to receive a non-contact visit within 24 hours after his/her admission to the facility. Arrangements shall be made to schedule the initial visit upon the inmate's request.

H. All visits will be scheduled on JMS allowing all housing areas to access their respective visits for the day.

I. Inmates will not be permitted to have infants/children passed to them during their visitation. The inmate will be permitted to embrace the infant child at the beginning of the visit and again at the conclusion of the visit. Children must remain on the visitor's lap during the entire visit or next to visitor, if appropriate. Any inmate not in compliance will be infracted and may result in loss of contact visitation privileges.

J. **Visitation Area Rules and Regulations** governing the visitation area will be posted conspicuously throughout the visitation area as well as on the MCSO website.

K. Visitors may be permitted to bring documents into the visiting area for an inmate's signature, if approved by the visit area supervisor.

II. Visiting Area Procedures

A. Staff assigned to the MCJ or MCF visitation area will report for roll call 15 minutes prior to the commencement of their tour of duty. The visitation area supervisor will conduct roll calls in accordance with **Attendance, Tardiness and Absenteeism (MBGO-027)** and direct staff to assigned posts accordingly. Staff assigned to Visits will sign out their individual key sets from Central Control and report to his/her assigned post. In addition, a search of the visitation area will be conducted prior and subsequent to each visitation period.

B. **All Visit staff will review the No Contact Reports and No Admit List daily for any pertinent information regarding visitors and/or inmates.**

C. Housing area supervisors will ensure inmates scheduled for visits are wearing only a complete jail uniform and footwear in accordance with **Inmate Personal Hygiene (JBGO-004)** and ensure that inmates do not carry any unauthorized items to the visitation area.

D. Staff Assigned to Visits Reception

1. Schedule visits with inmates either by telephone or in person from civilians. Visits will be scheduled on a first come first serve basis.

2. Document (on the visits database) all pertinent and/or current information regarding an inmate's past visits or requests (i.e., non-contact visits or requests by inmates to restrict visitors from scheduled visits).

3. Verify the visitor's identification (including professional visitors) and present proof of identification. Identification presented must be government issued, current and valid.

4. Record visitor's name, address, visitor code, date, name of the inmate being visited, and the staff's IBM# in the areas provided on the **JMS Visitor's Record.**

5. If the reception deputy deems the person appropriate for entry into the facility, screening will continue and the person will be directed to the appropriate location for admission.

E. Staff assigned to Screening at the Entry Security Sally Port

1. Staff will conduct a thorough visual search in addition to a metal detector scan of all visitors entering the security vestibule. Staff will also request visitors to open their mouth and lift their tongue and turn their pockets inside-out to search for any possible contraband. **Should visitors not comply with Jail Correctional Facility searching procedures, visitors will be denied access to the visitation area and the scheduled visit will be terminated.**

2. Professional Visitors (i.e. Attorneys, Probation & Parole Officers, Pretrial, etc.) may be allowed to bring in (subject to search) professional bags, tablet style electronic devices, or a laptop computer necessary to conduct client business. Professional Visitors will be processed through the magnetometer placing all loose items including pocket contents and belts into the trays provided for inspection. If the magnetometer triggers an alarm, a search will be conducted using a hand-held search wand.

3. Upon completion of search procedures, staff will direct visitors to the first security sally port door at the Visitation Control.

4. Staff assigned to the Visitation Control will monitor and release the sally port security door leading to the visitation area. In addition, visitors exiting the visitation area will exit through the designated security doors, to the visitation area lobby located outside of security.

5. Staff will instruct visitors to remove and secure all "removable" items in lockers located in the visitation area lobby. "Removable" items will include, but not be limited to jewelry, watches, keys, hats, candy, gum, belts, wallets, purses, money or layered clothing. "Removable" items do not include prescription glasses, wedding bands or any equipment necessary for a handicap condition. Parents or legal guardians with infants will be allowed one pacifier and one blanket while in the visitation area. Staff will instruct visitors to return locker keys immediately upon securing personal belongings. **At no time will visits staff accept or hold property for civilians entering the visitation area.**

6. **All visitors entering MCJ/MCF visitation will adhere to jail visits Rules and Regulations regarding apparel, contraband and behavior.**

7. Any visitors suspected of being under the influence of alcohol or drugs will not be permitted entry into the visitation area.

F. Visitation Area

1. Staff assigned to Timer Desk

   a. Assign and direct visitors to the appropriate visit booth and record the designated booth number in the designated space on the MCJ or MCF visit record. The time that the inmate arrives will be noted in the appropriate space labeled "IN" on the MCJ or MCF visit record. Inmates will be entitled to receive the entire scheduled time period from the time the inmate arrives to the visitation area.

b. Upon completion of the scheduled visit, the timer desk staff will advise contact visitation staff to verbally terminate the inmate visit and record the time the visit ceased in the space labeled "**OUT**" on the MCJ or MCF visit record. Visitation control staff will then allow visitors to exit through the exit sally port security doors.

2. Staff assigned to Contact Visitation and Observation

a. Along with providing officer presence in the contact visitation area, staff will maintain appropriate behavior and activity between inmates and visitors as stated in the Visitation Area Rules and Regulations and the Facility Inmate Handbook. Should staff observe any disruptive behavior or activity, the visitation area supervisor will be notified and will use his/her discretion to terminate or relocate the visit to the non-contact visitation area.

b. Notify staff assigned to the "holding" area of inmates exiting the visitation area at the termination of their visit.

c. Should an "emergency code" directly affect the visitation area staff will maintain order and direct civilians to exit the visitation area through the security vestibule in accordance with **Evacuation Procedures (EMGO-117) and Jail Emergency Plan for Group Disturbances (EMGO-119).** Visitors will be contained in the lobby until further action is approved by the visits supervisor.

3. Staff assigned to the Inmate Holding Areas

a. Prior to entering the visitation area, all inmates will be pat searched by staff of the same gender. Staff will not permit inappropriate apparel to be worn by an inmate in the visitation area. Inmates wearing inappropriate apparel will be returned to their assigned housing areas to change into the proper county issued uniforms. Inmates will not be denied their scheduled visit and the time will begin at the time they **initially** arrive into the visitation round.

b. Staff will ensure that they provide direct supervision when minor inmates and adult inmates have sight, sound, or interaction with one another.

c. The staff member assigned to the inmate roll call desk will be responsible for tracking incoming/outgoing inmates. Staff will inform the timer's desk when an inmate enters the visitation round, thus starting the visit time.

d. Provide observation of visits through security windows that are placed throughout the visitation area. Should staff witness disruptive behavior or activity they will act in accordance with **Section II, Subdivision F (2) (a).**

e. Staff witnessing the promotion of prisoner contraband will act in accordance with **Section IV.**

f. Upon completion of the visit, staff of the same gender will conduct a thorough strip search of inmates for possible contraband. Should staff discover contraband they will follow procedures outlined in **Section IV** of this directive.

g. Upon completion of the strip search, staff will escort inmates from the visits holding area to their respective housing areas.

4. Staff assigned to Visits Control Room

Staff assigned to the Visits Control Room will be responsible for monitoring all incoming/outgoing inmates for documented contact advisories or other information pertinent to the safety, security, and good order of the facility. Control room staff will also notify housing areas of all add-on visits.

5. Non-Contact Visitation Area

Inmates who are restricted from contact visits at MCJ or MCF may be eligible to receive non-contact visits. Inmates receiving noncontact visits will be pat searched prior to scheduled visits but will not be strip searched upon completion of the visit. The non-contact visitation area is located in a room adjacent to the main visitation area.

III. Permanent Visits

A. The visitation area supervisor will designate a staff member to coordinate and schedule all requests for permanent visits.

B. Inmates who are designated as a MCJ kitchen trusty or outside clearance trusty may request two one hour permanent visits. MCJ kitchen trusties will receive preference over all other permanent visit requests. Inmates with any of the following positions: floor, food handler, barber, mezzanine, maintenance, booking, and bathroom trustee, may request one permanent visit. Trusties defined in these categories will be considered once all kitchen trusties' selections have been submitted. All requests will be submitted using **Monroe County Jail/ Correctional Facility Permanent Visit Form (JB-011).**

C. Should a trusty lose trusty status for any reason: his/her permanent visit(s) will be canceled to provide time slots for new trusties.

D. Staff designated to schedule permanent visits will complete the following procedures:

1. Review the restricted visits log, kitchen trusty requests, general trusty requests, the special visits log and the visitation database. Should staff discover any entries in the restricted visits log, trusty requests, or in the visitation database creating a doubt as to whether the permanent visit should be granted, it will be referred to the visitation area supervisor who will either grant or deny the requested permanent visit.

2. Should an inmate request and meet the aforementioned requirements, they will be granted one or two permanent visits per week based upon trustees and/o r availability.

***IV. Hospitalized Inmate Visitation**

A. Must be approved by the Visits Supervisor.

B. All Visits Procedures must be followed:

1. Requirements to Enter Jail Visits, Age/Photo Verification- **Refer to Subsection I (E)**

2. The verified visitor list will be updated electronically by Jail Visits Staff. Jail Platoon Sergeants will be notified of the approved hospital visit.

3. Deputy assigned to the Hospital Detail will be notified of the scheduled visit by the Visits Supervisor.

4. All visitors will be screened and searched prior to entering a hospital room for a visit. All visitors will be subject to, but not limited to, Metal Detector Scanning, Pat Frisks, Mouth and Bag Checks. If a visitor refuses any search for any reason their visit may be cancelled and their access denied.

5. The Following items include, but not limited to, Cellular Telephones, Computers, Electronic Note Pads, Cameras or Recording Devices will not be allowed into an inmate hospital room by a visitor at any time.

6. Attorney Hospital Visits- Attorneys must schedule a professional hospital visit through the Visits Unit and obtain approval from the Visits Unit Supervisor. For after hour visits, Attorneys must obtain approval from the Duty Platoon Sergeant. Attorneys must present valid, verifiable photo identification prior to entering the hospital room, and will be subject to search and screening procedures. The Deputy will make every effort to ensure reasonable privacy is provided while maintaining inmate supervision.

V. Promotion of Prisoner Contraband

A. Staff witnessing the promotion of prisoner contraband between inmates and visitors will terminate the scheduled visit immediately, notify the visitation area supervisor, and restrict movement of both the inmate and visitor involved until the visitation area supervisor responds.

B. At the direction of the visitation area supervisor, the inmate will be escorted from the visitation area to a secured cell. The visitor may be detained in the designated interview room.

1. Should contraband be introduced into the facility, the visitation area supervisor will immediately notify a duty sergeant/shift supervisor as well as the Administrative Sergeant.
2. Upon the Administrative Sergeant's approval, the Criminal Investigative Section (CIS) will be notified and respond for possible pursuit of criminal charges.

C. The visitation area supervisor will use his/her discretion, based on the nature of the contraband, whether or not to pursue facility disciplinary action against the inmate.

D. At the discretion of the Superintendent or his designee, visitors may be restricted from the Jail/Correctional Facility for up to one year for attempting to promote prisoner contraband and may be criminally charged. Visitors who are restricted from the Jail/Correctional Facility will be notified of the restriction by mail. Visitors may appeal the restriction by writing to the Superintendent or his designee. Once the restriction time has elapsed, visitors must apply in writing to the Superintendent for reinstatement.

VI. Inmate to Inmate Visits

A. Inmates requesting a visit with another inmate will be required to provide legal proof of familial relation and submit a written request on an Internal Communication Form to a Jail Command Officer. Inmate to inmate visits will be granted at the discretion of a Jail Command Officer.

B. Should a Jail Command Officer approve the inmate to inmate visit, a platoon duty lieutenant will facilitate and coordinate the visit.

VII. Special Visits

Special Visits encompass any visit requested by either a civilian or an inmate outside of the stated procedure delineated in this order and may be approved at the discretion of a Command Officer. Should a Command Officer approve a special visit, the Command Officer will coordinate the special visit with either the visitation area supervisor or arrange the visit in the booking area during hours not on regular visitation days and/or times.

VIII. Attorney Visits

During Jail Visits hours of operation, attorneys may visit with their clients in the appointed visitation areas. If an attorney client visitation compromises the safety, security, and good order of the facility, the visits area supervisor will notify the duty Sergeant and arrange accommodation within the facility. Attorneys may visit their clients outside of jail visits hours within the Jail Facility with authorization from a Jail Command Officer. Staff will accommodate attorneys during non-visitation hours with an area that will maximize privacy to ensure confidentiality.

All attorney and agency visitors must present valid, verifiable photo identification prior to entering the visitation area, and will be subject to search and screening procedures. Should any attorney/agency visitor refuse to comply with the search and screening procedures as outlined in **Section II** of this directive he/she will be denied access to the facility.

By order of the Sheriff,

Patrick M. O' Flynn

Patrick M. O' Flynn

* Indicates change or addition from previous order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 21, 2011	EFFECTIVE DATE January 21, 2011	NO. 03-11
SUBJECT: GENERAL ORDER Inmate Identification		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 03-J-05

Purpose: To direct staff as to the proper identification of inmates housed at the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF), when inmates are travelling outside of their respective housing areas.

Policy: All inmates entering the Monroe County Jail shall be issued a wristband at the time of classification **PRIOR** to being assigned to general housing. Inmate identification is not to be released to any person or agency for any reason without approval from Jail Administration. Identification should be used only for the purposes outlined in this order.

I. Identification Issuance

A. Wristbands will be affixed on the inmate's right wrist. If application to the right wrist is not practical (i.e. amputee, cast, etc); the wristband will be affixed on the left wrist.

B. Reception, Evaluation & Classification (REC) Unit staff members at the Monroe County Jail shall be responsible to ensure that all inmates will be issued a wristband at the time of classification prior to being assigned to general housing or transferred to the Monroe County Correctional Facility.

C. All necessary supplies will be stored in the Reception Unit at the Monroe County Jail.

D. The inmate will be required to sign a statement on the classification document, stating that he/she is responsible for the wristband for the duration of his/her custody

E. Each wristband will display the inmate's name, MoRIS identification number, date of birth and photograph.

II. Display and Security

A. All inmate identification is to be worn and must be made visible upon request.

B. A new identification wristband may be issued in cases where the wristband becomes defective, worn, or illegible.

C. Inmates who tamper with their identification may be charged with an infraction and may lose a specified portion of good behavior allowance (good time), depending on the nature of the infraction report or other disciplinary sanctions in accordance with JBGO #07.

D. Inmates who are released from custody, in either facility will have their identification confiscated. Releasing staff will remove the inmate's wristband just prior to actual release. The wristband will be removed from the facility for destruction after 24 hours. Additional safety shears will be added to the releasing facility's equipment inventory to facilitate the removal of these bands.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE September 11, 2017	EFFECTIVE DATE September 12, 2017	NO. 004-17
SUBJECT: GENERAL ORDER **Inmate Personal Hygiene**		DISTRIBUTION **Jail Bureau Personnel**	AMENDS
REFERENCE: Part 7005 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7005)			RESCINDS 004-11

Purpose: To establish and maintain policy and procedure relating to inmate personal hygiene within the jail facilities of the Monroe County Sheriff's Office (MCSO).

Policy: It is the policy of the MCSO that all inmates housed within the Monroe County Jail (MCJ) or the Monroe Correctional Facility (MCF) is provided with adequate personal health care items. In addition, adequate bathroom and shower facilities will be maintained enabling inmates to maintain an acceptable standard of personal hygiene in compliance with Part 7005 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7005).

I. General Provisions

A. Health care items, linen, inmate uniforms, barber and cleaning equipment will be maintained and stored in a secure and sanitary condition at all times. Health care items, linen and uniforms will be replaced as needed. All barber equipment will be inventoried and inspected at the beginning and end of each shift, then will be noted in the housing area logbook. Any equipment found damaged, missing or altered in any way will be reported to the duty sergeant/shift supervisor immediately and documented in the housing area log and on a Special Report.

B. Pursuant to **9NYCRR Part 7005.7**, inmates are entitled to wear facility-issued clothing at facility expense, including such items as socks, undergarments, footwear and outerwear during cold weather. Inmates in need of such items will communicate this need to the designated staff member by way of a **JB-235 Inmate Internal Communication Form.**

C. Inmates intentionally damaging MCJ or MCF property will be held fully responsible and will be required to reimburse the County of Monroe for damages incurred. In addition, inmates may be infracted in accordance with Jail/Correctional Facility Rules and Regulations and may be subject to loss of "good time" or other disciplinary sanctions pursuant to **JBGO-007 Inmate Disciplinary Procedures** and 9NYCRR Part 7006.

II. Inmate Uniforms

A. Inmate uniforms will be supplied and maintained at MCJ and the supplies office at MCF. A duty Lieutenant or Sergeant will have access to the supply area. Inmates will be furnished with a uniform in Central Booking.

B. Inmates committed to MCJ will be issued one complete jail uniform at the time of initial booking. Inmates committed to MCF will be issued one complete uniform upon completion of the classification process and initial housing area assignment. All inmates will be issued the appropriate colored uniform in accordance with current procedures.

C. When inmates attend any organized activity either within or outside an inmate housing area, they will be required to **wear a complete jail uniform** and appropriate footwear.

1. Staff assigned to a housing area will ensure that inmates **do not** wear any additional clothing under their county issued uniform when they attend any inmate activities, requiring them to leave their housing area, excluding recreational activities.

2. Female inmates must wear a bra or T-shirt under their uniform top when attending organized activities.

3. Inmates who are housed at MCF or in the MCJ Tower will be required to be in full uniform at all times.

4. At **NO** time will inmates be permitted to walk around in their housing area in underwear (including boxer shorts) or towels.

D. Inmates **will not** be permitted to wear any head coverings while outside the housing area or while attending organized activities, unless they have been granted permission by either religious or medical personnel.

E. Inmates assigned to the MCF Parks Program will be issued appropriate clothing and protective wear such as goggles, winter hats, hard hats and boots as determined by Parks Program staff, according to weather conditions and/or job assignments. All issued clothing and protective wear will be maintained and accounted for by parks program staff.

III. Uniform Laundry and Repairs

A. Inmates will be provided an opportunity to have their issued uniforms and personal clothing laundered at a minimum of two times per week. In addition, inmates will be permitted to launder their uniforms and clothing daily within their housing area; however, all wet laundry must be hung in a designated location within the housing area.

B. Inmates will not be permitted to hang laundry from cellblock bars or cell door bars unless granted permission by the housing area supervisor. In such instances, all laundry will be removed from all bars prior to lock in, between the hours of 2200 and 0700.

C. Per NYS Minimum Standards 7005.8(b), Reasonable repair of any clothing shall be made at facility expense.

Note: Laundry bags are no longer provided by Quartermaster's Office. All requests for Laundry bags must be forwarded to Jail Administration

IV. Linen

A. All inmates housed or detained within either MCJ or MCF will be issued sufficient linen and bedding materials as necessary. All linen or bedding materials will be cleaned prior to issuance and will consist of:

1. Two sheets.

2. One mattress.

3. One blanket.

4. One bath towel.

B. All inmates will be provided an opportunity to exchange soiled sheets weekly. The quartermaster will maintain responsibility for ensuring all inmate housing areas are provided an opportunity to receive clean linen weekly. In addition, the quartermaster office will maintain a service agreement with a contracted agency specified by the Office of Sheriff, to provide clean serviceable linen to both MCJ and MCF. The quartermaster office will maintain all records generated pursuant to this agreement.

C. A sufficient supply of linen will be maintained in MCJ central booking and in the MCF supplies office. Inmates committed to MCJ will be provided with clean serviceable linen upon completion of initial booking. MCF inmates will receive linen upon classification and assignment to an inmate housing area. Staff relocating inmates to alternate housing areas within either MCJ or MCF will ensure that all issued linen is transferred with the inmate to his/her new housing area assignment.

D. Inmates released from either MCJ or MCF will be required to surrender all county issued linen to staff prior to their release. Inmates failing to surrender all issued property may be subject to disciplinary action as detailed in Section I., Subdivision B.

V. Personal Health Care Items

A. MCSO will provide inmates with a sufficient supply of adequate health care items to facilitate inmate personal hygiene. Jail/Correctional Facility staff will provide inmates with the following items upon request:

1. Soap.

2. Toothbrush.

3. Tooth powder.

4. Toilet paper.

In addition, female inmates will be provided with sanitary napkins and tampons.

B. Additional health care items such as deodorant, lotion, toothpaste and shampoo may be purchased through the Jail/Correctional Facility Commissary in accordance with **JBGO-072 Commissary Accounts Maintenance**.

C. Any commissary restrictions that are placed on an inmate due to housing location (i.e. Reception Annex) or punitive sanctions will not include the restriction of personal hygiene care items. All inmates, regardless of housing will be allowed to order such items.

D. Housing area supplies will be managed and replenished by the Jail Management Supply Program.

Note: Indigent clothing requests will be managed through the Inmate Property Office. All clothing requests will be completed using Form JB-051.

VI. Showers

A. Inmates will be provided an opportunity to shower daily between 0700 hours and 2200 hours, exclusive of meal times and at the discretion of housing area staff.

Inmates in administrative, punitive or medical segregation will receive the same opportunity to shower as the general inmate population unless restrictions issued by Jail Administration or Command Staff dictate otherwise. Showers will be provided to inmates in administrative, punitive or medical segregation, either at the discretion of the housing area supervisor or as directed by Jail Command Staff.

B. Housing area supervisors will ensure that inmate shower areas are maintained in a safe and sanitary condition and that shower areas are equipped with shower mats and curtains at all times. Should shower areas within the housing area require new shower mats and curtains; the housing area supervisor will submit a Jail Maintenance Work Order through JMS. Upon notification, jail maintenance will replace shower mats and curtains as needed, which will be supplied by the quartermaster and the MCF supplies office respectively.

C. Water temperatures for inmate showers are thermostatically controlled through the operation of water mixing valves. Staff **will not** attempt to adjust water valves or temperatures for any reason. Water temperature or water deficiencies will be directed to building maintenance for repair or adjustment via a Jail Maintenance Work Order through JMS. Additionally, a housing area staff member will notify the duty sergeant/shift supervisor and place a detailed notation in the housing area log identifying the deficiency.

VII. Razors/Nail Clippers

A. Housing area staff will maintain and secure all razors and nail clippers in a locked cabinet located within the staff member's assigned area and will account for both at the beginning and end of each shift daily. The total razor count and nail clipper(s) will be noted under the floor checklist in JMS. Razors or nail clippers unaccounted for will be reported to the duty sergeant/shift supervisor immediately and documented on a Special Report.

B. Razors and nail clippers will be distributed for inmate use between the following times; Mainframe will be between 0700-1000 hours daily, or at the housing deputies' discretion under certain circumstances. Tower units will be between 0600-1000 hours daily, or at the housing deputy's discretion under certain circumstances.

C. Prior to issuing a razor to an inmate, housing area staff will inspect the razor and place the inmate's name on the razor handle with a permanent marker. Housing area staff assigned to a dormitory housing area will issue a maximum of two razors at a time. Staff assigned to cellblock housing areas will distribute one razor at a time per cellblock. Inmates in cellblock housing areas will be secured within the swing gate area, alone, prior to issuance of a razor. Inmates in the Tower will have razors distributed while each inmate(s) remains secured in his/her individual cells. Upon return, staff will thoroughly inspect the razor for completeness. Razors damaged or altered in any way will be reported to the duty sergeant/shift supervisor immediately and documented on a Special Report.

D. Inmates in administrative, punitive or medical segregation will be afforded the same opportunity to use razors and/or nail clippers as stated in this General Order**, unless the inmate has been specifically restricted from such use by either medical or Jail Command Staff.**

E. Razor Exchange at MCJ

1. On Sunday Mornings the 1st Platoon Street level Sergeant will assign a deputy to exchange razors utilizing the secured rolling razor cabinet which is kept in the MCJ Lobby Weapon Room, and the key will be maintained with the Street Level Sergeant.

2. The 1st Platoon Street Level Sergeant and the deputy will verify the starting razor count for the cart.

3. The deputy will travel to each housing area in the facility and exchange razors on a one for one basis.

4. Used razors will be counted and placed in the "Used Razor Box" located on the lower section of the cart. The quantity of razors turned in will be placed in the "Quantity Received from" column of the Razor Log. The quantity of new razors issued to the floor staff will be placed in the "Quantity Issued to" column of the Razor Log. The floor deputy and deputy distributing the razors will be responsible for the exchange and verify the exchange with their signature and IBM# in the appropriate section of the Razor Log.

5. Upon completion of the facility razor exchange the Street Level Sergeant will ensure the ending balance in the razor log matches the quantity of razors not distributed in the razor cart. Any discrepancies will be addressed by the Street Level Sergeant with a notification to the on-duty Lieutenant.

6. The rolling razor cabinet should only be unsecured during the exchange of razors, during periods of travel it must be secured.

7. Monday mornings, the Quartermaster staff will obtain access to the rolling razor cabinet in the Lobby Weapons Room, and remove all old razors and reline the box to prepare for the following weekend. Quartermaster staff will replenish the razor stock with up to eight (8) new sealed boxes. Each sealed box that is taped and signed holds 120 razors. Quartermaster staff will indicate the quantity replenished on the razor log indicating their name, IBM#, and date. Quartermaster staff will discard of all used razors.

F. Razor Exchange at MCF

1. The 1st platoon Hallway Deputy will call each unit and verify the number of razors needed.

2. The Hallway Deputy will travel to each housing unit and will remove old razors and replace the equipment cabinet with new razors on a one-for-one basis.

3. The Unit & Hallway Deputies will verify the number of razors being discarded and replaced.

4. All used razors are discarded out of security by the hallway deputy.

G. Inmates relocated to alternate housing areas **will not** have a razor transferred with them however, upon arrival to a new housing area assignment; a new razor will be assigned to them in accordance with the aforementioned procedures.

VIII. Inmate Medical Assessment

To prevent staff and inmate exposure to any unidentified health risk(s), inmates will undergo a thorough medical assessment within fourteen days of incarceration. In addition, medical staff will identify any existing injuries or non-contagious ailments and allow for appropriate treatment of such condition(s).

All inmates wishing to acquire trusty status will be subject to a complete physical examination prior to assuming duties in housing areas or other assigned areas within either MCJ or MCF.

IX. Inmate Haircuts/Hairstyles

A. Inmates will be provided an opportunity to receive haircuts, which will be conducted in accordance with the current inmate haircut schedule established in each housing area. In addition, staff will ensure that barber trusties do not receive any gifts or gratuities from any inmate for providing an inmate with a haircut.

B. Barber equipment will be maintained and stored within specified housing areas as determined by Jail Command Staff and will be accounted for in the housing area logbook at the beginning and end of each shift. Barber equipment will be clean and sanitary at all times and will be inspected and inventoried prior to and upon completion of each use. Barber equipment found damaged, missing or altered in any way will be reported to the duty sergeant/shift supervisor immediately and documented on a Special Report.

C. Housing area staff will utilize only those inmates approved as barber trustee to service inmates with haircuts. Housing area staff will maintain an updated list of approved barber trusties generated by Jail Command Staff. Housing area staff attempting to have an inmate cleared for barber trusty status must follow the prescribed current procedure for gaining inmate trusty status.

D. Should the growth or removal of an inmate's hair and/or facial hair create a significant change in the appearance of any inmate, the housing area supervisor will notify the duty sergeant/shift supervisor. With the approval of the platoon commander, supervisors shall arrange for an updated photograph to be taken using the MoRIS system. This shall be done as a non-arrest entry to preserve the previous photo and capture the new photo. This creates an additional photo and record in the county -wide system. The comment section should reflect a new photo based on changes in facial hair or hairstyle and length.

E. Civilian staff and approved inmate trusties working in the kitchen area or any other area within MCJ or MCF where food is either prepared, served or stored will be required to wear hairnets or other approved head covering, and gloves at all times. Inmates refusing to comply with this directive may be subject to loss of "good time" or other disciplinary sanctions pursuant **to JBGO-007** and **9NYCRR Part 7006**.

X. Housing Area Maintenance

A. Housing area staff will ensure that the inmate housing areas and all surrounding areas are maintained at an acceptable level of cleanliness daily. Staff will conduct daily inspections of inmate living and common areas within their assigned area and staff will utilize approved trusties to facilitate overall housing area cleanliness. Housing area staff will maintain and secure cleaning equipment and supplies in a locked cabinet located within the staff member's assigned area. Quartermaster will deliver janitorial supplies weekly to each housing area.

Note: Approved inmate trusties **will not** be allowed to work unsupervised in any area of the Jail/Correctional Facility.

B. Inmates are expected to maintain their personal hygiene and cell space at an acceptable level at all times. Should an inmate refuse to maintain their cell space at an acceptable level, the inmate may be infracted in accordance with Jail/Correctional Facility Rules and Regulations and may be subject to loss of "good time" or other disciplinary sanctions pursuant **to JBGO-007** and **9NYCRR Part 7006**.

C. Housing area staff will inspect all new equipment and ensure that all metal or removable attachments which, if in the possession of an inmate constitutes contraband or is a threat in any way to the safety, security or good order of the facility, is removed from the equipment and from the secure limits of the Jail/Correctional Facility.

By Order of the Sheriff,

Patrick M. O' Flynn

*Indicates changes from the original and any previously issued versions of the General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER Jail Bureau	DATE OF ISSUE January 17, 2011	EFFECTIVE DATE January 18, 2011	NO. 05-11
SUBJECT: GENERAL ORDER Work Release Accounting System		DISTRIBUTION All Personnel	AMENDS
Reference:			RESCINDS 05-J-00

Purpose: To describe accounting and record-keeping procedures for maintaining an accurate and up-to-date balance of funds relating to the inmate work release program.

Policy: The Monroe County Sheriff's Office (MCSO) will employ a comprehensive system of financial accounting procedures to record and monitor funds disbursed, advanced, and received through the work release program at the Monroe Correctional Facility (MCF).

Definitions: **Account Custodian:** The Facility Administrative Clerk will be responsible for the performance and maintenance of financial accounting procedures related to the work release program at MCF.

I. **Initiation and Implementation of Work Release Accounts**

* A. The Rehabilitation Supervisor will notify the Account Custodian in writing of each individual placed on work release. This written notification to the account custodian will take place as soon as possible following the determination of the employment start-date, and will include the following information.

1. Name of inmate.
2. Custody release date.
3. Name of Rehabilitation Counselor.
4. Employment starting date.
5. Days of the week the inmate is scheduled to work.
6. Expense allowances per day, to include a breakdown of the amounts allotted for travel, food, and beverage. **Work release inmates will be issued jail lunches instead of funds to purchase meals at the job site whenever possible.**

Note: The above information, along with a photograph of the inmate work release participant, will be kept in the Sergeant's Office at MCF.

B. The Account Custodian will determine if the work release inmate has money in his/her commissary account. If money is available, the account custodian will contact commissary to release sufficient funds to cover the individual's expenses until receipt of his/her first paycheck. A money withdrawal slip for these funds will be completed by commissary, signed by the inmate, and forwarded to the account custodian with the released funds.

C. In cases where an advance is not possible, the Account Custodian will notify the work release inmate's Rehabilitation Counselor, who will attempt to coordinate with the work release inmate to obtain money from a family member or friend of the inmate.

D. On a weekly basis, the Account Custodian will place the daily expenses for each work release inmate in individually labeled envelopes and record the inmate's name, number of envelopes per inmate, and money per envelope on the **Work Release Expenses Sheet.** The envelopes will be secured in the Sergeant's Office at MCF and signed for as received by the Duty Sergeant on the Work Release Expenses Sheet. Any change returned by the inmate will be placed in a marked envelope and secured in the Sergeant's Office. The Account Custodian will retrieve all change, initialing receipt of the envelopes, and make the necessary adjustments to the ledger sheets. The Work Release Expenses Sheet will be returned to the Account Custodian for filing.

II. Work Release Accounting

The Account Custodian will prepare and maintain all work/ledger sheets associated with financial accounting for the work release programs at the correctional facility.

A. Work Release Worksheet/Ledger Sheet

1. A **Work Release Worksheet** will be used to log all inmate paychecks, room and board (25 percent of each weekly paycheck), change returned from the previous week, and advances repaid. Disbursements for support, commissary, fines and/or restitution, etc. will be noted on the bottom portion of the Worksheet. This Worksheet will be maintained on file in the MCF Administration office.

2. A **Work Release Ledger Sheet** consisting of the work release inmate's name, MoRIS#, custody out-date, and rehabilitation counselor's name will be maintained for each inmate.

3. Information on the **Worksheet** will be transferred on a weekly basis to the individual **Work Release Ledger Sheets.**

4. Work release inmates will be provided a copy of the **Ledger Sheet** upon request and/or at release via the Account Custodian. Any questions or discrepancies may be communicated to the Account Custodian by internal communication forms or telephone calls.

B. Room and Board Journal

1. Room and board will be transferred from the **Work Release Worksheet** (as a single entry for each inmate) to the Room and Board Journal.

2. The Room and Board Journal will list the date, work release inmate's name, and amount of room and board paid. A running total of room and board will be maintained.

* 3. Room and board funds will be forwarded to the County Treasury on a quarterly basis by the end of the month following the close of the quarter. Room and board will be paid to the County Clerk and deducted from the **Room and Board Journal**.

C. Postage Ledger Sheet

1. Work release inmates must pay postage on disbursements being sent through the United States Mail. The account custodian will log such payments at the time of purchase on the **Work Release Ledger Sheet**. These payments will then be transferred (as a single entry for each inmate) to the **Postage Ledger Sheet**.

2. The Postage Ledger Sheet will list the date, work release inmate's name, and amount of postage paid. A running total of postage will be maintained.

3. The total postage paid will be forwarded to the County treasury annually by the fifth of January via check and deducted from the **Postage Ledger Sheet**.

D. Work Release Cash Fund Ledger Sheet

1. All money received into and disbursed from the Work Release Cash Fund will be recorded in the **Work Release Cash Fund Journal**.

2. Entries will include disbursements for weekly expenses, cash deposits to the checking account, and receivables for change returned from the inmate and the bank.

III. Work Release Checking Account

* A. Inmates will return all paychecks to the Sergeant's office, where the checks will be signed, stamped "for deposit only", and secured. A receipt will be given to the inmate for his/her check. The Account Custodian will monitor the return of all paychecks and retrieve any checks that do not get turned into the Sergeant's Office. Inmates will never receive cash payments directly from an employer.

B. All inmate paychecks will be entered individually onto a deposit slip and deposited at least once a week into the **Work Release Account** maintained by the Department at a local bank.

C. Disbursements from the work release checking account for commissary, support, fines and restitution, room and board, postage, and miscellaneous inmate expenditures will be made via check and entered onto the check register. Only staff designated by the Superintendent will have authority to sign checks.

D. The checking account will be reconciled monthly by a Jail Administration Clerk.

IV. Closing Work Release Accounts

A. The inmate's work release account will be closed on the day the inmate is released from custody. The final balance will be given to the inmate via check **once his/her final paycheck from the employment program has cleared.** To receive this money, the inmate has the option of:

1. Mailing the check to their residence.

2. Having the check picked up at the MCF Administration office during normal business hours.

B. If the work release inmate is taken off work release for any reason, the balance of funds in the account will be transferred to his/her commissary account, with the amount of such transfers not to exceed established guidelines. The account custodian will arrange for the release of money exceeding these guidelines to family/friends designated by the inmate.

C. The Account Custodian shall keep each ledger until all room and board has been forwarded to the County and shall maintain all records relating to work release accounts for the period specified by applicable law.

V. **Balancing Work Release Accounts**

A. All work release accounts will be balanced by the Account Custodian on a weekly basis, with all **Balance Sheets** being maintained by the custodian.

B. The following formula will be used to balance the account: **Total Balance from Inmate Ledger Sheets + Room and Board Ledger Sheet balance + Postage Ledger Sheet Balance = Cash on Hand + Checking Account Balance + Outstanding Advances.**

C. Jail Administration and Standards and Compliance Unit will audit the work release account at least twice a year and provide a written report of the results to the Superintendent.

D. The Office of the Sheriff shall make definite arrangements for an outside disinterested party to audit the work release account at the jail and correctional facility on an annual basis at a minimum.

By Order of the Sheriff

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE November 28, 2008	EFFECTIVE DATE November 28, 2008	NO. 06-J-08
SUBJECT: GENERAL ORDER FOOD SERVICE OPERATIONS		DISTRIBUTION JAIL BUREAU PERSONNEL	AMENDS
REFERENCE: 9NYCRR Part 7009, NCCHC Standard J-16 CALEA 72.4.7			RESCINDS 06-J-01

Purpose: To institute and maintain policies and procedures ensuring that the food service operations satisfy the New York State Public Health Law in addition to the daily nutritional requirements of inmates residing at either the Monroe County Jail (MCJ) or the Monroe Correctional Facility (MCF).

Policy: The Monroe County Sheriff's Office (MCSO) will ensure that the food service agency operates and provides services in accordance with **Part 7009 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7009), the National Commission On Correctional Health Care Standard J-16 (NCCHC Standard J-16) and the Commission of Accreditation for Law Enforcement Agencies (CALEA 72.4.7).**

I. General Provisions

A. Both MCJ and MCF will maintain a service agreement with a contracted food service agency specified by the Office of the Sheriff. The food service agency will comply with the directives set forth in this Order.

B. Authorized kitchen trustees **will not** be permitted to prepare and/or serve meals unsupervised in any area of the Jail/Correctional Facility. In addition, inmates are prohibited from entering the officer's dining area for any reason.

C. Staff may purchase meals on a cash only basis through the contracted food service agency. Meal tickets, credits or charges will not be accepted.

D. All deliveries received at either the MCJ or MCF loading dock areas will be supervised by security staff. The dock area will be searched before and after each delivery.

E. Areas of the Jail/Correctional Facility utilized for the preparation and consumption of meals will be maintained in accordance with **JBGO #53, Sanitation.**

F. Food service equipment and supplies **will not** be removed from the kitchen area for any personal or private use.

G. All meals transported to housing areas shall be protected from contamination and the equipment used to transport food should keep it at the proper temperature.

II. Meals

A. Serving Policy

1. Inmates will be provided three meals in each 24-hour period.

2. The food service provider will schedule inmate meals in accordance with **9NYCRR Part 7009**, so that:

   a. The morning meal is served between 0500 hours and 0900 hours.

   b. The afternoon meal is served between 1100 hours and 1400 hours.

   c. The evening meal is served between 1600 hours and 1900 hours.

3. The food service provider will provide the Jail/Correctional Facility with a schedule outlining the times that meals will be provided.

4. At a minimum, one of the three inmate meals prepared in a 24-hour period will be provided at a "hot" temperature. In addition, the food service agency will ensure that all food items are served at their proper temperatures. If an institutional helper is available, he/she will be used to deliver meal trays to their respective floors in a reasonable amount of time upon preparation.

5. Inmates will eat their meals in the appropriate space provided within the assigned housing area. Inmate meals will be conducted and distributed in the following manner:

   a. Housing area staff will verify the number of meal trays delivered to the housing area, and will return any extra trays to the food service agency's preparation area.

   b. Housing area staff will supervise approved trusties to serve meals and beverages to housing area inmates. The supervising staff member will account for all meal trays and will notify kitchen staff of any discrepancies. Staff will ensure trustees wear hairnets and gloves while serving meal trays and beverages at all times.

   c. Upon completion, housing area staff will supervise designated trusties who will clean and sanitize the appropriate areas of the housing area. A housing area supervisor will direct the trustees to conduct other cleaning details as deemed necessary to maintain a sanitary environment.

B. Inmate Menus

1. The food service agency will ensure all inmates are provided with an appropriate level of nutrients and calories (approximately 2,900 calories in a 24- hour period) in the planned menus. Such appropriate level of nutrients and calories shall be based upon the current recommended dietary allowance of the Food and Nutrition Board of the National Academy of Sciences, National Research Council.

2. The person responsible for the supervision of the facility food service program shall plan and prepare written and dated menus. Such menus shall be reviewed twice per year by a nutritionist or dietician certified by the State Education Department to insure that they provide an appropriate level of nutrients and calories.

3. Menus will be reviewed and authorized by the Major of Operations, medical supervisor, and food service director twice per year. All food item substitutions will be authorized and documented by the food service director. The food service director will document all food item substitutions on the Weekly Food Item Substitution Log, which will be submitted to Jail Administration upon request.

4. Menus will be prepared for the Jail/Correctional Facility in accordance with the following provisions:

   a. Variety will be provided in the preparation and service of meals.

   b. The food service provider will retain menus for a minimum of one year.

5. The food service director will supply the Jail/Correctional Facility with the planned and prepared written and dated menus, which fulfill the written directives of this section. Menus will be made available for review to the Jail/Correctional Facility at a minimum of five weeks in advance.

C. Food Service Procedure/Records

1. Prior to serving meals at MCF, the food service supervisor or a designee will contact each housing unit area by telephone to request a meal count. MCJ meal counts are confirmed by the food service kitchen staff through the Jail Management System (JMS). Housing areas will adhere to the trustee meal allowance sheet and ensure all special diets are ordered.

2. **Inmate trustee meals at the MCJ will only be served at the breakfast and dinner meals. There will not be any inmate trustee meals served at the lunch meal. At the MCF, there will only be inmate trustee meals served at the dinner meal. Kitchen trustees at the MCJ and MCF will have trustee meals only when they are working in the kitchen.**

3. The food service provider will prepare the appropriate number of meals requested by housing area staff daily. Housing area staff will provide the food service provider with an accurate meal count to ensure excessive meals are not ordered and therefore prepared.

   a. If a housing area supervisor requests any additional meal trays or bag lunches they must be authorized and approved first by the duty Sergeant and must be followed by a special report detailing the reasons.

   b. If the food trays are refused by the inmate(s) regarding a food complaint, the floor supervisor will address it first and determine the legitimacy of the complaint. If the matter is not resolved, the duty sergeant will be contacted. If it is determined that replacement meals are required, the Contract Food Service Provider will be notified of the complaint as well as the correct number of replacement meals needed.

   c. All reports will be reviewed by the Sergeant and forwarded to Jail Administration. The food service provider will ensure that any additional requests for trays are approved by the duty Sergeant.

   Note: The food service provider has been made aware of the number of approved trustees for each housing area at the Jail/Correctional Facility by Jail Administration.

4. Housing Area counts will be adjusted for the breakfast, lunch, and dinner meals based on any openings that each area has because of releases or movements in the Jail/Correctional Facility. The first platoon will make the adjustment for the breakfast meal count with the food service agency prior to the starting of the breakfast meal. Likewise, the second platoon will make the adjustment for the lunch meal and the third platoon will make the adjustment for the dinner meal.

5. Should an inmate not be located in his housing area at the time meals are served, the food service provider will provide the inmate with a meal substitution. In addition, inmates who missed a meal due to the booking procedures will be provided with a meal substitution. All meals served in booking will be pre-packaged bag meals. No trays will be delivered to the booking area **unless** a shift supervisor has granted prior approval (i.e. if inmates are housed for more than 24 hours in booking).

6. The food service director will prepare and maintain a daily record of the meals provided and will submit the records to Jail Administration weekly along with all substitutions and shortages.

III. Special Diets

A. Medical

Should a licensed physician, dentist or health official prescribe a specified medical diet, medical staff will submit a **JB #13, MCJ/MCF Medical Department Special Diet Request**, to the food service provider. Food service personnel will utilize the special diet operations manual approved by a licensed dietician for proper procedures and implementation.

B. Religious

Pursuant to **9NYCRR Part 7024.6**, inmates will be entitled to observe reasonable dietary laws established by their religion. In accordance with **JBGO #51, Religious Activities**, requests for religious diets will be referred to the Jail Administration.

C. Alternative Meals

Any inmate confined in special housing, as defined in **9NYCRR Part 7013.2**, who engages in unhygienic acts (spitting, throwing feces or urine), or who uses food or food service equipment in a manner that is a threat to the safety, security, or good order of the facility, health or safety of any person, may be provided with alternative meals subject to the following conditions:

1. The determination to provide continued alternative meals will be made by the Superintendent or designee in writing and shall state the specific facts and reasons underlying such determination. A copy of this order will be provided to the inmate.

2. This provision will not exceed **seven (7) days**, although alternative meals may be reinstated at a future time if the inmate's use of food or food service equipment again presents a threat to the safety, security, or good order of the facility, or health or safety of another person.

3. The Contract Medical Provider will examine an inmate placed on alternative meals at least **once** every twenty-four hours in accordance with **Section 137** of the **Correction Law**.

Note: The aforementioned special diets will be planned and prepared in accordance with the guidelines and procedures outlined in **Section II, Subdivision B**.

IV. Health and Safety

A. Food service personnel and trustees who apply for a food service assignment will be required to take a medical examination prior to their initial assignment. Only persons who have been found to be in good health and free from communicable diseases by a physician licensed to

practice medicine in New York State will be permitted to prepare and/or serve meals within the Jail/Correctional Facility. In addition, periodic medical examinations will be necessary to ensure that food service personnel and trustees continue to be in good health and have no communicable diseases.

B. Pursuant to **9NYCRR Part 7015.2**, all food service personnel and trusties assigned to the preparation and/or serving of meals will maintain a high level of cleanliness and will conform to hygienic practices when conducting food service functions.

C. Food Service personnel and trustees will be responsible for health and safety procedures at all times. Health and safety procedures will include but not be limited to wearing hair nets and disposable plastic gloves when preparing and serving meals, in addition to washing hands upon reporting for duty and after using the lavatory.

D. Employees of the contracted food service provider and trustees assigned to the kitchen will maintain a high level of cleanliness and will conform to New York State Department of Health personal hygienic practices while assigned to the food service area. All persons assigned to the food service area will employ these practices to include, but not be limited to washing their hands, wearing plastic disposable gloves and hairnets before preparing food and/or coming in contact with food preparation and service at all times.

Note: Persons who do not conform to the aforementioned hygienic practices will be terminated from their food service assignment.

E. A food service supervisor will document and account for food service utensils at specified time intervals noted on **JB #36, MCF Equipment Accountability Sheet,** or **JB #35, MCJ Equipment Accountability Sheet** accordingly. Upon completion of the food service supervisor's tour of duty, a duty sergeant/shift supervisor will inspect and account for all food service utensils by placing his/her signature in the space provided on the MCJ/MCF Equipment Accountability Sheet. Food service supervisors will maintain a file of MCJ/MCF Equipment Accountability Sheets and update the file monthly.

F. Any equipment or utensils found missing or altered in any way will be reported immediately to the duty sergeant/shift supervisor, documented in the appropriate housing area logbook and on an Incident Report submitted to the duty sergeant/shift supervisor.

V. Sanitation Inspection

Pursuant to **9NYCRR Part 7015** and **10NYCRR Part 14 of the New York State Sanitary Code**, the food service agency will ensure a sanitary environment is maintained in all food service areas. Foods will be stored in compliance with the requirements of the State Sanitary Code as outlined in the Public Health Law or any rules or regulations promulgated by the New York State Department of Health. In accordance with **JBGO #53, Sanitation**, the food service provider will also conduct, document, and be included in the following inspections:

A. Daily

Food service supervisors will ensure all refrigerated food storage and water equipment which are involved with the operation and performance of food service areas are maintained within the prescribed temperature levels. The food service director or his/her designee shall monitor all employees and inmates working in food service to ensure they are free from diarrhea, skin infections, and other illnesses transmissible by food or utensils. The food service director or his/her designee shall monitor all employees and inmates for health and cleanliness on a daily basis. In addition, the food service director will ensure that all refuse is removed from the food service area and placed in appropriate storage to avoid cross-contamination.

B. Weekly

Food service supervisors will ensure that all food service areas and equipment located in the dining and food preparation areas maintain a healthy sanitary environment. As part of the Weekly Administrative Inspection directed by the Superintendent at both the MCJ and MCF, a routine inspection will be conducted of the food service areas and equipment located in the dining and food preparation areas.

C. Annually

A sanitation inspection of the food service areas at both the MCJ and MCF will be conducted annually by the Monroe County Health Department. Also, a fire and safety inspection at both the MCJ and MCF will be conducted annually by a representative of the local Fire Department. Copies of Public Health Inspections shall be maintained on file in Jail Administration. The Medical Unit Supervisor may request a copy of all Public Health Inspections from Jail Administration.

D. Periodic

The Office of Sheriff's Inspectional Services Unit will conduct periodic inspections of all food service areas and equipment, as directed by the Sheriff, to assess compliance with applicable State laws and codes.

Note: Photocopies of aforementioned inspections will be forwarded to Jail Administration.

VI. Audits

At a minimum of once a year, or as directed by the Sheriff, the Inspectional Services Unit will audit bills submitted by the food service agency against daily meals and count records to ensure proper accountability of the billing process. A report of the audit will be submitted to the Sheriff and Undersheriff with distribution as directed.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE March 3, 2011	EFFECTIVE DATE March 4, 2011	NO. 07-11
SUBJECT: GENERAL ORDER Inmate Disciplinary Procedures		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PART 7006 & 7032 OF TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES & REGULATIONS OF THE STATE OF NEW YORK (9NYCRR PART 7006 & 7032)			RESCINDS 07-J-01

Purpose: To familiarize members and employees with the policies and procedures governing the administration of inmate discipline within the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF).

Policy: The Monroe County Sheriff's Office (MCSO) will institute and maintain a system for administering inmate discipline, which provides reasonable regulation of inmate behavior through the fair and consistent enforcement of rules for inmate conduct; which ensures the humane treatment of inmates and proper maintenance of discipline. This system will protect the health, safety, and security of all persons within the facility, while promoting inmate welfare and correctional treatment through the demonstration of acceptable standards for behavior.

I. Standards for Inmate Behavior

A. An inmate code of conduct consisting of a list of rules and regulations governing inmate behavior, along with a description of disciplinary procedures and sanctions, at MCJ and MCF will be contained in the **Inmate Handbook.**

B. Each inmate will be provided with a legible copy of the Handbook during the intake classification process. Non-English speaking and illiterate inmates will be assisted with translation to understand the rules of inmate conduct.

C. All inmates will be required to acknowledge that they have been provided the handbook by signing their name on the Classification Notification Form (JB #310). Staff will document on the form any inmate who refuses to accept a copy of the handbook. The deputy issuing these books will also sign his/her full name and IBM# in the space provided.

D. Staff personnel will be issued and acknowledge receipt of the Inmate handbook before assuming duties within the jail/correctional facility. Staff will become thoroughly familiar with what is expected of inmates in custody, according to these regulations, and will enforce inmate compliance with jail/correctional facility rules.

II. Initiating Inmate Disciplinary Proceedings

A. When a staff member observes or has belief/information that an inmate has violated Jail Bureau rules and regulations or committed a criminal offense, she/he will notify their immediate supervisor as well as complete an Incident Report.

B. Any time an inmate is placed in confinement for "up to 24 hours cooling off" an incident report **must** be generated whether or not an infraction is ordered by the immediate supervisor. Upon review of the incident, the supervisor may recommend that no infraction be submitted at that time and that the incident may be resolved informally. Members will exercise good judgment in that when the inmate is calm and is no longer acting out he/she will be released from lock-in and the date/time noted on the incident report. The incident report will be forwarded to Jail Administration for review and placement into the inmate file. Report(s) will document the event fully and provide the following information:

1. Date(s) and time(s) and location(s). of the incident/alleged activity and when reported.

2. Specific rule(s) or law(s) allegedly violated.

3. A description of the alleged violation activity.

4. Identification of staff and inmates involved.

5. Identification of witnesses, if any.

6. Source(s) of the information provided, which, if confidential in nature, shall be listed on a separate **Addendum Report (Categorized as a Restricted Distribution)** to the hearing officer.

7. Description of any force used.

8. If applicable, the corrective action initiated or taken by staff.

C. The reporting staff member will complete Section I of the Jail Bureau **Infraction Report Form (JB #32)** entitled Infraction(s) Charged, noting, in particular, the specific Handbook code number for the alleged violation.

D. Staff will be guided by provisions of **JBGO #54, Criminal Investigation of Incidents Occurring in the Jail/Correctional Facility** in responding to and handling incidents involving the possibility of criminal charges.

E. The reporting staff member will forward the Infraction Report Forms and Incident/Addendum Reports to the duty sergeant/shift supervisor, who will assign an uninvolved officer, preferably a Corporal, to investigate the infraction/incident.

F. The investigating officer will complete an Addendum containing an investigative summary and finding that will include, but not limited to:

1. Details of the alleged violation.

2. Identification of reliable sources (evidence).

3. Information provided by staff and inmate witnesses.

H. Completed Incident, Addendum and Report of Inmate Infraction Reports, along with any additional or supporting written documentation, will be submitted to the duty sergeant for review at the conclusion of the investigation.

I. All reports will be typed and signed by the staff member prior to submission.

J. The duty sergeant/shift supervisor will review the incident package and make any recommendations for action. The recommendations made will be noted in Section III of the Infraction Report Form, entitled Recommendations of Sergeant.

K. Any recommendations from the duty sergeant/shift supervisor must be detailed adequately in the space provided, to include inmate cell relocation (if applicable) and any restriction(s) initiated. The entire report package will then be submitted to the duty lieutenant for review and routed to Jail Administration in a timely manner.

L. The Superintendent or his designee will review all incident report packages and determine the appropriate action (i.e. Disciplinary Hearing, Further Investigation, Criminal review, Internal Affairs Review, Informal Resolution or No Further Action- send file).

M. If a disciplinary hearing is ordered, the inmate will be notified of the infraction using **JB#245 Notification of Hearing** and provided a copy f the incident report upon which the infraction is based.

III. Conducting Inmate Disciplinary Proceedings

A. A disciplinary hearing will be held within 15 business days upon receipt of the notification of infraction, but not sooner than 24 hours following notification of charges. An inmate will be notified of a hearing date and may waive the 24-hour waiting period by signing Section IV of the Infraction Report in the presence of a staff witness. This waiver will **not** require that the disciplinary hearing be held within 24 hours. Disciplinary hearings will be held within 15 business days following immediate confinement (PID placement) at the time of the infraction.

B. While it is Jail Bureau policy to have the inmate present during their disciplinary hearing, there are instances when the inmate will not be present. One instance may occur when the inmate refuses to attend their hearing. In such cases the inmate will be asked to sign a waiver. Should the inmate refuse to sign, it will be so noted on the hearing record. Another instance when an inmate may be absent from his/her disciplinary hearing is during confidential witness testimony, and the inmate's presence at the hearing poses a threat to the safety, security or good order of the facility. In such instances, the hearing officer will:

1. Document the reason(s) for the absence or exclusion of the inmate in Section VI of the Infraction Report Form.

2. Conduct the hearing with all other pertinent provisions of this General Order and Part 7006 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7006). An inmate's absence from proceedings will not be construed as an admission of guilt on his/her part.

3. Determine guilt or innocence based on facts developed during the hearing.

C. The hearing officer will provide the inmate an opportunity to explain his/her behavior and any mitigating circumstances for it. In addition,

1. The inmate **may** call witnesses on his/her behalf **provided** their testimony is relevant, not redundant and does not jeopardize the safety, security and good order of the facility. If permission to call a witness is denied, the hearing officer will provide a written statement of the reasons for denial on the hearing record.

2. Any witness **may** be allowed to testify in the presence of the inmate **unless** the hearing officer determines that doing so will jeopardize the safety, security or good order of the facility. When an inmate is not permitted to have an inmate witness present, the witness will be interviewed out of the presence of the accused inmate, with his/her testimony made part of the hearing record.

D. The hearing officer will make his/her determination within (5) business days after conclusion of the hearing. This determination must be supported by substantial evidence, be in writing, and contain the following:

1. A finding of guilt or innocence on each charge of misbehavior.

2. The evidence relied upon by the hearing officer in reaching such finding.

3. The sanction imposed, if any.

E. Infraction violations will be classified as either a **major** or **minor** infractions. Infraction sanctions will be assessed based on the nature of the infraction classification. **Minor infraction** shall mean any violation(s) that result in sanctions ranging from a verbal reprimand to a punitive segregation time frame, not to exceed seven days. Examples of minor infractions may include, but not be limited to housekeeping violations, attitudinal and hygiene violations. **Major infraction** shall mean any violation(s) that result in sanctions excess of seven days. Examples of major infractions may include, but not be limited to major or minor disturbances, non-compliance, contraband of a serious nature, escape or attempted escape.

F. Upon affirming the charge(s), the hearing officer may recommend imposition of one or more of the sanctions listed below based upon the inmate's past record and the severity of offense.

1. Verbal reprimand.

2. Confinement to a cell, room or in the Special Housing Unit for a specified period of time.

3. Loss of contact visits for a specified period of time.

4. Loss of a specified amount of good time (specific to local sentences).

5. Loss of one or more specified privileges for a specific time period.

6. Restitution for loss or damage of property made from existing or future funds in the inmate's commissary account.

NOTE: The hearing officer may suspend a sanction for a period of up to 30 days in order to assess the behavioral adjustment of the inmate. At the conclusion of this period, the hearing officer will determine if the sanction should commence in whole or in part or be totally suspended.

G. The Superintendent of his designee will review all hearing disposition recommendations:

1. The Superintendent or his designee will review and approve all dispositions.

2. The Superintendent or his designee may reduce the recommended sanction or dismiss charge(s) in the best interest of justice.

H. As soon as possible after conclusion of the hearing, the hearing officer will inform the inmate of the disposition made of the case by forwarding him/her form **JB #245, Infraction Disposition.** If the disposition will necessitate action by a housing area or a program area supervisor, (e.g., Inmate Visitation), the affected area supervisor will be provided with a copy of the disposition form. In such instances, information relating to restrictions, loss of privileges or any other action taken in accordance with the infraction disposition will be recorded in the housing/program area logbook.

I. The bottom portion of the Housing Area Supervisor's copy will be signed and dated by the staff member delivering the notification to the inmate as well as having the inmate initial it. Housing Supervisor's copies will be forwarded to Administration for the inmate file.

IV. Assistance to Inmates

A. In accordance with **9NYCRR, Part 7006.6,** if an inmate is non-English speaking, illiterate or for any other reason is unable to prepare a defense, assistance will be provided to the inmate by a person designated by the chief administrative officer at least 24 hours prior to the inmate's disciplinary hearing.

B. Assistance to inmates will include:

1. Interviewing witnesses.

2. Obtaining Evidence and/or written statements.

3. Providing assistance at the disciplinary hearing.

4. Providing assistance understanding administrative segregation decisions, evidence relied on by the hearing officer, the waiver of any rights provided by **NYCRR Part 7006** and the reasons for action taken in determining sanctions.

5. Providing assistance in filing an appeal.

C. The chief administrative officer may limit the number of witnesses interviewed and the evidence and/or written statements obtained where it is determined that such witnesses, evidence and/or statements are irrelevant or redundant. This determination will be documented in the hearing record.

* **V. Recording Inmate Disciplinary Proceedings**

A. Inmate disciplinary hearings may be recorded at the discretion of the Superintendent.

B. Prior to tape recording proceedings, the hearing officer will inform the inmate of the recording being made and ensure that the inmate understands his/her rights in the disciplinary proceedings.

C. Tapes made of disciplinary proceedings will be retained securely in Jail Administration for a period of at least 120 days following production.

* **VI. Loss of Good Time**

A. If the infraction disposition involves any loss of good time, the hearing officer will forward a Loss of Good Time Report to Jail records to recalculate a new out-date for the inmate

B. The infraction disposition will include the adjusted outdate.

C. Any inmate who loses good time may petition the Superintendent for the return of the time up to 14 calendar days before his/her original release date.

* **VII. Inmate Appeals Process**

A. Inmates may appeal any determination of guilt and/or the sanction imposed based on that determination to the Superintendent by submitting an Internal Communication Form within (2) days of being served with the disposition.

B. Pursuant to **9NYCRR Part 7032.2**, dispositions and sanctions resulting from disciplinary hearings **shall not** be the subject of a grievance to the New York State Commission of Correction.

VIII. Infraction Record-keeping

A. A chronological log of infraction hearings will be maintained at the jail/correctional facility. Every infraction written will be recorded in this log, with the following information provided:

1. Facility reference number for infraction.
2. Staff person writing infraction.
3. Date of alleged activity.
4. Sex/ethnicity of inmate.
5. Handbook Code number for alleged rule violation
6. Finding of guilt or innocence.
7. Presiding hearing officer.
8. Handbook Code number(s) for rule Violation(s) sustained.

9. Sanction(s) imposed.

NOTE: Records generated pursuant to a disciplinary hearing in which an inmate is found not guilty of charges brought against him/her, after either the hearing or an appeal, will be kept confidential and will not be considered in making decisions pertaining to the inmate's participation in programs, services, or local conditional release, or in the granting or withholding of good behavior credits.

B. At the conclusion of the disciplinary process, the completed Infraction Report, along with all documentary evidence, will be placed in the inmate file maintained in the Jail Administration Office.

* IX. Corporal Punishment

Corporal punishment of any nature is **strictly prohibited. No member or employee shall inflict any type of physical force whatsoever, upon any inmate, as a form of punishment.** Only force authorized by law will be utilized within the jail/correctional facility.

X. Inmate Confinement in Administrative Segregation pending Disciplinary Hearings and For Other Safety and Security Reasons

A. In accordance with **9NYCRR Part 7006.7**:

1. An inmate who threatens the safety, security and good order of the facility may be immediately confined in a cell or room pending a disciplinary hearing, and may be retained in administrative segregation until the completion of the disciplinary process.

2. Within 24 hours of such confinement, the inmate will be provided with a written statement setting forth the reason(s) for such confinement. Upon receipt of the written statement, the inmate will be provided with an opportunity to respond to such statement orally or in writing to the Superintendent or his designee. Should the inmate provide an oral statement at this time, such statement will be fully documented by staff in a Special Report.

3. An inmate who is confined to a cell or room pending a disciplinary hearing (or request for Administrative Segregation) will be informed verbally by staff that he/she is under such confinement, and be briefed as to the reasons for such confinement. The staff member completing the notification will document in both the housing area logbook and on the attached Incident Report this verbal notification.

4. The Superintendent or designee will review the administrative confinement within 24 hours to determine if continued confinement is warranted and document this on the Infraction Report. If continued confinement is warranted, a space for comments will be used detailing the reason.

B. The above requirements for written/verbal notification and administrative review **shall not apply** in cases where administrative segregation is ordered for any other safety and security reasons (e.g., cooling off, pending investigation, classification review, etc.).

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER:	DATE OF ISSUE:	EFFECTIVE DATE	NO:
JAIL BUREAU	October 30, 2008	November 5, 2008	8-J-08
SUBJECT: RESCUE TOOL CONTROL AND USE		DISTRIBUTION: JAIL BUREAU PERSONNEL	AMENDS:
REFERENCE			RESCINDS: 8-J-99

Purpose: To establish and communicate to all staff proper procedures for the use and maintenance of rescue tools in the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF).

Policy: All staff will be aware of and act on their responsibilities with respect to the location, proper maintenance, control and use of rescue tools in the event of an emergency.

Definition: Rescue Tool – An instrument used to aid staff in emergency situations involving inmate self-harm attempts. It is a retractable sharpened knife-like object that can be used to quickly and safely cut through materials.

I. Locations, Control and Use in the Jail and Correctional Facility

A. A rescue tool will be stored in each of these locations. Unless otherwise indicated, the locations will have only one tool.

Monroe County Jail

1. Central Booking (2) – in the equipment locker
2. Reception unit – in the locked razor box
3. City 2nd floor – in the locked razor box
4. City 3rd floor – in the locked razor box
5. PSB A&B – in the equipment locker
6. 2nd floor – in the equipment locker in the electrical closet
7. 3rd floor – in the razor box in the electrical closet
8. 4th floor – in the locked deputy's closet
9. 5th floor – in the equipment locker in the deputy's closet
10. Mezz A-D – in the cell release cabinet
11. Mezz Dorm – in the locked razor box
12. 4th floor (2) – west side – office equipment locker
    east side - in the locked razor box on east side
13. 4th mezzanine (2) – west side – in the locked razor box
    east side- in the locked hallway razor box
14. Plaza South - in the equipment closet
15. Plaza North – in the equipment closet
16. Two South – in the equipment closet
17. Two North - in the equipment closet
18. Three South – in the equipment closet
19. Three North – in the equipment closet
20. Four South – in the equipment closet
21. Four North – in the equipment closet

Monroe Correctional Facility

1.	300 Unit –	in razor cabinet in the equipment closet
2.	400 Unit –	in razor cabinet in the equipment closet
3.	500 Unit –	in razor cabinet in the equipment closet
4.	Modular A –	in equipment locker in the equipment closet
5.	Modular B -	in equipment locker in the equipment closet
6.	600 Unit –	in equipment locker next to deputy's station
7.	700 Unit –	in equipment locker next to the deputy's station
8.	800 Unit –	in equipment locker next to the deputy's station
9.	900 Unit –	in equipment locker next to the deputy's station
10.	Gymnasium –	in the office equipment locker

B. The locations where rescue tools are kept will be locked at all times. Staff will maintain keys for access to the tools while on duty in the immediate area.

C. The tool will not be removed from its place of storage for any purpose other than use during an emergency for which is designed or for inspection by a sergeant or above.

D. An Incident Report will be generated and include a thorough description of the incident, remarks about the specific circumstance under which the tool was used, Deputy utilizing the tool and its effectiveness.

E. After use, the rescue tool will be returned to its original location as soon as possible after the emergency. Return of the tool will be documented in the report on the emergency.

II. Staff Responsibilities for Inspection and Replacement

A. Staff will inspect the rescue tool at the beginning and end of each shift and account for the tool with all other equipment logged.

B. If a tool is broken, it will be turned in to the duty sergeant. Care will be taken to return all broken parts. The duty sergeant will immediately replace the tool with a spare.

1. At the MCJ, spare tools are kept in the equipment locker in Central Booking.

2. At the MCF, spare tools are kept in the property locker in the inmate property area.

C. The supervisor of jail maintenance will be notified of any rescue tools needing to be sharpened. The duty sergeant will ensure that a spare tool is made available while service is provided by jail maintenance.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

General Order: JAIL BUREAU	Date of Issue: October 30, 2008	Effective Date: November 5, 2008	No: 9-J-08
SUBJECT: GUARD ALARM TESTING PROCEDURES		Distribution: JAIL BUREAU PERSONNEL	Amends:
REFERENCE			RESCINDS: 9-J-99

Purpose: To establish policy and procedure for the testing of the Emergency Guard Alarm System at the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).

General Procedures:

* A. The Guard Alarm Systems will be tested weekly on Saturdays or Sundays between the hours of 0700 and 1500 hours at both the Monroe County Jail and the Monroe Correctional Facility.

* B. The second platoon duty sergeant at MCJ and MCF will notify staff at roll call on Saturday or Sunday mornings.

* C. The MCJ and MCF central control deputies will call or radio each area of the facility(s) and request that each alarm be activated. As the alarms are activated, the central control deputy will indicate an "X" in the appropriate space.

* D. When the MCJ or MCF Guard Alarm test records are complete, the central control deputies will sign and submit the forms to their respective duty sergeant for signature then forward to Jail Administration Maintenance Department for filing. The central control deputies will ensure that an equipment repair order is submitted to the Maintenance Department for any guard alarm(s) that are found to be in need of repair.

E. The duty sergeant(s) will review and forward the Guard Alarm Test Record at the MCJ and the MCF to Jail Administration for review and retention. The duty sergeant(s) at the MCJ and MCF will be responsible to notify any area that may have an alarm that is inoperable or nor functioning properly and to have the area record same in the housing or area logbook.

F. Arrangements for any repairs needed shall be a priority and shall be monitored by Jail Administration for both facilities.

By Order of the Sheriff

Patrick M. O'Flynn

MCJ Guard Alarm Test Record

Street Level

☐ 219 Reception Med. Office	☐ 220 Reception Stor. Closet	☐ 221 Reception Class. Rm	☐ 222 reception Interview I
☐ 223 Reception Interview II	☐ 224 Reception Interview III	☐ 226 Reception Females	☐ 227 Reception 66 cell
☐ 228 Reception 72 cell	☐ 229 Reception 81 cell	☐ 230 Reception 87 Cell	☐ 231 Reception Office
☐ 212 Control Corridor	☐ 210 ODR path		☐ 15 Prop Public Window
☐ 16 Inside Elevator 6	☐ 17 Inside Elevator 7	☐ 19 Vehicle Sally Stair 3	☐ 20 Vehicle Sally 100 door
☐ 21 Vehicle Sally Transport	☐ 22 Vehicle Sally 103 door	☐ 23 Vehicle Sally 100A door	☐ 24 Pre-booking door
☐ 25 Scan room	☐ 26 Booking Cell 12	☐ 27 Booking 15 cell	☐ 28 Booking 16 cell
☐ 29 Bkg Pass Thru Window	☐ 30 Interview Room 127	☐ 31 Booking Sally 133 door	☐ 32 Booking Sally 134 door
☐ 33 Street Corr. Elev. 6&7	☐ 34 Street Corr Sgt's Office	☐ 35 Sergeant's Office	☐ 36 Lieutenant's Office
☐ 37 Booking Male Shower	☐ 38 Booking Fem Shower	☐ 39 Release Work Station	☐ 40 Female Release
☐ 41 Transport Sallyport	☐ 42 Booking 120 door	☐ 43 Loading dock 190 door	☐ 44 Loading dock 183 door
☐ 45 Outside dock 182 door	☐ 46 Street Corr Freight Elev	☐ 211 ODR Path 1	☐ 211 ODR Path 2
☐ 12 Inside Elevator 9	☐ 13 Inside Elevator 10		

Plaza South

☐ 48 PS next to 11 cell	☐ 49 PS next to 23 cell	☐ 50 PS Dep Workstation	☐ 55 PS Multipurpose Rm
☐ 57 PS Gym	☐ 59 PS Medical Office	☐ 60 PS Prof. Visit Room	☐ 78 PS next to 36 cell
☐ 79 PS 108 closet	☐ 80 PS Non-contact visit		

Plaza North

☐ 51 PN P133 closet	☐ 52 PN next to 11 cell	☐ 53 PN Dep Workstation	☐ 58 PN Gym
☐ 56 PN Multipurpose Rm	☐ 61 PN Prof. Visit room	☐ 62 PN Medical Office	☐ 82 PN 109 closet
☐ 83 PN next to 36 cell	☐ 81 PN Non-contact visit		

Visits

☐ 69 Visits Sign-in	☐ 70 Parole Hearing room	☐ 71 V-130 Prof. Visit	☐ 72 V-131
☐ 76 V-113	☐ 77 V-132	☐ 73 V-101	☐ 74 V-109
☐ 75 V-110			

Plaza Connecting Corridor

☐ 63 PCC Opp. Elev. 9	☐ 64 PCC V135 door	☐ 65 PCC Freight Elev.	☐ 66 V142 door
☐ 67 Court Holding	☐ 54 PCC P100 Vestibule		

Mezz Level

☐ 234 Mezz A-D Office	☐ 235 Mezz A Hsng 308 cell	☐ 236 Mezz A Hsng 301 cell	☐ 237 Mezz B
☐ 238 Mezz C	☐ 239 Mezz D @ 6 cell	☐ 240 Mezz D @ 1 cell	☐ 241 Mezz Dorm
☐ 242 Mezz Cpl. Office	☐ 243 Mezz	☐ 244 Mezz	☐ 245 Mezz Gym
☐ 246 Medical break room	☐ 247 Medical office	☐ 248 Medical file room	☐ 249 Medical Admin. office
☐ 250 DS 5	☐ 251 Mental Health Office	☐ 252 Chapel	☐ 253 Chapel
☐ 254 DS 6	☐ 255 Prof. Visit 1	☐ 256 Prof. Visit 2	☐ 257 Prof. Visit 3
☐ 258 Law Library	☐ 259 Classroom 1	☐ 260 Classroom 2	☐ 263 Mezz
☐ 264 Mezz Desk	☐ 261 PM 117	☐	☐

Plaza Mezz Connecting Corridor

☐ 84 PM 100 Sally Port	☐ 85 PM Elevator 7	☐ 86 PM Gym door	☐ 87 PM Freight Elev.

2 South

☐ 88 2S next to 11 cell	☐ 89 2S 215 door	☐ 90 2S Dep Workstation	☐ 95 2S Multipurpose room
☐ 97 2S Gym	☐ 99 2S Medical Exam room	☐ 100 2S Prof. Visit room	☐ 106 2S next to 36 cell
☐ 107 2MS 108 closet	☐ 108 2S Non-contact visit		

2 North

☐ 91 2N 2-133 door	☐ 92 2N next to 11 cell	☐ 93 2N Dep. Workstation	☐ 96 2N Multipurpose room
☐ 98 2N Gym	☐ 101 Prof. Visit room	☐ 102 2N Medical Exam rm.	☐ 109 2MN 109 closet
☐ 110 2N next to 36 cell	☐ 111 2N Non-contact visit		

City 2nd Floor

☐ 266 City 2 A block	☐ 267 City 2 A block	☐ 268 City 2 B block	☐ 269 City 2 B block
☐ 270 City 2 C block	☐ 272 City 2 D block	☐ 273 City 2 D block	☐ 274 City 2 E block
☐ 275 City 2 E block	☐ 276 City 2 Office		

County 2nd Floor

☐ 285 2nd Floor Desk	☐ 290 2nd Floor West	☐ 291 2nd Floor West	☐ 292 2nd Floor West
☐ 293 2nd Floor West	☐ 286 2nd Floor East	☐ 287 2nd Floor West	☐ 288 2nd Floor West
☐ 289 2nd Floor West	☐ 294 2m Desk	☐ 297 2M corridor center	☐ 296 2M West
☐ 295 2M East	☐ 282 SHU	☐ 283 SHU	☐ 284 SHU

2 Connecting Corridor

☐ 94 2CC 2-100 Vestibule	☐ 103 2CC Opposite Elev. 9	☐ 104 2CC Mid-hallway	☐ 105 2CC Freight Elev.

City 3rd Floor

☐ 281 City 3 DS-7	☐ 278 City 3 Punch 2	☐ 279 City 3 Punch 3	☐ 280 City 3 Punch 4
☐ 277 City 3 Punch 1			

2M Connecting Corridor

☐ 112 2MCC 100 Sally Port	☐ 113 2MCC Opp. Elev. 7	☐ 114 2MCC Low side ramp	☐ 115 2MCC Freight Elev.

3 South

☐ 116 3S next to 11 cell	☐ 117 3S 115 door	☐ 118 3S Dep. Workstation	☐ 123 3S Multipurpose room
☐ 125 3S Gym	☐ 127 3S Medical Office	☐ 128 3S Prof. Visit room	☐ 134 3S next to 36 cell
☐ 135 3MS 108 closet	☐ 136 3S Non-contact visit		

3 North

☐ 119 3N 133 door	☐ 120 3N next to 11cell	☐ 121 3N Dep. Workstation	☐ 124 3N Multipurpose Rm.
☐ 126 3N Gym	☐ 130 3N Medical Office	☐ 129 3N Medical Office	☐ 138 3MN 109 Closet
☐ 139 3N next to 36 cell	☐ 137 3N Non-contact visit		

County 3rd Floor

☐ 298 3rd Floor Desk	☐ 299 3rd Floor East	☐ 300 3rd Floor East	☐ 301 3rd Floor East
☐ 302 3rd Floor East	☐ 303 3rd Floor West	☐ 304 3rd Floor West	☐ 305 3rd Floor West
☐ 306 3rd Floor West	☐ 307 3M Desk	☐ 310 3M corridor	☐ 309 3M East
☐ 309 3M West			

3 Connecting Corridor

☐ 122 3CC 100 Vestibule	☐ 131 3CC Opp. Elev. 7	☐ 132 3CC Mid-hallway	☐ 133 3CC Freight Elev.

3M Connecting Corridor

☐ 140 3MCC 100 Sally Port	☐ 141 3MCC Opp. Elev. 9	☐ 142 3MCC Mid-hallway	☐ 143 3MCC Freight Elev.

4 South

☐ 144 4S next to 11 cell	☐ 145 4S 115 door	☐ 146 Dep. Workstation	☐ 151 4S Multipurpose Rm.
☐ 153 4S Gym	☐ 155 4S Medical Office	☐ 156 4S Prof. Visit room	☐ 162 4S next to 36 cell
☐ 163 4MS 108 closet	☐ 166 4S Non-contact visit		

4 North

☐ 148 4N 133 door	☐ 149 4N next to 11 cell	☐ 147 4N Dep. Workstation	☐ 152 4N Multipurpose Rm.
☐ 154 4N Gym	☐ 158 4N Medical Office	☐ 157 4N Prof. Visit room	☐ 164 4MN 109 closet
☐ 165 4N next to 36 cell	☐ 167 4N Non-contact visit		

County 4th Floor

☐ 311 4th Floor	☐ 312 4th Floor	☐ 313 4th Floor	☐ 318 4th Floor
☐ 314 4th Floor East	☐ 315 4th Floor East	☐ 316 4th Floor East	☐ 317 4th Floor East
☐ 319 4th Floor West	☐ 320 4th Floor West	☐ 321 4th Floor West	☐ 322 4th Floor West
☐ 323 4M Desk	☐ 324 4M East	☐ 325 4M Desk	☐ 326 4M West

4 Connecting Corridor

☐ 150 4CC 100 Vestibule	☐ 159 4CC Opp. Elev. 9	☐ 160 4CC Mid-hallway	☐ 161 4CC Freight Elev.

4M Connecting Corridor

☐ 168 4MCC 100 Sally Port	☐ 169 4MCC Opp. Elev. 7	☐ 170 4MCC Mid-hallway	☐ 171 4MCC Freight Elev.

County 5th Floor

☐ 327 5 East Housing	☐ 328 5 Hand/Wgt Housing		

Street Housing

☐ 209 SP Dep. Station	☐ 232 SP at P209 cell	☐ 207 SP at S100 cell	☐ 208 SP at S108 cell
☐ 233 SP at Visits Corr.			

Basement Storage

☐ 201 Prisoner T-Port Corr.	☐ 202 Prisoner T-Port Corr.	☐ 203 Prisoner T-Port Corr.	☐ 204 Prisoner T-Port Corr.
☐ 205 Laundry	☐ 206 Elevators		

Basement Storage

☐ 001 BSMT Freight Elev.	☐ 002 Outside B-105A	☐ 004 B109 Rcyl. can wash	☐ 005 Outside of stor B122A
☐ 006 Outside Cooks Office	☐ 007 Tray ass. / Bev. area	☐ 008 Cook prep B125 area	☐ 009 Outside of Pot wash.
☐ 011 Food serv Mgr's B115	☐ 003 Elevator 9 Corridor	☐ 010 Cooks Office	

Comments:

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Attach Any Repair Orders For Malfunctioning Alarms to this Form.

Date:	**Test Conducted by:**	**IBM#**
Approved by Duty Sgt.		**IBM#**

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE September 11, 2017	EFFECTIVE DATE September 12, 2017	NO. 010-17
SUBJECT: GENERAL ORDER Printed Materials, Publications and Correspondence		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 010-15

Purpose: To institute and maintain procedures within the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) that enable inmates to receive printed material and publications generally available to the public and that guarantee and protect the right of inmates to correspond through the United States mail, without compromising the safety, security or good order of the Jail/Correctional Facility.

Policy: The Monroe County Sheriff's Office (MCSO) will maintain procedures for inmate receipt and release of printed material and publications which will comply with State and Federal law while accommodating the security needs of both MCJ and MCF. In addition, the MCSO will implement a system of inmate mail delivery and retrieval. Printed materials and publications shall conform to **Part 7026** and mail delivery and retrieval shall conform to **Part 7004** of **Title 9** of the **Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7026 and 7004).**

Definitions: **Legal Privileged Correspondence:** Shall mean correspondence to or from attorneys and/or individuals under the direct supervision of attorneys, legal assistance agencies, and individuals under the direct supervision of legal assistance agencies and courts.

General Privileged Correspondence: Shall mean correspondence to and from the New York State Commission of Correction (NYSCOC) and other correctional officials, local, state, and federal law enforcement agencies, and the media.

* **Censor:** Shall mean the exclusion of any printed material and/or publication or a portion thereof.

* **Contraband:** Contraband is defined as any item or article that is not authorized by the Sheriff's Office or prohibited by law including, but not limited to, weapons or illegal drugs, or items that have been altered from their original condition.

I. Acceptable/Unacceptable Printed Material, Newspapers, Publications, and Photographs

* Inmates may receive printed material, newspapers, publications, and photographs which are generally available to the public, and which do not constitute a threat to the safety, security or good order of the MCJ or MCF in accordance with **9NYCRR Part 7026**. All incoming printed material, newspapers, publications, and photographs will be received only through the mail. Printed material, newspapers, and publications will only be accepted by subscription directly from a bookstore, publisher, or book club approved by the MCSO and will be forwarded to the inmate after being inventoried and logged by MCJ and MCF 1st platoon staff or Inmate Property.

II. Review and Censorship

A. Printed material and/or publications intended for inmates may be read and reviewed for suitability in the correctional setting. Such material may be censored only when it is determined that the item constitutes a threat to the safety, security or good order of MCJ or MCF.

B. Publications or other printed material may not be censored solely based on the following in accordance with **9NYCRR Part 7026.2:**

1. It criticizes a correctional facility, its staff or the correctional system.

2. It espouses unpopular ideas, including ideas that facility staff deem not conducive to rehabilitation or correctional treatment.

3. It contains ideas supporting ethnic or racial militancy.

C. Printed material and/or publication(s) received through the mail at MCJ or MCF which based on their content, require the Superintendent's review for suitability in a correctional setting will require receiving staff to adhere to the following procedure

1. A **JB-068 Printed Material or Publication Review or Censorship Record** along with the material; will be forwarded to the Superintendent for review and disposition.

* 2. The Superintendent will review the material and make a determination regarding its suitability within the correctional setting. Determinations relative to this directive must be completed within seven days (7) of receipt of the material at the facility. Periodicals must be reviewed and approved or censored within 48 hours after the receipt of the printed material or publication at the facility.

3. Should the Superintendent determine to censor a printed material or publication or part thereof, a written statement containing the specific facts and reasons underlying such determination will be forwarded to both the sender (if a return address is available) and the designated inmate.

4. Inmates consenting to a deletion of censored portion(s) of printed material or publication(s) will receive the remaining material upon deletion of the censored material. Inmates who do not consent to such censorship will cause the entire printed material or publication to be returned to sender (if a return address is available), or be placed into the inmate's property. The inmate will then receive the item(s) upon release from custody.

5. Inmates affected by the Superintendent's determination to censor printed materials or publication(s) may appeal their decision to the New York State Commission of Correction in accordance with **JBGO-046 Inmate Grievance Program.**

III. Contraband

A. Contraband Constituting a Criminal Offense

Contraband received at MCJ or MCF through printed material, newspapers, publications, or correspondence, which constitutes a criminal offense, will be preserved as evidence through the Property Management Office (PMO) accompanied by all appropriate documentation.

The duty sergeant/shift supervisor will be notified immediately, who shall request that the Criminal Investigation Section (CIS) review the material and the circumstances surrounding its receipt for possible criminal prosecution. The Superintendent shall be notified through the chain of command regarding any contraband found in incoming mail. The Superintendent shall receive the printed material, newspapers, publications, or correspondence in accordance with **9NYCCR, Part 7004.** The Superintendent will forward the correspondence to the intended prisoner recipient, except when such correspondence may interfere with a pending criminal investigation.

B. Contraband Not Constituting a Criminal Offense

1. When contraband is found in incoming printed material, newspapers, publications, or correspondence **not** constituting a criminal offense, the items shall be processed in accordance with the directive set forth by the Superintendent.

2. Only ten publications, including magazines, newspapers or books will be allowed in an individual's housing area at any one time. Excess publications will be mailed out at the inmate's expense. A variety of postage paid envelopes are available through the Commissary. Indigent inmates only will be permitted to release excessive publications through the Inmate Property Storage Area. Staff responsible for processing the mail is not responsible for determining how many publications an inmate has in his/her housing area.

IV. Intake, Return and Delivery Procedures

A. Jail Administration will coordinate the pick-up and delivery of MCJ correspondence and printed materials from criminal records. All incoming correspondence will be delivered to the MCJ Central Control room for processing. MCJ 1st and MCF 1st platoon mail staff will search the incoming printed material, newspapers, publications, photographs, and correspondence for contraband and acceptability, both physically and visually at each respective facility. Upon completing the search and logging contents into the JMS mail log, staff shall forward all acceptable material directly to the inmate's housing area unless any of the following provisions prohibit the delivery directly to the inmates housing area:

* Printed materials, newspapers or publications that are not from a bookstore, publisher, or book club and are received through the mail with a return address, or not shipped by a publisher will be returned to sender, stamped "RETURN TO SENDER", with a note stating, **"The Monroe County Sheriff's Office does not accept printed material, newspapers, or publications not sent from a bookstore, publisher, or book club."** If there is no return address then the printed material, newspapers, or publications will be sent to the Inmate Property Storage Area at MCJ or at MCF, and placed in the inmate's property. Staff will list and describe the material on an Inmate Property Clothing Accountability Invoice in accordance with **JBGO-018 Inmate Property Storage Area.**

* B. Any item returned to sender or forwarded to the Inmate Property Storage Area will be stamped with "RETURN TO SENDER", and a **JB-129 Notification of Item Returned to Sender Form** will be forwarded to the inmate.

C. If at the time of receipt, staff at MCJ or MCF, determine the printed material, newspapers, or publications to be a threat to the safety, security or good order of the facility all items will be forwarded to the Superintendent for review and disposition utilizing form **JB-068 Printed Material or Publications Review or Censorship Record.**

V. Outgoing Inmate Correspondence

A. Stationary and postage shall be available for purchase by inmates through the jail/correctional facility commissary.

B. The jail/correctional facility will make available to indigent inmates, at facility's expense, stationary and postage for at least two one-ounce pieces of correspondence each week.

C. Outgoing inmate correspondence will be collected from inmates on a daily basis at approximately 2300hrs. The first platoon duty sergeant will ensure that all inmate correspondence is sorted and forwarded to a designated outside mail area for further processing.

D. Outgoing prisoner correspondence shall bear at least the sender's name and institutional street address in the upper left hand corner of the envelope. In addition, staff will ensure that envelopes are not defaced in any way and bear only a sending and return address.

E. Outgoing non-privileged correspondence shall not be opened or read except when the Superintendent determines there is a reasonable suspicion to believe that the contents of the correspondence endanger or threaten the safety or security of the facility, or the safety and security or health of another person. When such determination is made, the Superintendent shall issue a written order which will state the specific facts and reasons why such action is necessary to maintain the safety and security of the facility or the safety and security of another person. An inmate will be notified in writing and be present when their outgoing non-privileged correspondence is opened or read in accordance with **9NYCRR Part 7004.2.**

> **Note:** The Superintendent may delay notifying the inmate regarding the specific facts and reasons when such notification would endanger the safety, security, and good order of the facility. As soon as the danger no longer exists, the Superintendent shall immediately notify the inmate.

VI. Incoming Inmate Correspondence

A. Incoming inmate correspondence is delivered to MCJ and MCF, Monday through Saturday, excluding Federal holidays, by the United States Postal Service.

B. Incoming inmate correspondence shall be date-stamped on the business day it is received and a notation placed in JMS under the inmate's history, event type **"mail log"** indicating the amount and type of correspondence received. The types of correspondence will include; "Legal Privileged Correspondence", "General Correspondence", General Privileged Correspondence", "Magazines" or "Newspapers".

C. Incoming correspondence other than privileged correspondence will be opened and inspected for contraband. Such correspondence may be opened and inspected solely to ensure the absence of contraband.

D. Correspondence received for persons out of custody must never be opened. Out of custody correspondence will be processed in accordance with established procedures of the USPS. Staff will use a black marker to cross off the incoming address and code lines at the bottom of the envelope or package. The correspondence must then be stamped "RETURN TO SENDER". Correspondence that cannot be "returned to sender" will be returned to the USPS.

E. Incoming non-legal prisoner correspondence will not be read except pursuant to a written order from the Superintendent. Such order shall state the specific facts and reasons why such action is necessary to maintain the safety, security, or good order of the facility, or health of another person. Copies of any written orders will be forwarded by the Superintendent to:

1. The intended prisoner recipient.

2. The sender of the correspondence.

F. A written record of any read inmate correspondence shall be maintained in the inmate's file in Jail Administration and include:

1. The name of the sender.

2. The name of the intended prisoner recipient.

3. The date the correspondence was read.

4. The name of the reader.

G. After verifying and recording inmate correspondence and inspecting non-privileged correspondence for contraband, the designated staff member at MCJ and MCF will deliver all inmate mail directly to the designated housing area.

* H. Housing area staff will distribute correspondence directly to the intended prisoner recipient. This will be done at MCJ and MCF by 1st Platoon staff prior to conducting the 0700hr headcount. All legal mail will be distributed by 2nd Platoon staff prior to 0930 hours unless exigent circumstances exist. This is to ensure the mail will be opened in the presence of the receiving inmate. A log note will be placed in JMS under 'Mail Passed Out", specifying which inmates received mail, the amount, legal, magazine, newspapers etc.

* I. All Law Library materials will be distributed and logged by 1st Platoon staff.

VII. Incoming and Outgoing Privileged Correspondence

A. Except under the exceptions specified below, incoming "general" privileged and "legal" privileged correspondence shall not be opened and inspected for contraband except in the presence of the inmate recipient. Staff delivering correspondence directly to inmates will be responsible for inspection of the correspondence for contraband.

B. Exceptions:

1. Incoming or outgoing "general" and "legal" correspondence shall not be opened and inspected for contraband except when the Superintendent determines there is reasonable suspicion to believe that the contents of such privileged correspondence threaten the safety or security of the facility, or the safety of another person, and an administrative order has been issued by the Superintendent directing that all outgoing and incoming correspondence for a specified inmate be opened and read.

   The following procedures will be followed:

   a. The inmate will be served with the written order by security staff unless otherwise directed by the Superintendent.

b. The inmate will be ordered to have all outgoing correspondence unsealed prior to staff inspection.

c. Appropriate log notes will be entered in both the Floor Activity Log and the Facility Floor Notes documenting service and execution of the administrative order and instructions to the inmate.

d. Staff will use the "Mail Restriction Order" note type for all log entries associated with this procedure.

2. Incoming or outgoing prisoner "legal" privileged correspondence shall not be read except pursuant to lawful search warrant. Such warrant shall be obtained within 24 hours of the facilities receipt of such correspondence and will be enforced immediately upon its issuance. A prisoner will be present when their privileged correspondence is read.

3. Incoming and outgoing "general" privileged correspondence will not be read except where the Superintendent determines there is a reasonable suspicion to believe that the contents of such "general" privileged correspondence endanger or threaten the safety or security of the facility or the safety and security of another person. Should the Superintendent make such a determination, he/she shall issue a written order, which shall state the specific facts and reasons why such action is necessary to maintain the safety and security of the facility or the safety and security of another person. The inmate recipient will be present when his incoming and outgoing "general" privileged correspondence is read.

4. Incoming "general" correspondence, which contains identification cards, social security cards, or any other documents needed by an inmate for purposes of work release, educational classes etc., will be forwarded to the Inmate Property Storage Area. The property staff will verify through the rehabilitation staff that the inmate needs to possess the documents.

VIII. Mail Monitoring

A. All outgoing non-privileged correspondence will be processed by a designated 3rd platoon supervisor. Daily, the designated supervisor will ask the inmate if they have any outgoing non-privileged correspondence. The supervisor will read the correspondence in the presence of the inmate. If the contents of the outgoing correspondence raise security concerns, a report will be generated to the Superintendent with a copy of the correspondence, with the original secured in the Property Management Office. Floor activity log notes shall be entered documenting compliance with the written order and the results of each review.

B. All incoming non-privileged correspondence subject to an administrative order will be forwarded unopened to Jail Administration.
A designee of Jail Administration will process the non-privileged correspondence and notify the sender in accordance with the Minimum Standard. Written records of non-privileged correspondence read will be maintained in the inmate's file in Jail Administration and include:

1. Name of the intended prisoner recipient.

2. Name of the sender.

3. Date the mail was read.

4. Name of the reader.

5. After processing incoming non-privileged correspondence and inspecting for contraband the designated Jail Administrative member will ensure the timely delivery of correspondence to the intended inmate.

6. If the contents of the incoming correspondence raise security concerns a report will be generated to the Superintendent with a copy of the correspondence and the original secured in the Property Management Office.

IX. Packages

A. Consistent with **9NYCRR Part 7025** prisoners shall be permitted to receive and send packages. Any items which a prisoner sends from the facility shall be packaged in the presence of the prisoner and under the supervision of facility staff. The costs incurred in sending any outgoing prisoner packages shall be borne by the prisoner. Prisoners wishing to send a package out may submit a request on an Internal Communication Form to the Inmate Property Room. Packages received through the mail at MCJ will be line scanned for contraband and secured in the Inmate Property Storage Area until they can be processed by Inmate Property staff as follows:

1. If the addressee is in custody at MCJ, Inmate Property Storage Area staff will open and inspect the contents of each package for contraband and complete a **JBGO-118 Property/Clothing Accountability Invoice**, listing all items in the package. The Property Staff will forward all allowable property to the inmate, with the completed invoice in accordance with current procedures.

2. If the addressee is in custody at MCF, mail staff will initiate a Property/Clothing Accountability Invoice, forward and secure the unopened package, with the invoice attached to the MCF Inmate Property Storage Area.

B. Packages received at MCF will be line scanned for contraband and secured in Jail Administration until they can be processed by 1st platoon staff in accordance with Section VIII. A. 1.

C. The Inmate Property Storage Area staff will maintain on file, form **JB-118 Inmate Property Receiving List**, and record delivery of property to inmate housing areas. Property not permitted within security will be listed on the **Property/Clothing Accountability Invoice** and placed in the inmate's property.

D. Religious articles received through the mail are subject to approval and will be handled in accordance with **JBGO-051 Religious Services and Activities**.

E. Packages received by Fed Ex or UPS will follow the same procedures as above. If the inmate is not in custody an **JB-128 Inmate Package Return Form** will be completed and will accompany the package that is to be returned to the sender. Inmate Property Staff will be responsible for tracking all Fed Ex and UPS tracking numbers. A copy of the Inmate Package Form will be kept in Inmate Property for their records.

X. Legal Tender Received in the Mail

The following forms of legal tender received in the mail are acceptable and shall be processed in accordance with **JBGO-039 Commissary Accounts Maintenance**: US currency, U.S Postal Money orders, Western Union Money Drafts, and checks from other county/state correctional Institutions or government agencies.

Unacceptable money orders, foreign currency, paychecks, and personal checks that are received in the mail shall be forwarded to the Superintendent for disposition.

XI. Photographs Received through the Mail

The following procedures will be observed for processing and distributing photographs received through the mail for inmates in custody at the MCJ and MCF. The designated mail staff will record the letter/photographs received next to each inmate's name in the Jail Management System (JMS), utilized for processing correspondence. The staff member will then forward all acceptable photographs to the inmate's housing area. If a photograph is not acceptable the procedure outlined in Section I. Acceptable and Unacceptable printed material, newspaper, publications and photographs will be adhered to. Any questions regarding admissibility of photographs will be referred to the duty sergeant/shift supervisor for clarification.

By Order of the Sheriff,

Patrick M. O' Flynn

* Indicates a change from the original or any previously updated versions of this General Order.

`COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE AUGUST 31, 2015	EFFECTIVE DATE SEPTEMBER 01, 2015	NO. 012-15
SUBJECT: GENERAL ORDER Access to Jail Facilities		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PREA			RESCINDS 12-J-08

Purpose: To establish and maintain a policy and procedure that will allow official, professional, and/or volunteer visitors to access the Monroe County Jail (MCJ), and the Monroe Correctional Facility (MCF) for the purpose of conducting jail programs and/or other official business.

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) that all visitors upon entering or re-entering either MCJ or MCF will be required to show picture identification. All individuals requesting clearance to enter a facility will complete an application, receive a copy of the facility entrance policy and rules and regulations and obtain approved security clearance prior to entering the facility or being issued a visitor's pass. Passes are to be worn and visible at all times.

I. Definitions

* A. **County Employee:** Vetted County of Monroe employees to include, but not limited to, Attorneys, Probation, Health Department, Child Protective Services and County Informational Services.

B. **Official Visitors:** Attorneys and/or their representatives, Elected Officials, Probation Officers, Parole Officers, or Law Enforcement Officers in civilian clothing.

C. **Volunteers:** Any persons not employed or contracted by the Office of the Sheriff, to include, but not be limited to Clergy, and/or AA/NA representatives.

* D. **Professional Visitors:** Any person employed by a professional agency including but not limited to Drug and Alcohol Treatment facilities, Education and Training institutions, Social Services Agencies, Health and Mental Health Agencies.

* E. **Contract Vendors:** Any person employed by an agency or business doing business with the Monroe County Jail or Monroe Correctional Facility, to include but not limited to, inmate food services, medical, mental health, information technology, and commissary contractors.

II. Duties of the Rehabilitation Unit

A. Advise and make recommendations to the Superintendent, or his/her designee, regarding any new programs, status or termination of existing programs, and/or the termination of individual clearance where there is, or has been, a violation of agency policies and procedures.

B. Upon receipt of a clearance application or facility entrance into either the Monroe County Jail or Monroe Correctional Facility by a Paralegal, Legal Assistant or anyone other than a Private Attorney, Public Defender, Probation Officer, Parole Officer or Law Enforcement Officer, the Director of Rehabilitation will:

1. Conduct a criminal history, record and warrant check through the Criminal Records System of the Monroe County Sheriff's Office and other available resources to include, but not be limited to any prior arrests and/or past criminal convictions that may be cause to restrict facility access. If the person(s) have no criminal record they may be allowed access to the facilities.

   Note: Any individual with an active warrant will be referred to the appropriate police agency.

2. For an approved vendor, facilitate the obtaining submission of fingerprints for the purpose of conducting a criminal history review, to include but not limited to, a nationwide criminal record history, and national want and warrant check as well as application for notification of arrest service.

3. Review the list of persons with criminal records with the Superintendent or his/her designee, to determine if admittance will be allowed, utilizing the following criteria:

   a. Individuals entering the facility **must** have no criminal justice system contact for a minimum of four (4) years.

   b Individuals may be denied entrance with criminal histories that involve serious crimes such as murder, attempted murder, assault, robbery, sexual offenses, stalking, and kidnapping. In addition, individuals charged with possession or sale of drugs, promoting prison contraband, hate crime, weapon offenses or terrorism may not be granted access although their criminal history is greater than four years.

   c. The MCSO shall not enlist the services of any contractor who may have contact with former inmates who:

      i. Has engaged in sexual abuse in prison, jail, lockup, community confinement facility, juvenile facility, or other institution.

      ii. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent of refuse.

      iii. Has been civilly or administratively adjudicated to have engaged in activity described in (i).

   d. The MCSO shall consider incidents of sexual harassment in determining whether to enlist the services of any contractor.

   e. Sealed records may not be used to ban someone from the entrance to the facility.

   f. Violations and Vehicle and Traffic infractions will be considered, but will not necessarily prohibit individuals from entering the facility.

   g. Current probationers or parolees will not be permitted access to the facilities without prior written permission from the supervising Parole or Probation officer.

C. Responsible for the administration and review of all jail programs that will be conducted by outside organizations and receive assistance from the Jail Chaplain in regard to religious programs.

D. Maintain a current database of representatives and their respective organizations.

E. Responsible for conducting a jail orientation for all volunteer organizations to consist of, but not be limited to the following:

1. Review of the rules and regulations of the Jail Bureau and any other applicable agency directives.

2. Training on information specific to the Prison Rape Elimination Act (PREA) of 2003.

3. Provide alternate contact information when the Director of Rehabilitation is not available.

4. Explain notification procedures should a volunteer no longer be affiliated with a specific organization.

III. Responsibility of Volunteers & Volunteer Organizations

A. All volunteers requesting to enter the MCJ or MCF for the purpose of conducting jail programs will be required to obtain prior approval from the Rehabilitation Unit by submitting a clearance application (Attachment A).

Note: Volunteers will attach a copy of his/her State driver's license or State issued non-driver identification card along with any other professional license or certification documentation.

B. All individuals entering the facilities must follow all established agency rules and regulations, including directives given by sworn staff members to ensure the safety, security and order of all facilities.

1. All volunteers and/or organization representatives will be required to read and sign and acknowledgement of the Jail Bureau's entrance policy and rules for volunteers, or verify attendance at a Security Orientation Session by signing the attendance roster, after completing a volunteer application for entrance (Attachment B).

2. All Volunteers and/or organization representatives will be required to read and sign an acknowledgement of the Jail Bureau's PREA information packet (JB-204 & JB-205).

3. All individuals entering the facilities will defer preference to attorneys, parole and probation officers in addition to adhering to time restrictions as previously established with the Director of Rehabilitation.

4. During emergency situations, volunteers may have their programs terminated as directed by command staff. The reason for the termination of the program will be documented on the Incident Report and submitted to Jail Administration as per agency directives.

C. Volunteer organizations will be responsible for providing periodic updates to the Director of Rehabilitation with a list of current volunteer individuals affiliated with their organization to ensure consistency with the Professional Visitation database on the Jail Management System (JMS).

D. Should a volunteer be terminated, the supervisor of the organization will:

1. Notify the Rehabilitation Unit immediately, if the termination of the volunteer is a result of any action that may jeopardize the safety, security or order of the facilities. If the termination is voluntary, the notification may be made on the next business day. In all instances, a letter of explanation will be forwarded to the Director of Rehabilitation.

2. If the Rehabilitation Unit is closed, the organization's supervisor will notify the highest ranking command officer on duty. This officer will advise the Superintendent, or designee, in writing through the chain of command, with a copy forwarded to the Director of Rehabilitation.

E. All complaints regarding volunteers, or complaints from volunteers, will submit documentation to the Director of Rehabilitation and Jail Administration in writing detailing the facts and nature of the complaint.

F. Organizations will provide the Director of Rehabilitation with an annual report of all their jail activities of the previous year to include, but not be limited to, program content, achieved outcomes and future goals.

IV. Entrance Policy & Procedure

* A. Staff members assigned to Central Control will ensure that any individual requesting access to MCJ or MCF is verified in the Professional Visitation section in JMS and that they have completed the orientation procedure to include PREA. Individuals not verified in the Professional Visitation section in JMS will not be granted access until he/she is properly cleared.

1. The individual should be advised to complete a clearance application along with a copy of his/her driver's license or non-driver ID and forward it to the Director of Rehabilitation for approval.

2. Jail security Captains, Lieutenants and Sergeants have the authority to clear and grant access one time, upon review of the circumstances, for anyone meeting the required entrance criteria and who is not in JMS.

Note: Proper entrance criteria will include proper photo identification, a MoRIS Record and Arrest check, and a Warrant check, must all be conducted prior to granting access. Any individual with an active warrant will be referred to the appropriate police agency.

B. All necessary information will be documented before allowing any volunteer and/or official visitor to access the jail facilities. Information will include, but not be limited to:

1. Visitor's Name.

2. Organization or Affiliation.

3. Time In / Time Out.

4. Visitor Pass Number.

5. Remarks, if any.

C. Any volunteer and/or official visitor wishing to interview an inmate privately, will be required to fill out a visiting list to include, but not be limited to:

1. Visitor's Name.

2. Organization or Affiliation.

3. Inmate(s) to be visited.

D. Volunteer and Professional Visitors requesting private interviews will be directed to the facility visiting rooms. Professional and Volunteer visits of individuals will be conducted under the policy for Professional Visitation at the appropriate facility.

E. All individuals entering the facilities will be issued a visitor's pass to correspond with their affiliated organization and will be asked to display this pass on their outermost garment for the duration of their time in the facility. This pass will be returned to the Central Control staff member upon exiting the facility.

F. Individuals employed by the following vendors / contract providers will be issued photo identification by Jail Administration and be required to display this identification on an outer garment while in the facility. The individual's supervisor will be responsible for obtaining the employee's identification card and/or swipe card upon termination of employment for any reason and forward it to Jail Administration.

1. Designated Food Services Contractor Employees

2. Designated Commissary Contractor Employees

3. Designated Medical Contractor Employees

4. Rochester City School District Employees

5. B.O.C.E.S. Employees

6. Monroe County Buildings Maintenance & Engineering.

7. Good News Jail & Prison Ministry Staff.

G. All other contractor and outside agency staff will be required to present their issued identification at the Central Control room upon entry and to display the identification on an outer garment at all times while in the facilities.

V. Clearance for Individuals with Disabilities

A. Individuals with disabilities requiring the assistance of a person or device to accommodate their disability must make security staff aware of the necessary assistance prior to being approved to enter the facility. This should be noted in the appropriate section on the application form.

B. The Director of Rehabilitation or the sponsor requesting approval for a disabled individual to enter the facility will review the necessary accommodation with the Jail Administration Sergeant at the Monroe County Jail or the Facility Administrator at the Monroe Correctional Facility.

1. The Jail Administration Sergeant or Facility Administrator will assess the request and make a recommendation for any necessary considerations required permitting disabled individuals to accomplish their stated purpose for entering the facility.

2. Upon determination of the best way to accommodate the individual's needs, their orientation will detail any security concerns or limitations to be placed upon the individual necessary to ensure the safe and secure operation of the facilities.

C. The Jail Administrative Sergeant, Facility Administrator, or the Director of Rehabilitation will be responsible for notifying Central Control, Security, and/or Visitation staff of the necessary accommodation permitted.

VI. Visitor Passes

A. Blue Visitor Passes

Visitors that are issued blue visitor passes do not require an escort, but may be assigned an escort at the Sergeant's discretion. These visitors have authorized access to the jail facilities and may travel throughout various areas as directed by the Central Control deputy.

Attorney Pass:	For attorneys, Public Defenders, etc.

B. Green Visitor Passes

Visitors that are issued green visitor passes do not require an escort, but may be assigned an escort at the Sergeant's discretion. These visitors have authorized access to the jail facilities and may travel throughout various areas as directed by the Central Control deputy.

Parole/Probation Pass:	For probation and or parole officers and/or their representatives.
Law Enforcement Officers:	For police officials from agencies other than the Monroe County Sheriff's Office who are wearing civilian clothing.

C. Yellow Visitor Passes

Visitors that are issued yellow visitor passes may only travel to designated areas at the Monroe County Jail/ or Correctional Facility. These visitors will be escorted to all areas of the facility, unless otherwise directed by the Superintendent.

Clergy Pass:	For pastors, priests and/or religious volunteers.

D. White Visitor Passes

VIP Pass:	For doctors, elected officials and prominent persons from the community, state and/or nation.
Non-Sheriff's Intern Pass:	For students from the Public Defenders Office, Pretrial Services, etc.

E. Red Visitor Passes

Security personnel, or designated maintenance personnel will escort visitors who are issued red visitor passes, at all times while in the jail facilities.

Service Representative Pass: For contractors, maintenance or any outside agency hired to perform a service that may involve bringing tools inside security.

F. Pink Visitor Passes

Visitors that are issued pink visitor passes may only travel to designated areas of the Monroe County Jail/or Correctional facility. These visitors must be escorted and accompanied by security personnel at all times while in the jail/facility.

Volunteer Pass: For civilians from outside agencies who conduct programs for inmates at the jail or the correctional facility.

VII. Visitor Pass Exceptions

There are several exceptions when obtaining a visitor pass is not a requirement to enter the jail facilities. Exceptions may include, but not be limited to:

A. Civilian employees of the Monroe County Sheriff's Office will not be issued a visitor's pass, while in the facility, at all times.

B. Uniformed police officers and other officials will not be issued visitor passes, but will be required to sign in and out if they go beyond the central booking or central control area and wish to interview inmates. Officers will be required to secure all weapons and ammunition in the weapon lockers outside of security before entering the facility.

C. Scheduled tours of groups and/or people in the company of a sheriff's office employee will not require a visitor pass.

D. Police officers and other officials transporting prisoners in and/or out of the facility into the central booking area will not be issued a visitor's pass.

E. All other persons (e.g., Pre-Trial, Clergy, etc.) whether or not in the company of a member of the sheriff's office, will be issued and required to display a visitor's pass while in the facility, at all times.

F. Members of the sheriff's office who observe civilian persons within the secure areas of the facility without a visitor's pass displayed will inquire of such person their name, organization, purpose for being in the facility. Staff will notify the duty sergeant, who will immediately take steps to rectify the situation.

G. County employees displaying proper Monroe County identification will be granted access to the MCJ Officer's Dining Room. These individuals will not be permitted beyond the dining area without being properly cleared and signed in through Central Control.

VIII. Emergency Personnel

A. Emergency crews responding to a summons from this department will not be detained to process visitor passes, although they must be escorted throughout the facility.

B. At the termination of the emergency, the escorting deputy will be responsible for preparing a detailed report concerning the responding emergency personnel and the action taken by them.

C. An emergency situation does not dismiss the need of properly identifying responding emergency personnel and obtaining agency verification from them. This precaution prevents unauthorized persons from gaining access to the secure areas of the facility.

By Order of the Sheriff,

Patrick M. O' Flynn

* Indicates a significant change from the previous order.

Attachment A
Rules and Regulation
Entrance Policy

RULES & REGULATIONS FOR VOLUNTEERS AND ORGANIZATIONS REPRESENTATIVE(S)

The Sheriff, Jail Bureau and Rehabilitation Director welcome you! As a service provider, it is hoped your individual efforts are satisfying. Certain rules and regulations are necessary because of the very nature of this institution. Your cooperation is required and appreciated.

1. Volunteers and representatives from professional organizations must comply with all directions given by Sheriff's staff, and are directed not to involve themselves in emergency situations.
2. Taking pictures is not allowed unless the Sheriff or his designee grants permission.
3. Upon arrival, proceed immediately to your assigned area. Please do not enter unassigned or unauthorized areas. At the end of your work period, please proceed back to the admission area.
4. **No items** may be given directly to or received from the inmates. Violation of this rule may result in criminal charges for the introduction of Prison Contraband.
5. **No items** considered to be contraband may be brought into the facilities. Any item the jail or correctional facility does not authorize being given to an inmate is considered contraband.
6. Since visiting space is limited, please be considerate of others in the amount of time you spend visiting a person.
7. Notify the Facility of any change in your address or phone number.
8. Upon termination of service, you must surrender your pass.
9. Utilization of your volunteer privileges to visit relatives and/or friends is prohibited. Such visitation must occur through normal visiting procedures. Violation of this rule will result in the loss of your facility access privileges or Clergy File privileges.
10. The staff in Central Control or other entrance areas will log your entrance into the facility. You will be provided with identification that you must display on your outer garment at all times while in the facility. You will be required to show a valid driver's license or acceptable photo identification.
11. No volunteer, vendor/contractor, or program staff is authorized to permit inmates to use Jail phones.
12. Cell phones are not permitted in the secure area of the Jail and Correctional Facility.
13. No personal items are permitted to be brought into the Jail or Correctional Facility without specific written permission of the Jail Superintendent or his designee, this includes but is not limited to personal medications or drugs.
14. Persons with a disability requiring the aid of a special device (i.e. cane, crutches, walker and wheelchair), or the assistance of another person (i.e. interpreter, health aid), must advise and meet with security staff to assess the need for accommodations and the appropriateness for entering security.
15. You must be 18 years old or older to enter the facilities.

I have read the above rules and regulations and agree to follow said rules. In addition, I will abide by all facility policies particularly those relating to the security and confidentiality of information. I understand that if I violate these rules, policies, and confidentiality of information, my privilege to enter either facility may be revoked.

MONROE COUNTY JAIL and MONROE CORRECTIONAL FACILITY
ENTRANCE POLICY FOR OUTSIDE AGENCIES EMPLOYEES, VOLUNTEERS AND CLERGY

1. I and/or my Employer are requesting permission to enter the Monroe County Jail and/or the Monroe Correctional Facility. I request this permission without being asked to do so by the Sheriff of Monroe County, any of his agents, or any agents of the County of Monroe.
2. I understand that there is the possibility of injury to my person or property while in said Monroe County Jail/Monroe Correctional Facility.
3. I waive any claim I may have as a result of any injury to my person or property by reason of my being in the Monroe County Jail and/or Monroe Correctional Facility or any injury sustained while being in the Monroe County Jail/Monroe Correctional Facility. I enter the above mentioned Jail/Facility assuming the risk of any injury, and agree to hold harmless the County of Monroe, the Monroe County Sheriff or any of their agents for any injury, which might be so, incurred.
4. I understand that there is always a potential danger of being taken hostage or injured by inmates of a Jail or Correctional Facility such as the Monroe County Jail or Monroe Correctional Facility.

I fully understand all the risks involved and in requesting Permission to enter the Monroe County Jail/Monroe Correctional Facility, I agree by signing the Application for Clearance to Enter Facilities, to assume those risks.

Monroe County Jail and Correctional Facility
Application for Clearance to Enter Facilities

Patrick M. O'Flynn
Sheriff
Andrew P. Forsythe
Undersheriff

Name:			***email address:***		
Date of Birth:			***(***You Must be 18 years old or older to enter the facilities)***		
Address: Street					
City	State	Zip	***Telephone Number***		
Race (Circle One)	White		Black	Hispanic	Asian/Oriental
Gender (Circle One)	M		F		
Agency or Organization you represent?				***Phone Number:***	
Your Program or Agency Supervisor and contact number?					
Clearance Type Requesting? (Circle One)	Clergy	Group Church Service	Rehab. Program	Education Prog.	
	Professional Agency	AA/NA	Other (describe)		
Name of Sponsor (Must be Facility Staff member)					
Verification of Identification	***********Copy of Drivers License or Photo Identification with Date of Birth ********* ********Must be attached ******* Application will not be processed without it.				
Do you have a criminal Record?	(Circle One)	Y	N	If yes please explain on back.	
Have you ever been arrested?	(Circle One)	Y	N	If yes please explain on back.	
Are you on Probation or Parole?	(Circle One)	Y	N	If yes please explain on back.	
Have you ever been on Probation or Parole?	(Circle One)	Y	N	If yes please explain on back.	
Do you have a disability that requires assistance?	(Circle One)	Y	N	If yes please explain on back.	
Sponsor acknowledgement /signature- mandatory				date:	
Applicant's signature:				date:	

Office Use Only

MoRis Record, Arrest & Warrant Check Completed	Y	N		date:	who:
Denied / Approved	denied	approved		date:	who:
Notified of clearance status Y N	*via* email	mail phone		date:	who:
Attended orientation	(Circle One)	Y	N	date:	
Approved By			Date:		
Date entered by:		visiting area only		All access	
One time visit w/staff member or cleared civilian	program only	Contractor Vendor ID		Denied	

Please return the form to facility staff sponsoring your program or to the
Director of Rehabilitation, Monroe County Jail, 130 Plymouth Ave., S., Rochester, NY 14614

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE July 05, 2016	EFFECTIVE DATE July 06, 2016	NO. 013-16
SUBJECT: GENERAL ORDER Prisoner Transport Treatment		DISTRIBUTION Jail Personnel	AMENDS
REFERENCE: CALEA 73.3.2, 73.5.4, 73.5.24 NYSSA-JAIL 35, 40, 38, 100, 101, 102, 103, 104, 146. NYS CORRECTION LAW 611(1).			RESCINDS 13-12

Purpose: To define methods to be utilized when transporting inmates outside of the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).

Policy: Inmates being transported will be controlled and supervised by staff members in a safe and humane manner.

I. General Guidelines

A. When an inmate is remanded into custody, he or she shall be handcuffed and searched according to current regulations and as outlined in **MBGO-005 Use of Restraining Devices.**

B. Transport deputies are responsible for the safety and security of all prisoner(s) in their custody.

* 1. At all times, Transport deputies are to remain in full compliance with all General Order Rules and Regulations, including those pertaining to the use of force.

2. In the event that a prisoner is ill or injured and medical attention is required, security staff will notify the medical unit as soon as practical. A supervisor or command officer will be promptly notified.

3. Ill or injured prisoners will be medically examined prior to incarceration.

4. Universal precautions shall be taken when handling prisoners in order to avoid contact with infectious diseases.

5. Special care will be used when transporting prisoner(s) who are physically disabled. Wheelchairs, crutches and/or prosthetic devices will be secured by the transporting deputy and taken along with the prisoner as required.

6. The Duty Nurse and/or Duty Sergeant will determine whether a prisoner should be sent to a hospital emergency unit. Consideration will be given to the type of injury or disability when determining what kind of vehicle is to be utilized for the transport. If needed, the contract medical provider will arrange for alternative transportation.

C. All inmates will be handled with caution. Violators taken into custody for minor offenses may be fugitives wanted for more serious crimes.

1. Inmates transported from the jail/facility to courts, institutions or other locations will be searched prior to their departure and upon return to the jail/facility. Refer to **JBGO-028 Searches of Persons.**

2. Female inmates will be searched by female deputies and male inmates will be searched by male deputies. This will not apply if the officer reasonably suspects he or she is in danger of physical injury. (Refer to CPL. 140.50-Stop/Frisk).

3. Inmates will not be left unattended at any time.

4. All inmates will be handcuffed and cuffs will be double locked unless grave illness, injuries or physical deformities interfere, as outlined in **MBGO-005 Restraining Devices. Pregnant Females shall be restrained according to the procedures outlined below (Section II).**

5. All inmates will be seated in the rear, screened portion of the vehicle. Utilization of seat belts is **mandatory**. When utilizing the prisoner van or bus to transport two or more inmates, no less than two deputies will be assigned.

6. Transporting deputies will be seated in the front portion of the vehicle when inmate(s) are being transported.

   NOTE: In non-departmental vehicles without security measures, or if child locks are unavailable; the transport deputy will be seated in the back of vehicle with their weapon facing the door, and away from the inmate.

7. Deputies transporting inmates will notify the dispatcher of their destination and odometer mileage and wait for the exact time to be relayed from the dispatcher before departing their location. This procedure will again be followed when the transport is completed. No less than two (2) deputies will be used when the inmate being transported is of the opposite gender of the arresting/transporting deputy.

8. All items considered contraband within the jail facilities is also considered contraband during a transport.

9. Deputies having custody of an inmate will be responsible for the safety and security of such inmate until lawfully relieved of custody by competent authority (e.g., jail facility, warden, judge, etc. and relinquishing supporting documents and body receipt(s).

10. Prisoners transported to MCJ or MCF will be escorted directly to Central Booking at MCJ or the designated receiving area of MCF. Documents must be submitted to the deputy in charge. Members of this department delivering a prisoner to the jail facilities are not required to obtain a receipt.

II. Pregnant Females

A. The use of mechanical restraints on pregnant female inmates is specifically governed by section 611(1) of the Correction law.

* B. All female inmates upon admission shall receive written notice of Correction Law 611 requirements which are written in a language which is understandable. This notice shall be provided to all females upon admission and again when an inmate is known to be pregnant. This notice shall be posted in locations where medical care is provided.

* C. In conjunction with Correction Law 611, MCSO staff is prohibited from using mechanical restraints including handcuffs and shackles, on any female who is known to be pregnant during any transport to include a medical facility. This will extend to a female eight (8) weeks after delivery or pregnancy absent extraordinary circumstances. If the Sheriff or his designee, makes a determination that restraints **are necessary,** then restraints shall be limited to wrist restraints in front of the body.

* 1. Restraints may be used to prevent a pregnant female from injuring herself or others and when she cannot be reasonably restrained by other means, including additional personnel. Such female may be cuffed by **one** wrist.

* 2. Restraints may be used on a pregnant female when MCSO staff responsible for transport determines an emergency has arisen and restraints are necessary because of an immediate risk of serious injury to her or others.

* 3. The staff member who utilizes the restraints shall submit an incident report documenting the facts upon which the extraordinary circumstances were based. This documentation shall include the type of restraints used and length of time restraints were applied.

* D. MCSO staff is prohibited from being in the delivery room during birth unless requested by medical staff or the inmate.

E. NYS Correction Law 611(1) allows for the cuffing of **one wrist during transport** in "extraordinary circumstances" where restraints are necessary to prevent such woman from injuring herself, medical or correctional personnel. In cases where restraints are used, an incident report submitted by the staff member who utilized the restraints must be submitted through the chain of command to the Sheriff justifying the reasons for such use of restraints. However, during the time period when a pregnant female is in labor, admitted to the hospital, institution or clinic for delivery, or recovering after giving birth **no restraints of any kind may be employed.**

NOTE: Recovery shall be considered to have concluded when the active labor team has finished with the patient and determined that no complications exist.

* F. MCSO will provide annual training of Correction Law 611 requirements for all correctional personnel involved in the transportation, supervision or medical care of incarcerated women.

* G. An annual report of the Sheriff/Commissioner to the Governor, and leaders of the State Legislature concerning every use of restraints under Correction Law 611 shall be submitted. This shall include the reason such restraint was used, the type of restraint used, and the length of time such restraint was used.

III. Inmates Transported to Court (Hall of Justice/Public Safety Building)

A. Inmates transported to court will be pat searched, and if needed any further forms of metal detection will be utilized. This search will occur in an appropriate designated area by transport personnel prior to departure for court as well as upon returning.

B. Inmates going to court within the Civic Center complex will be transported through the tunnel. If the tunnel cannot be used, the Transport Unit Supervisor will determine an alternate route.

C. No more than five (5) inmates will be handcuffed together at a time. When a single inmate is being transported, the inmate will be handcuffed behind the back, unless a waist chain is being utilized. Handcuffs will be double-locked at all times. Transporting deputies will remain within arms length of the inmate at all times.

*D. Staff will ensure they provide active supervision when minor inmates and adult inmates have sight, sound, or physical contact. **Active supervision** means;

1. Uninterrupted ability to communicate orally with, and respond to, each prisoner unaided by any electronic or other artificial amplifying device;

2. The conducting of supervisory visits at thirty (30) minute intervals;

3. The ability of staff to immediately respond to emergency situations; and

4. In any facility housing areas in which more than 20 inmates are housed, the continuous occupation of a security post within such housing area.

E. Bathrooms and holding rooms used by inmates will be searched for weapons and contraband prior to their arrival for court.

* F. When an inmate goes to court, the transporting deputy will remain in close proximity at all times. At the completion of the court appearance in the Hall of Justice, the transporting deputy will handcuff the inmate at the podium prior to exiting the courtroom.

G. Inmates who are considered high security risks, assaultive, escape prone, mentally unstable, etc., will be transported in chains, handcuffs and leg irons. The court will be advised prior to the prisoner's appearance and the decision regarding the continued use of restraints in court will be made by the presiding judge.

H. No one will be allowed to communicate with the inmate in the courtroom, hallway or holding room, (except the inmate's attorney, pre-trial and/or mental health counselors) unless prior approval is obtained from the Transport Unit Supervisor.

IV. Intakes from Court

A. When a new prisoner is picked up in court for any reason, a pat search will be conducted immediately. The inmate will be escorted to an appropriate designated area where a search will be conducted by an officer/deputy of the same gender as the inmate according to procedures outline in **JBGO-028 Searches of Persons.**

B. A securing order will be obtained from the court and a Prisoner Data Report will be completed.

C. All property and money will be taken from the prisoner before he or she is placed in the holding room. A money receipt will be completed and a copy will be provided to the prisoner. Property will be placed in a property envelope with the prisoner's name written on the outside of the envelope. The property will be taken to central booking and turned over to the booking staff in the search/scan room. The money will be deposited in the safe and logged into the commissary computer by the booking deputy.

D. No "new intake prisoners" will be accepted at the jail facility until all of the above requirements have been completed.

E. When an inmate is remanded from court, they will be handcuffed behind their back and escorted to Central Booking.

F. Appropriate paperwork will accompany each inmate back from court.

G. Any deviation from the above procedure will require the approval of the transport unit supervisor.

V. Prisoners Sentenced in Court

A. Deputies will ensure that all appropriate notifications are made in (Central Booking, Jail Records) and with the transport unit supervisor.

B. A sentencing commitment must be obtained from the court clerk.

C. Deputies will refer to Section III of this order when processing a sentenced prisoner.

VI. Town Court Transport

A. Transport deputies will secure the Justice Court Appearance Information Form and any Bench Warrants, Warrants of Arrest, or Violation of Probation Warrants (if applicable) for every prisoner taken to a Town Court.

B. Prisoners taken to Town Court from the MCJ or MCF will be properly secured in a string of no more than three (3) prisoners. All three inmates will be cuffed and waist chained. A leg shackle will be utilized to connect the waist chains. When only one prisoner is taken to court, or one male and one female, they will be in full CCS.

C. No less than two (2) deputies will be utilized when transporting prisoners to Town Court.

D. A screened vehicle will be assigned and personally issued portable radio will be utilized for emergency communication.

E. If a prisoner is ordered released by a Town Court Judge, the prisoner will be released from the jail facility following final clearance by the Jail Records Office.

F. New Intakes from town court will <u>not</u> be taken into custody by MCSO transport staff. The appropriate town municipality will be notified to detain.

VII. Family Court Transport of Juveniles

A. Juveniles transported to the non-secure detention facilities, the Monroe County Children's Shelter or any other facility will be transported with restraints. A string of no more than three (3) juveniles will be used. All three juveniles will be cuffed, waist chained and shackled, with a leg shackle connecting the waist chains. When a single juvenile is transported, the juvenile will be affixed with a waist chain, hand cuff and leg shackle.

B. Private consultation with the juveniles will be granted only to law guardians or private attorneys, unless prior approval is granted by the transport unit supervisor.

C. When taking juveniles from the detention holding room to the court room, they will be handcuffed behind their backs and escorted via private hallways, whenever possible.

D. No juveniles will be accepted into the detention holding room without a remand or commitment signed by a judge, unless prior approval is given by the transport unit supervisor.

E. Adult prisoners who are transported to Family Court may not be detained in the same holding cell with juveniles.

VIII. Local Transport (Within Monroe County)

A. All inmates taken to hospitals or doctors' offices, whether they are being treated for an illness or involved in special situations such as visiting critically ill persons, attending a funeral, or reading a will, will be handcuffed, waist chained and shackled prior to leaving the MCJ or MCF.

B. Prior to all medical transports medical will be required to fill out the Protected Health Information Form. The transporting staff member will review the PHI form with the Duty Sergeant, and both the deputies and the sergeant will sign the form acknowledging they have read it. The Duty Sergeant will be responsible for returning the PHI form to medical. The form will not be taken out of the facility.

NOTE: Disclosure of Protected Health Information by any employee lawfully in receipt of same is strictly prohibited. Disclosure of Protected Health Information by any MCSO employee is illegal and will subject the employee to civil penalties and immediate referral to Internal Affairs.

C. The prisoner will be placed in the rear passenger side of the vehicle. A screened vehicle will always be used. **Prisoners will not be left unattended at any time.**

D. If a physician requests private consultation with the prisoner, the prisoner will remain handcuffed in a room containing only one exit. The transport deputies may position themselves at the doorway with the door open for observation. If this is not possible, one deputy **must** remain in the room **regardless of any protest.**

*E. If a medical supervisor or treating physician requires the removal of inmate restraints, the deputy will consult their immediate supervisor, and advise the requesting person if there is a potential for injury to others.

F. Deputies transporting an inmate to a funeral home or to the reading of a will shall

refer to procedures outlined in **JBGO-050 Funeral Deathbed Visits.**

G. When inmates are transported outside of MCJ or MCF, the transporting deputy will be responsible for documenting the name of the inmate(s) being transported, the date of the transport, the time of departure/arrival, vehicle call number and the names of the transporting deputies. This documentation will be written in a log book and maintained in central booking.

IX. Out of County Transport

A. Central Booking staff will ensure that inmates scheduled for transfer to state correctional facilities are properly "**out-processed**" so that departure from the facility is accomplished within the established time limits. Inmates transported from the jail facility will be positively identified prior to the transport, via the MORIS System.

B. Prisoners transported to or from another jail facility will be handcuffed with the use of a security waist chain. Handcuffs will be double-locked at all times. Leg irons (shackles) must be utilized by the deputy.

C. A screened vehicle will always be used and the prisoner will be placed in the back seat of the vehicle on the passenger side.

D. Two (2) transport deputies will always be present. Deputies will secure a transport travel voucher, all required documents (e.g., court order/state sentence packages, inmate Transfer Checklist, etc.), travel expense funds, fuel credit cards, and thruway cards before departing the jail facility.

E. Transport deputy will check all available information including JMS and chronological notes for any potential escape risk or suicidal tendencies.

F. A direct route will be taken unless otherwise directed by the transport unit supervisor. No unauthorized stops will be made with or without a prisoner in the vehicle. Deputies will not assist with any other assignments while transporting prisoners, unless there is a risk of grave injury to another person, and they are certain that the safety and custody of the prisoner(s) will not be jeopardized.

G. If a prisoner being transported is to be offered a meal, based on the time of travel, the place where the meal is to be purchased should be selected at random. In the absence of a location that has secure holding facilities, such as a police agency building, inmates will be required to eat the meal in the transport vehicle. Inmates should never be left unattended while staff procures the meal.

H. When allowing a prisoner the opportunity to use toilet facilities, deputies should not lose sight of the prisoner at any time.

I. Deputies will follow security regulations of the agency which the prisoner is being transported. Weapons and ammunition will be secured before entering the institution.

J. Restraining devices will be removed at the request of the receiving officer(s).

K. Verification of delivery of documents and prisoner(s) will be accomplished by obtaining the signature of the receiving officer.

L. Deputies assigned to out-of-town air transports will secure all required documents (e.g., indictment warrant, interstate agreement, etc.) from the transport unit supervisor prior to departing. Copies of Governor's Warrants and/or waiver of extradition papers will be secured prior to departing an out of state correctional facility with the prisoner.

M. The transport voucher, unspent advances and the required receipts will be reviewed and signed by the Transport Supervisor and forwarded to the Sheriff's Budget Office within two weeks of the transport return. Additional copies will be retained by the transport supervisor.

X. Transport Vehicle Inspection

A. Only vehicles that have been modified to prevent exiting the vehicle from the rear compartment will be utilized to transport prisoners.

B. All staff members utilizing a vehicle to transport a prisoner will inspect the vehicle for contraband and weapons prior to and after use.

C. **Agency Vehicles, Vessels and Motor Bicycles (MBGO-032)** require:

1. Front and Back seats are checked for contraband.

2. Trunks are checked for contraband and proper safety equipment (flares, first aid kit, fire extinguishers, a spare tire, etc.).

3. Standard vehicle maintenance check is conducted: gas, tires, oil, water windshield washer fluid and battery.

4. A Fleet Control Ticket will be completed and submitted at the end of a tour of duty.

XI. Prisoner Transport Unit Security Equipment Procedures

A. All restraint equipment will be inventoried daily and recorded on the Transport Units Inventory Form. All discrepancies will be brought to the attention of the transport unit supervisor and will be investigated immediately.

B. An extra set of leg irons (shackles) and a waist chain will be assigned to the bullpen, and the 1st, 2nd, 3rd and 4th floors of the Hall of Justice holding areas.

By Order of the Sheriff

Patrick M. O' Flynn

Patrick M. O' Flynn

* Indicates changes from previous general order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 1, 2014	EFFECTIVE DATE January 2, 2014	NO. 014-14
SUBJECT: GENERAL ORDER LAW LIBRARY		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7031 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York ((NYCRR Part 7031)			RESCINDS 14-11A

Purpose: To establish and maintain procedures within the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) that ensure inmate access to mandated legal reference materials, equipment and assistance in addition to familiarizing members and employees with such procedures.

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to provide all inmates with access to the law library and requisite legal materials and services in accordance with **Part 7031 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7031)**.

I. Law Library Staff

A. Daily distribution (Monday through Friday, excluding legal holidays) of legal reference material will be provided by a staff member knowledgeable in the methods of legal research and will be referred to as the **Law Library Clerk**.

B. The law library clerk will provide inmates with appropriate aid in the area of legal research and reference information only. Such information may include identification and instruction in the use of legal resource materials. The law library clerk will not offer any advice or interpretation of legal material, conduct legal research or engage in any direct case preparation activity for inmates.

C. In the absence of the law library clerk, a staff member designated by the Superintendent will be responsible for the operation of law library in accordance with this order.

II. Legal Reference Material and Equipment

A. The law library clerk will provide, at a minimum, **copies** of all legal reference material required by State law, as specified by the State Commission of Correction Minimum Standards, and will provide this service(s) for inmates residing at MCJ or MCF. **West Law will complete all of the updating on the site providing the information.**

* B. All MCJ and MCF inmates will be provided with access to black pens for the purpose of preparing legal documents and submitting a **Request for Law Library Material (JB-003)**. Other supplies needed for this purpose will be provided, including or pencils.

III. Request for legal reference material, services and or equipment

* A. Except as provided in **Section V** of this order, all inmates residing at MCJ or MCF are entitled to legal services, which will include, but not be limited to, copies of legal reference materials for the purpose of conducting legal research and preparing legal documents. Legal reference material requested shall be made available within three business days of the request.

B. To ensure equitable access to law library reference materials, inmates must submit a request for legal materials with the law library clerk. Inmates may request copies of law library reference materials by submitting a **Request for Law Library Material (JB-003)** to the law library clerk. The law library clerk will complete all requests in chronological order as they are received after clearly specifying all information required on form.

C. The law library clerk will be responsible for the maintenance and safekeeping of legal reference material and equipment stored and secured within the law library. The clerk will inspect all materials or equipment, loaned to an inmate for use in his or her cell, for damage after inmate use and will prepare a written report describing any identified damage or loss. Damaged materials or equipment will be repaired and/or replaced as necessary in accordance with current procedures. Inmates may be subject to disciplinary action and may be required to pay restitution for replacement or repair of any equipment or material found damaged, after an inmate's use.

IV. Mutual Inmate Legal Assistance

A. Inmates will be permitted to meet for the purpose of discussing and preparing legal matters at times not unduly disruptive of facility routine, only when previously approved by the Superintendent of their designee.

B. To arrange such assistance, both inmates must write an Inmate Internal Communication Form (JB-235) to the Superintendent stating their shared need for aid. The Superintendent may require inmates to consent in writing to the exchange of personal legal documents.

C. No inmate will receive payment, benefit or consideration in any form from another inmate for providing legal assistance. Any inmate found to be in violation of the provisions of this subdivision may be subject to disciplinary action.

V. Law Library Restrictions

A. Except as provided in **Subdivision B** of this section, access to copies of legal reference materials will not be denied, revoked or limited solely as a result of disciplinary action, including those situations when an inmate is:

1. Confined in an individual housing unit for disciplinary reasons.

2. Confined in administrative or punitive segregation.

B. The Superintendent may deny use of legal reference materials to an inmate when:

1. It is determined that the inmate poses a threat to the safety, security or good order to the facility.

2. It is found that the inmate intentionally damaged law library material or equipment.

C. Inmates housed in punitive or administrative segregation may request legal reference material for use in his/her cell by completing a **Request for Law Library Material (JB-003)** and

forwarding the form directly to the law library clerk with the requested material clearly specified on the form.

VI. Notary Public

A. The law library clerk will maintain a current list of all sworn and civilian Notary Publics employed within the MCJ or MCF. Services of a Notary Public will be made available to inmates within a reasonable amount of time, but no later than one business day following receipt of request.

B. Inmates may request the services of a notary Public for the notarization or attestation of signature by completing a **Request for Law Library Material (JB-003)** and forwarding it to the law librarian.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE August 22, 2007	EFFECTIVE DATE December 31, 2010	NO. 15-J-07
SUBJECT: GENERAL ORDER Magnetometer Procedures		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: CALEA 01.02.04, NYSLEAP 50.2			RESCINDS

Effectively immediately, JBGO 15-J-07 "Magnetometer Procedures" is rescinded and should no longer be utilized.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

General Order	Date of Issue	Effective Date	No.
JAIL BUREAU	May 13, 2011	May 14, 2011	16-11
Subject: General Order **Over-The-Counter Medications**		**Distribution** **Jail Bureau Personnel**	**Amends**
REFERENCE:			**Rescinds** **16-J-2001**

Purpose: To establish procedures for eligible inmates to purchase and retain in their possession over-the-counter (OTC) medications through the Jail and Correctional Facility commissary according to the guidelines established by the New York State Commission of Corrections.

Policy: The Monroe County Sheriff's Office will institute a system through the contracted inmate commissary for selling limited quantities of specified over-the-counter medications.

Definitions:

Eligible Inmates - Inmates with more than one dollar in their commissary account who present no known behavioral/mental health/medical conditions that dictate against the personal use or possession of over-the-counter medications.

* **Ineligible Inmates** - Inmates in special housing or with behavioral/mental health/medical conditions, whether housed in the Medical cellblock or not, deemed by Medical or Mental Health provider to present a risk when provided access to medication with limited supervision. This ineligibility status will be communicated to commissary by utilizing the Over-the Counter Medication Restriction Form submitted by Jail supervisory staff or medical. The status will also be flagged in the computer so that the inmate will be unable to purchase over-the-counter medications.

Over the Counter Medications – Any non-prescription medication for common ailments, which are readily available to the public for purchase.

Indigent Inmates - Inmates with less than one dollar in their commissary account for two weeks or longer.

I. Over the Counter Medications Available through Commissary

* A. The inmate commissary will provide for sale to eligible inmates the following non-prescription medications in the quantities specified:

1. Motrin 200 mg. - 2 per package, limit of 8 packages per weekly purchase.
2. Cold Tablets (Sudenyl) - 2 per package, limit of 4 packages per weekly purchase.
3. Chewable antacid.
4. Multivitamins – 1 pack, limit to 7-day supply per week supply packet.
5. Cough drops.
6. Hydrocortisone Cream – 15g tube 0.5%, limit 2 per weekly purchase.

7. Antifungal Cream limits 1 tube per weekly purchase.

Additional items may be offered for sale in the future, at the Sheriff's direction and approval by the NYSCOC.

B. If an inmate has a medical condition that requires the use of vitamins or any other medication specified above, the Contract Medical Provider Physician will supply it.

C. The OTC medications belonging to inmates placed in administrative or punitive segregation (SHU and corridor cells) may be confiscated, at the direction of the Contract Medical Provider, and stored in the Inmate Property Storage Area until the inmate's release from segregation or custody.

II. Ordering Process

* A. During classification or at any time thereafter, the Contract Medical Provider will determine if an inmate presents a behavioral/mental health/medical risk for the personal possession/use of OTC medications. Nursing staff will forward the names of these inmates to the Medical Supervisor on a daily basis. Medical staff will explain to the inmate why he/she may not order OTC medications through commissary. The Over the Counter Medication Restriction Form will also be sent to commissary.

B. The Medical Supervisor or his/her designee will notify commissary, in writing, of any inmate ineligible for OTC purchases by using the attached form and/or a master list, which will be updated as necessary. A copy of the attached form will be placed in the inmate health record. Commissary will flag the inmate as ineligible in their computer system.

C. The Hearing Sergeant will notify commissary, using the same attached form and record keeping procedures, for inmates whose privilege to order OTC medications has been revoked as a result of a disciplinary action (i.e. hoarding medication).

D. All inmates will be considered eligible to purchase OTC medications unless deemed ineligible by the Contract Medical Provider or as a result of a disciplinary sanction.

E. Eligible inmates may order OTC medications through commissary on a weekly basis, at the same time they place their general commissary order.

F. If an inmate has already ordered his/her weekly commissary, or regularly has funds in his/her account and would like an OTC medication for a condition that does not require sick call, the inmate will be allowed to make an additional commissary purchase for these items only. The additional purchase will be offered on a one time only basis for that weeks purchase period. All special orders for OTC medications received by the commissary vendor before 1600 hours will be processed that day. All orders received after 1600 hours will be processed the following day.

III. Indigent Inmates and Exceptions

A. All inmates not requiring sick call who request OTC medications from nursing staff will be informed of the process for purchasing these medications through commissary.

B. Should an inmate ask for a medication for a specific medical condition, the duty nurse **must** evaluate the inmate's symptoms, and if necessary or indicated, the inmate will be scheduled for sick call.

C. **Floor staff will ensure that a duty nurse has seen the indigent inmate prior to giving the inmate a commissary order sheet and filling out an Indigent Inmate Medication form (JB -137) and that only the OTC medication that is required for his/her condition**

is ordered. The Indigent Inmate Medication form will be attached to the commissary order sheet and forwarded to the Contract Commissary Provider for processing.

Note: Indigent inmates may not order for other inmates.

D. Before processing any OTC medication order to an indigent inmate, the Contracted Commissary Provider will verify that the inmate is, in fact, without funds and that his/her name appears on the daily commissary report listing indigent inmates.

IV. Violations

A. Inmates are not permitted to carry OTC medications outside of their housing area.

B. Inmates will not purchase for or provide any inmate with an OTC medication they have obtained for themselves through commissary.

C. Inmates may not have in their possession more than the authorized amount of OTC medications allowed on a weekly basis. Inmates must keep any unused portion of medications in the package or container that was provided at purchase.

D. Any of the above violations may be subject to disciplinary action and sanctions that include, but are not limited to, restriction of the inmate's privilege to order OTC medications through commissary. Medications that are confiscated as a result of violations will be placed in the inmate's property for storage until his/her release from custody.

V. Quality Control

A. At least once each month, the Contract Commissary Provider will prepare a report to the Health Services Administrator or Director of Nursing that lists all inmates who consistently order particular over-the-counter medications. If an inmate has placed **four** consecutive weekly orders for the maximum number of medications allowed, medical staff will evaluate the inmate at sick call as well as prior attendance at sick call in addition to possibly restricting his/her ability to make further purchases. The Contract Medical Provider will note all such actions in the inmate's health record as well as the monthly report, which will be signed, dated and maintained in the Medical Unit's administrative files. A copy of this report will be sent to Jail Administration for review.

B. The Contract Medical Provider will randomly speak with inmates and the Contract Commissary Provider to monitor use/abuse of over-the-counter medications. Medical staff will document in the inmate's health chart any counseling relating to use/abuse of OTCs. When necessary, the Contract Medical Provider will restrict specific purchases, until the Jail Physician has evaluated the inmate.

C. Random searches will be conducted of all housing areas by staff to ensure inmate compliance with this order.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

TO: **Jail / Facility Commissary**

FROM: **Administration / Medical / Hearing Officer / Other** _____
(circle one or insert title)

SUBJECT: **Over-the-Counter Medication Restriction**

DATE: _____

Inmate _____ **ID#** _____

Is RESTRICTED from ordering the following over-the-counter medications From commissary:

_____

_____

_____

_____

This restriction is: ☐ PERMANENT

☐ EFFECTIVE FROM: _____ TO _____

COPIES TO: Major of Jail Administration
Jail Medical – Inmate Health Record
Hearing Officer

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE December 17, 2008	EFFECTIVE DATE December 17, 2008	NO. 17-J-2008
SUBJECT: GENERAL ORDER PHOTOGRAPHING INJUIRES		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 17-J-2000

Purpose: Define the policies of the Sheriff's Office regarding the procedure to be followed when an employee or inmate is injured due to use of force, accident, or any other reason.

Policy: Provide photographic technician services in support of various tasks on a 24-hour basis in regard to documentation and processing any alleged injuries occurring in the jail to either staff or inmates housed at MCJ or MCF.

I. **Procedures**

A. A digital camera will be maintained at both the MCJ and MCF. These cameras will be secured in the respective Sergeant's office of each facility for use by designated staff to take photographs of injuries sustained by staff or inmates within the facility. When additional photographs are required as stated in **MBGO #24, Identification Technicians,** and **JBGO #54, Criminal Investigations of Incidents Occurring in Jail Facilities,** personnel assigned to the identification unit will be notified to respond to either MCJ or MCF. If a technician is not available or in the event of a prolonged delay, a designated jail staff member will take the photographs to record the scene.

B. Upon completion, the digital images will be downloaded into the Veripic Software on the (X:) drive for incorporation into submitted reports. All other items requiring further processing or classification, along with the proper written documentation to support it will be forwarded to the duty Sergeant/shift supervisor for review.

Note: Before download, all submitted images will be previewed by a shift supervisor for clarity. Those that do not show the intended item(s) or area(s) will only be deleted by a Command Officer.

* C. Videotaping of incidents/injuries may also be conducted in conjunction with photographing and/or diagramming. Videotape shall not be used as a substitute for still photography. Staff is to ensure that proper labeling of photographs and videos are completed. To include date, incident number, inmate(s) name, and staff name completing the photograph.

D. All measures will be taken to ensure that staff of the same gender will photograph any injuries to females or males, as appropriate, which involve private areas of the body. In instances where this is not possible, the staff in the medical department will be responsible to take the appropriate photographs.

II. **Responsibilities of Supervisory Staff**

A. If a staff member or inmate receives an injury resulting from a use of force, accident, or any other reason, the duty Sergeant/shift supervisor will ensure that photographs depicting the injured area are taken. If one or more injuries are sustained, each injury will be photographed. One photograph may depict clearly more than one area of injury, and in such cases, separate photographs will not be necessary.

B. The duty sergeant/shift supervisor or other assigned staff member(s) will also complete required reports in accordance with **MBGO #11, Incident Report** documenting the incident in which the injury was incurred, and attach the photos to same.

C. In instances where force is used and there are no injuries, or an alleged injury occurs where there are no visible marks apparent, the duty Sergeant/shift supervisor will be responsible to note this fact in submitted reports in accordance with **MBGO #33, Use of Force Subject Management Resistance Report**. The inmate shall be photographed and attached to submitted reports to document this fact.

D. The duty Sergeant/shift supervisor will coordinate with the Contract Medical Provider to ensure that any injuries requiring treatment are photographed prior to the application of any bandaging/covering. In the event that photographing an injury would delay necessary medical attention, medical attention will take precedence over photographing the injury. In such cases, written documentation will be provided as to the nature and description of the injury.

III. **Responsibilities of the Contract Medical Provider**

A. The Contract Medical Provider will document any assessment or treatment required, on an Addendum Report submitted to the duty Sergeant for attachment to the Incident Report.

B. The Contract Medical Provider will alert the duty Sergeant/shift supervisor to injuries that should be photographed, and assist in the description of any injuries that are sustained, that for whatever reason may not be able to be photographed due to medical attention being immediately necessary.

IV. **Responsibilities of the Shift Supervisor**

A. The shift supervisor will review all submitted reports that deal with injuries to ensure that all provisions of this order were properly carried out and that appropriate action was taken when required.

B. Each shift supervisor shall ensure that designated staff has adequate access to the camera when needed. Shift supervisors will also ensure that staff assigned to use such equipment is properly trained in its operation and use.

* C. An adequate supply of memory cards, videotape, backup batteries, flash units, and any other supplies are to be inventoried by the shift supervisor to ensure availability. If supplies are needed, the Quartermaster is to be contacted.

By order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE February 17, 2015	EFFECTIVE DATE February 25, 2015	NO. 018-15
SUBJECT: GENERAL ORDER INMATE PROPERTY STORAGE AREA		DISTRIBUTION	AMENDS
Reference: CALEA 73.5.2, 73.5.3 JAIL 63, 64, 65 Part 7002 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7002)			RESCINDS 018-12

Purpose: To institute and maintain procedures within the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF) governing the intake, storage, distribution and release of inmate property.

Policy: The Monroe County Sheriff's Office (MCSO) will implement and maintain a system of accountability, which will facilitate the proper handling of inmate property. The inmate property storage area will operate in accordance with part 7002.4 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7002.7).

I. General Provisions

* A. The Inmate Property Storage Area will be open to the public Tuesday through Friday from 0800 hours until 1530 hours. The Inmate Property Storage Area will be open Mondays and Saturdays from 0800 hours until 1530 hours strictly for the purpose of releasing un-arraigned (UA) Inmate property. The money drop off window is open to the public Friday from 0800 hours until 1130 hours and 1200 hours to 1530 hours. Money can also be deposited at the MCJ or MCF lobby kiosks 24 hours a day 7 days a week.

B. Only assigned staff members will be permitted to enter and occupy the Inmate Property Storage Area. Staff members assigned to the Inmate Property Storage Area shall be accountable for the control of all property in the Inmate Property Storage Area. Staff members who are not assigned to the property office will not be authorized to enter the inmate property storage area. Only the booking corporal, duty sergeants or command staff will be allowed access during off hours.

C. Authorized staff members who enter the Inmate Property Storage Area during off-hours will document in the logbook any inmate property movement and/or duties conducted within the Inmate Property Storage Area to include name and IBM#.

D. Civilians intending to complete any transaction through the Inmate Property Storage Area must be at least 18 years of age and must present valid proof of their identity. Proof of identification may include, but not be limited to, any state driver or non-driver photo ID, NYS Pistol Permit, US or foreign passport, US Military ID, Resident alien photo ID, Social Services/Medicaid photo ID, or valid school ID with a birth certificate.

E. An unannounced inspection will be conducted once a year by the Standards and Compliance Unit to ensure compliance with this general order. Further unannounced inspections will be conducted as directed by the Sheriff.

II. Allowable Inmate Property

All materials will be screened for contraband by hand held metal detector and/or the Line scan X-ray machine. Contraband received through property from civilians is a violation of the law and violators will be prosecuted.

A. The contracted commissary agency will provide inmates with an opportunity to purchase authorized inmate property items, such as clothing, undergarments and footwear. Inmates will be permitted to have authorized inmate property items in addition to personal hygiene items in their possession as referenced in **Inmate Personal Hygiene (JBGO-4). While at the Jail or Correctional Facility, inmates may have only one delivery through inmate property. Additional deliveries may be approved if an inmate has been in custody for longer than six months. Items may include any or all of the items listed below, in the amounts specified**:

1. Six (6) short-sleeved white T-shirts
2. Six (6) pairs of underwear
3. Six (6) pairs of socks
4. Two (2) washcloths
5. Two (2) bath towels (not white)
6. One (1) grey sweatshirt
7. Three (3) sports brassieres (female inmates only)

B. **All incoming printed material, newspapers, and publications which do not constitute a threat to the safety, security or good order of the MCJ or MCF must be mailed from an authorized publisher or bookstore** in accordance with **Printed Material, Publications and Inmate Correspondence (JBGO-10).**

1. Inmates will be permitted to receive photographs through the mail provided the photographs meet the current requirements for acceptance in accordance with **Printed Material, Publications Inmate Correspondence (JBGO-10).**
2. Legal paperwork will only be received through the mail, Jail Administration, the inmate's attorney or law library.

C. Civilians may mail packages to property for inmates containing items allowed in the jail as defined above (Section II. A.) Certain clothing, footwear, and hygiene items which are not allowed through inmate property are available for purchase through the jail commissary.

D. Religious Items will be permitted in accordance with **Religious Services and Articles (JBGO-51).**

E. Inmate Clothing Requests

1. Verified indigent inmates will be provided with the following items at the expense of the Jail/Correctional Facility in accordance with **9NYCRR Part 7005**:

    a. Two (2) pairs of socks.

    b. Two (2) pairs of underwear.

    c. Two (2) short sleeved white T-shirts.

    d. One (1) pair of footwear.

    e. Two (2) sport brassieres (females only).

2. All inmate clothing requests will be sent to the MCJ 1st platoon Lieutenant in charge of the indigent clothing process. The Lieutenant will verify that the inmate requesting indigent clothing has not received indigent clothing during their current incarceration. The Lieutenant will be required to keep a log book listing each inmate's name, ID#, and the date that the Lieutenant approved the indigent clothing. All approved requests will be forwarded to Prisoner Property.

3. Inmate Property will review the inmate's record to ensure they are eligible to receive clothing. Upon review, Inmate Property will initial the request and forward the request to the Quartermaster's Office. Quartermaster staff will fill the order and notify Inmate Property when the order is ready for pick up. Inmate Property Staff will then distribute items to the inmate.

F. Inmate property in excess of the aforementioned quantity (defined in section II A) is classified as contraband and will be confiscated. Inmates will be required to dispose of the property themselves or mail it out of the jail at their own expense. Commissary will make appropriately sized envelopes available for purchase by inmates specifically for this purpose. If an inmate does not have funds to mail out the property, it will be stored in the Inmate Property Storage Area pending the inmate's release from custody.

G. Sentenced inmates authorized to participate in the MCSO Parks Program will be permitted to have additional inmate property in their possession. Sentenced inmates will be limited to the following additional items which must be purchased through commissary:

1. Two (2) gray sweat suits.

2. Two (2) sets of white or beige thermal underwear.

H. Sentenced inmates authorized to participate in a work release program will be permitted to have additional inmate property in their possession. Property staff will allow the following additional items which will be received through the Inmate Property Storage Area:

1. Two (2) pairs of pants.

2. Two (2) shirts.

3. One (1) pair of shoes or boots.

III. MCJ Inmate Property Storage Area General Procedures

All property will be confiscated, inventoried and stored at the time of booking in accordance with **City and County Booking and Release Procedures (JBGO-34)** as well as the following:

A. Un-arraigned Inmates

Prisoner property shall be listed and described on the MORIS booking screen and then subsequently logged on the U/A property tracking sheet reflecting the date, prisoner's name, MORIS number or date of birth. U/A property will then be placed in the property cabinet. Prior to opening to the public, property staff will retrieve all U/A inmate property from the cabinet located in central booking, verifying each property bag is accounted for using the U/A property log. U/A property will be taken to the inmate property storage area and will be stored alphabetically in a cabinet.

1. Un-arraigned inmates will not be allowed to sign out individual items of property confiscated at the time of booking. If an individual wishes to sign out an item of property, they must sign out the **entire** bag of property.

2. As a routine practice property envelopes/bags should not be opened after they are sealed. If for any reason a property bag is opened, two employees will be present. The property accountability form will be updated to reflect the change indicating what was removed from the bag, the date and a signature from both employees.

B. County Inmates

1. Inmate property that is confiscated by central booking staff during the booking process will be placed into a garment bag and passed through the property slot in the change over areas in Central Booking. Completed property invoice forms will be included in each property bag.

2. Property staff will insure all inmate property bags contain a completed Property Clothing Accountability Invoice.

3. Property staff will combine the bags of County property with the corresponding U/A envelopes once U/A holds have been remanded from City Court. A property staff member will assign a rack/bin number to the new inmate as well as update the inmates' MORIS property form in the computer of confiscated clothing. All discrepancies will be investigated and reported to Jail Administration as soon as they are discovered.

4. The property supervisor will also update the inmate's IMS property form in the computer. The functions that need to be updated are as follows:

   a. Release/assign a property hanger/bin location; change the status of **KEPT** items to **STORED.**

   b. Update the computer with the appropriate data and **SAVE** the screen. This will automatically present a **PRINT** or **CANCEL** option, and completes the process of entering and saving an inmate's county property.

5. Copies of the Inmate Property Clothing Accountability Invoice will be distributed as follows:

   a. A copy will be placed in the inmate's property file, in a file cabinet located in the inmate property storage area.

   b. A copy will be secured to a visible area of the garment bag with the assigned rack/bin number noted.

   c. A copy will be issued to the inmate during the initial booking process.

6. Inmates will be allowed to sign out all property items confiscated at the time of booking, except one full set of clothing, by completing a Property Clothing Accountability Invoice, designating the individual who will be receiving the property. An inmate cannot release individual items from the personal property bag/envelope; they must release all of the property contained in the personal property bag/envelope. The property accountability form will be updated to reflect the change indicating what was removed from the bag and the date. A signature is also required from both employees.

C. Department of Social Services Cards

The booking staff will inspect the individual's personal property for a Department of Social Services card. If a DSS card is found, this card (along with non-narcotic medications if applicable) will be secured in an envelope labeled with the individuals name and MORIS number. The DSS card will be listed on and stapled to the property accountability invoice for both un-arraigned and county prisoners. At no time will a DSS card or non-narcotic prescribed medications be released to anyone except the individual whose name appears on the card or prescription bottle.

D. Committed Inmates Returned from City Court

Confiscated un-arraigned money is stored and secured in a locked metal box in the inmate property storage area and is processed in accordance with **City and County Booking and Release Procedures (JBGO-34)** and **Commissary Accounts Maintenance (JBGO-39).** This money is only to be handled by the Property Supervisor, the Property Deputy, or other sworn security staff.

1. Upon completion of city court, jail records staff will forward a list of arraigned inmates who were remanded from city court to the custody of the Sheriff to the inmate property storage area.

2. **The Contract Commissary Provider will create accounts on the commissary computer system for all remanded county inmates, whether they have money or not.** This will ensure that indigent inmates will be denoted as such. The Property Supervisor or Property Deputy will deposit money for inmates remanded from court, and secure the money envelopes in the safe in the inmate property storage area.

E. Inmates Committed by the U.S. Immigration and Customs Enforcement

The following guidelines will be followed relating to inmates committed to the custody of the

Sheriff under jurisdiction of the U.S. Immigration and Customs Enforcement (ICE).

1. When an ICE committed inmate is lawfully released to Federal authorities, all property belonging to the inmate will be given to the Federal authorities conducting the transport.

2. If for any reason the Federal authorities are unable to take custody of the property, Jail Administration will be immediately notified.

3. Jail Administration will notify ICE officials that the abandon property will be forwarded to ICE as soon as practical.

IV. Inmate Property Received Through the Inmate Property Storage Area

A. Inmate Property/Clothing

When a civilian arrives at the property window with items to drop off for an inmate, the following procedures will be adhered to:

1. Property staff will search the computer and the inmate property file to see if the inmate is in custody and what items he/she can receive. If property staff determines the inmate has not had a property drop off, an adjustment will be made to reflect the items being accepted.

2. Property staff will perform a manual search of all property item(s) for contraband in accordance with current directives. Incoming property items will then be screened using the Line scan X-ray machine or a hand held metal detector.

3. Property staff will complete a Property Clothing Accountability Invoice to itemize and account for all inmate property that is accepted into the Jail/Correctional Facility. Descriptions of all items will be complete and thorough to include, but not be limited to: color and quantity permitted. **Descriptions will not assume the value of any inmate property.**

4. Property staff will document the names of inmates who have received inmate property on the **Inmate Property Clothing Accountability Invoice (JB-118).**

5. All inmate property will be processed and sealed in a plastic bag by the property staff with a copy of the Property Clothing Accountability Invoice attached to identify ownership and destination. A copy of the Property Clothing Accountability Invoice will be issued to the civilian dropping the items off as a receipt. After the property is dropped off to the inmate, the inmate will sign the invoice, and the signed property accountability invoice will be filed in the inmate's folder in the property storage area.

6. Upon completion of daily transactions, property staff will distribute inmate property to housing area staff who will at that time perform a manual search of all inmate property in accordance with current procedures. Upon completion, housing area staff will distribute inmate property to the designated inmate(s). Staff will sign and witness the inmate sign the Property Clothing Accountability Invoice in the spaces provided. After the inmate receives and signs for the items the form must be returned to the property room for filing.

B. Medication

1. Medication received in Booking

a. If medications are received by booking staff at the time of intake, the booking nurse will be notified. The booking nurse will record the information and quantity on the prescription label for the inmate's medical chart. The nurse will then determine if the medication will be accepted for use by the Contract Medical Provider or not accepted. If the medication is **not** a controlled substance and will not be used, it will be stored (along with a DSS card if applicable) in a separate sealed bag labeled with the inmates name and MORIS number, and attached to the inmate's personal property.

Booking deputies will be responsible to record when medications are stored in inmate property or with the medical department.

NOTE: Medications not prescribed to the inmate or any medications not stored in an appropriate prescription bottle will be returned to the arresting agency at the time of intake.

b. **Controlled substances** will be identified by medical and stored in a separate locked cabinet in the Medical Department. The medications will be counted and inventoried by two (2) medical staff members, and sealed. The two staff members inventorying these medications should affix their signatures to the seal. Once this is completed, these medications no longer need to be counted; only the sealed package needs to be accounted for in accordance with current controlled substance procedures. Upon the inmates release or transfer, these medications will be returned to them.

2. Medication received at the Inmate Property Window

If medication or medical equipment is presented at the property window, property staff will contact the Contract Medical Provider. If medication or medical equipment is denied at the property window by the Contract Medical Provider it will immediately be returned to the depositor. **At no time will medication or medical equipment be stored for the depositor.**

3. Medication Release Procedures

a. Medication secured in the possession of the Contract Medical Provider will be returned to the inmate upon release. Medication, secured in the possession of the Contract Medical Provider that has not been claimed for a period of **thirty (30) days** or more after the inmate's release, will be destroyed.

b. The Contract Medical Provider supervisor will destroy narcotic medication in accordance with **9NYCRR Part 7010 and Article 33 Section 80.51** of the **Public Health Law. A Bureau of Controlled Substance Request Form #DOH2340** and **Inventory Form #DOH166** will be filed.

C. Prosthesis

1. Inmates wearing a medical prosthesis upon admission to booking will have the prosthesis removed and searched manually by using the Line scan X-ray machine. The prosthesis will then be returned to the inmate. In situations where booking staff is uncertain of the necessity of the prosthesis, they will contact the duty nurse who will make a determination regarding the prosthesis.

2. Inmates requesting to have a prosthesis delivered to them through the property storage area will require prior approval by the Contract Medical Provider prior to acceptance by property staff.

D. Medically Necessary Footwear

1. When the Facility Physician determines that an inmate requires footwear other than what he/she currently has in their possession, for a medically necessary purpose, written notification will be sent to Jail Administration for review.

2. If the inmate requires supportive footwear that is not orthopedic in nature, and the inmate agrees to have the footwear provided from outside sources, the request will be reviewed and routed to the Inmate Property Unit. Property Unit staff will accept and deliver authorized footwear to the inmate recipient in accordance with procedures outlined in this order.

3. If the inmate is indigent or otherwise unable to obtain the proper footwear from outside sources, the proper footwear will be provided at facility expense. Inmates will not be required to purchase footwear that is required pursuant to orders by the Facility Physician.

E. Trial Clothing

1. Property staff will accept one set of trial clothing (unless otherwise approved by jail administration) with notification of a scheduled inmate trial date. Staff will search trial clothing in accordance with **Section IV Subdivision A (2)** of this order.

2. Trial Clothing will be itemized and accounted for on a Property Clothing Accountability Invoice in accordance with **Section IV Subdivision A (3).**

   a. Trial clothing dropped off at the inmate property storage area will be placed on hangers, secured and stored in accordance with **Section IV (A).**

   b. Transport Staff will retrieve inmate trial clothing from the property area on the day the trial begins. The trial clothing will be maintained in a secure locker in the Hall of Justice for the duration of the trial. Once the trial is completed, Transport Staff will return the trial clothing to the property area for storage.

   c. **Trial clothing will not be delivered to inmate housing areas for any reason.**

d. Upon completion of the trial an inmate must release their trial clothing by completing a Property Clothing Accountability Invoice, indicating the individual designated to receive the property.

V. Inmate Property Forwarded to Housing Areas

A. Inmates may request their property from the inmate property storage area by completing a Property Clothing Accountability Invoice. Housing area staff will instruct the inmate to specify on the Property Clothing Accountability Invoice the items desired to be forwarded from the Inmate Property Storage Area.

B. Housing area staff will sign and instruct the inmate to sign the Property Clothing Accountability Invoice in the spaces provided. Upon completion, housing area staff will forward the Property Clothing Accountability Invoice to the Inmate Property Storage Area.

C. Upon receipt of the completed Property Clothing Accountability Invoice, property staff will review the inmate property folder(s) in accordance with **Section IV Subdivision A (1)**. Upon review, property staff will remove, manually search and then forward the inmate property in accordance with **Section IV Subdivision A (2)**.

D. Prior to forwarding, property staff will place and seal the inmate property in a separate inmate property plastic bag. Staff will secure a copy of the Property Clothing Accountability Invoice to the property bag identifying ownership and destination.

E. Property staff will forward inmate property to housing areas and the Property Clothing Accountability Invoice will be completed as in accordance with **Section IV Subdivision A (6)**.

Note: Only allowable items previously listed in this order will be allowed in housing areas.

VI. Inmate Property Release Procedures

Inmates will have the right to release their personal property to whomever they choose, provided that the property is not being held pursuant to competent authority. Furthermore, personal property belonging to an inmate in the facility will not be turned over to a criminal agency unless a properly executed warrant to search and seize the property has been served on the Office of the Sheriff.

A. Should an inmate request to release inmate property stored and secured within the Inmate Property Storage Area, housing staff will conduct the following procedures:

1. Inmates requesting to sign out item(s) of property must sign out the **ENTIRE** bag of property, specifying on the Property Clothing Accountability Invoice the description of the item(s) to be released (except a single set of clothing). The property accountability form will be updated to reflect the change indicating what was removed from the bag and a signature is required from both employees.

2. Staff will instruct the inmate to designate on the Property Clothing Accountability Invoice the name and address of the individual designated to receive the property. Housing staff will sign and instruct the inmate to sign the Property Clothing Accountability Invoice in the space provided.

3. Property Clothing Accountability Invoice(s) will then be forwarded to the Inmate Property Storage Area authorizing release of the specified property item(s).

B. Property Staff Release Procedures

1. At the time of release, property staff will insure that all items specified on the Property Clothing Accountability Invoice are present, accounted for and released to the designated civilian. Property staff will verify the identity of the civilian designated to receive the inmate property and instruct the civilian to sign their name in the spaces provided.

   NOTE: At no time will staff release a Department of Social Services card or prescribed non-narcotic medications to anyone but the individual whose name appears on the card or prescription bottle.

2. Copies of the Property Clothing Accountability Invoice will be distributed as follows:

   a. One (1) copy will be filed in the Inmate Property Storage Area.

   b. One (1) copy will be issued to the receiving civilian as a receipt.

   c. One (1) copy will be forwarded to the inmate as a receipt.

C. City Court Releases

1. Transport staff will stamp the property release information on the back of the in custody report photo and give it to the arraigned inmates who are released from city court. Transport staff will instruct arraigned and released inmate(s) to present the issued in custody report photo to property staff at the Inmate Property Storage Area to claim their inmate property.

2. Property staff will then locate the UA property envelope from the UA file cabinet located in the inmate property storage area. Property staff will verbally verify each inmate's identity by comparing the arraigned inmate's given date of birth with the date of birth documented on the Property Clothing Accountability Invoice.

3. Property staff will account for the inmate property listed on the Property Clothing Accountability Receipt with the arraigned inmate. Upon verification, property staff will sign and instruct the arraigned inmate to sign the Property Clothing Accountability Receipt in the space provided.

4. The signed copy of the Property Clothing Accountability Receipt will be retained in property.

VII. Transferred Inmates

A. Inmates transferred to MCF

The MCF Inmate Property Storage Area will operate in accordance with the same procedures delineated in this order. A designated staff member will be assigned to and be responsible for all activities conducted within the MCF inmate property storage area.

1. The Reception and Classification Unit will prepare and forward an eligible list of MCF

inmate transfers to the inmate property storage area. Property staff will prepare the specified inmate property and corresponding property files in accordance with the list of transfers generated by reception.

2. Transport staff will transfer all designated inmate property and corresponding property folders to the MCF property staff member at the time of inmate transfer.

B. Inmates Transferred to State Correctional Facilities

1. Upon receipt of an inmate sentence, jail records will prepare and forward a **State Ready Inmate Property Form (JB-399),** to the Inmate Property Storage Area. The property staff will sign in the space provided and forward the State Ready Inmate Property Form to the designated housing area.

2. Upon receipt of a State Ready Inmate Property Form, housing area staff will instruct the designated inmate to sign the form in the space provided. The completed State Ready Inmate Property Form will be forwarded, secured and stored in a file cabinet located in the Inmate Property Storage Area.

3. Jail records will prepare and forward a State Ready List to the inmate property storage area one day prior to transporting inmates to State Correctional Facilities. Property staff will prepare the inmate property and corresponding property files in accordance with the list of State Ready transfers generated by jail records.

4. Housing area staff will provide the designated inmate with a property bag and instruct the inmate to place all personal property in the property bag. The inmate property will then be transferred to the releasing staff member assigned to central booking.

5. Releasing staff will utilize the State Ready Inmate Property Form as a guideline to separate allowable state property from restricted state property. Allowable items will be placed into an appropriately sized envelope and labeled with the inmate's name and date of birth, and will account for all inmate property items on the Property Clothing Accountability Invoice. Transport staff will transfer allowable property items to the designated State Correctional Facility at the time of inmate transfer.

6. Inmate property not authorized for transfer to a State Correctional Facility will require the releasing staff member to list the inmate property items on a separate Property Clothing Accountability Invoice. Staff will instruct the inmate to designate on the Property Clothing Accountability Invoice the name, address and phone number of the individual designated to receive the property. Staff will sign and instruct the inmate to sign the Property Clothing Accountability Invoice in the space provided.

   a. Property Staff will notify the individual designated by the inmate to receive the property no later than 5 business days after the inmate has been transferred to a State Correctional Facility. Such notification will be noted on the Property Clothing Accountability Invoice.

   b. Designated civilians must pick up inmate property at the Jail within **thirty (30) days** of transport or the property will be disposed of.

7. A property tag will be placed on all inmate property bags identifying the inmate's name, date of birth and identification number. The reverse side of the tag will identify

the name, address and phone number of the individual designated to receive the inmate's property. The inmate property will then be forwarded to the inmate property storage area where property staff will list all appropriate information on a **State Transferred Inmate Property Form (JB-116)**. Property staff will then store the inmate property in the appropriate areas of the Inmate Property Storage Area.

8. The Property Clothing Accountability Invoice information is logged in the **Upstate Log Book**. The invoice is placed in the front pocket of the property bag. Once the property is picked up, the signed invoice is filed in alphabetical order in the upstate property signed for file.

9. If, after a period of thirty (30) days, the property has not been retrieved, Property Staff will complete **Inmate Property Destruction Form (JB-304).** The form will be signed by the appropriate command officer in Jail Administration, authorizing the destruction of the property in accordance with **Section XI** of this order.

C. Inmates Released from Court

When an inmate is released from court, and does not return to MCJ/MCF, Jail Records will notify Inmate Property Office of the release. Inmate property will forward any belongings to the facility where the inmate was transferred to.

VIII. MCF Intermittent Sentenced Property

Booking staff will process intermittent sentenced inmates in accordance with **County Prisoner Booking Procedures (JBGO-34).**

A. Booking staff will confiscate all inmate property and perform a manual search of all property items for contraband in accordance with current procedures.

B. Prisoner property shall be listed and described on a Property Clothing Accountability Invoice reflecting the date, time, prisoner's name, date of birth and then secured in the Inmate Property Storage Area.

1. Confiscated money will be placed in an envelope which will be labeled with the total amount confiscated, the inmate's name, identification number, date of birth and date. Confiscated money will be accounted for numerically and in check format on the Property Clothing Accountability Invoice under the section labeled miscellaneous.

2. Jewelry and other confiscated items of intrinsic value will be itemized on a Property Clothing Accountability Invoice and placed and sealed in a separate envelope. Staff will utilize a Property Clothing Accountability Invoice for all confiscated inmate property. Descriptions will be complete and thorough to include, but not be limited to, color and number. Descriptions will not assume the value of any inmate property.

3. Copies of the Property Clothing Accountability Invoice will be distributed as follows:

a. One (1) copy will be filed with inmate property in the Inmate Property Storage Area identifying ownership and destination.

b. One (1) copy will be issued to the receiving inmate as a receipt.

c. One (1) copy will be forwarded to the Inmate Property Storage Area for filing

IX. Inmates Relocated to Special Housing Unit

Inmates placed into the Special Housing Unit (SHU) for disciplinary reasons will be searched and secured in accordance with **Searches of Persons (JBGO-28).**

Inmate property will be manually searched for contraband in accordance with current directives. Inmates who are housed in the SHU will only be allowed items that are required in accordance with the Official Compliance Codes, Rules and Regulations of the State of New York (9NYCRR Part 7002.7). All other items will be inventoried and listed on a Property Clothing Accountability Invoice and placed into a property bag. The property bag and Property Clothing Accountability Invoice will be secured in the designated storage area in the Special Housing Unit. The inmate will be given a copy of the Property Clothing Accountability Invoice as a receipt.

X. Laundry Services

Under no circumstances will inmates be permitted to release their property for laundry purposes. Inmates will be provided an opportunity to have their issued uniforms and personal clothing laundered at a minimum of two (2) days weekly in accordance with **Inmate Personal Hygiene (JBGO-04).**

XI. Inmate Property Destruction

A. To initiate the destruction of inmate property, the property supervisor will complete **Inmate Property Destruction Form (JB-304)** indicating the reason for the request based on the guidelines listed below. The form will be routed to the appropriate command officer in the Jail Administration for approval for one of the following reasons:

1. The inmate property poses a threat to the safety, security or good order of the MCJ or MCF. The property supervisor will list the specific reason and the threat the property poses.

2. The inmate property that has been stored and secured in the MCJ or MCF Inmate Property Storage Area has not been claimed for a period of **thirty (30) days** or more after the inmate's release.

3. The inmate did not designate an individual on the Property Clothing Accountability Invoice to receive the inmate property and the property has not been claimed for a period of **thirty (30) days** or more after the inmate's release.

B. Once approved, the command officer will return **Inmate Property Destruction Form (JB-304)** to the property supervisor for action.

C. The property clerk will discard, destroy or donate inmate property as directed upon approval of the appropriate command officer. The property supervisor will complete, **Inmate Property Destruction Form (JB-304)** indicating when and how the property was disposed of. The completed form will be retained in the property area as per current procedures.

XII. Search and Seizure of Inmate Property

Personal property belonging to an inmate in the facility will not be turned over to a criminal justice agency unless a properly executed warrant to search and seize the property has been served on the

Office of the Sheriff.

A. When the Jail Bureau is notified by a criminal justice agency, or Jail Bureau personnel have reason to believe an inmate possesses property believed to be the proceeds of a crime, a Criminal Investigations Section supervisor will be notified, and the property in question will be placed on hold.

1. Property placed on hold will not be released to anyone for **forty-eight (48) hours**, unless a properly executed search and seizure warrant is served on the Jail Bureau or the concerned criminal justice agency cancels the request to hold the property.

2. Criminal justice agencies must obtain a proper search and seizure warrant before bringing persons to the jail to view suspected stolen property that is stored in the Inmate Property Storage Area.

3. Jail Bureau personnel may show an inmate's personal property to any person who is believed to be the rightful owner, if such person has reported the property stolen and is in the company of a lawyer or police officer.

4. Exception to the forty-eight (48) hour policy may be approved by the Superintendent when furnished proper documentation.

B. Search Warrants must be served on the inmate and must be specific when describing the area to be searched (e.g., the prisoner property envelope, the housing area, the inmate's person, or a combination of the above). The search warrant must be approved by Sheriff's counsel, through Jail Administration before proceeding.

1. Copies of the search and seizure warrant will be placed in the inmate property file and a copy sent to the Superintendent's office.

2. A listing of property that is seized must be provided to the inmate and copies must be placed in the inmates' property file and a copy sent to the Superintendent's office.

C. When any person attempts to remove property from the inmate property storage area, or other area of the facility that is believed to be stolen, the following procedure will be followed:

1. Staff will attempt to positively identify person(s) attempting to obtain stolen property and record all information on an incident report including, but not limited to name, address and method of identification used.

2. Notification will be made to the appropriate command officer in Jail Administration for further action.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

*Indicates a change or addition from the previous order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE April 13, 2015	EFFECTIVE DATE April 15, 2015	NO. 021-15
SUBJECT: GENERAL ORDER Prisoner Transport-Court Holding Areas		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: CALEA 73.5.1, 73.5.2, 73.5.6, 73.5.7, 73.5.9, 73.5.11, 73.5.12, 73.5.13, 73.5.15, 73.5.16, 73.5.17, 73.5.20, 73.5.21, 73.5.23, 73.2.24 NYSSA-JAIL 38			RESCINDS 21-11

Purpose: To establish and maintain court holding area procedures for staff conducting the duties of Prisoner Transport assigned to court holding areas within the Hall of Justice and Public Safety Building.

Policy: Staff members assigned to the Prisoner Transport Unit will insure that established procedures are followed for the safe and secure operation of court holding areas. Such procedures establish compliance with Chapter 73 of the **Standards for Law Enforcement Agencies** (Commission on Accreditation for Law Enforcement Agencies, Inc) and all other applicable state rules and regulations.

I. Court Holding Area Locations

A. **1st Floor Hall of Justice**. For the detention of male and female inmates. Male and female inmates will be separated physically and visually in separate cells

B. **2nd Floor Hall of Justice**. For the detention of male and female inmates. Male and Female inmates will be separated physically and visually in separate cells.

C. **3rd Floor Hall of Justice**. For the detention of juvenile inmates. Transport unit staff will ensure male and female juvenile inmates are physically separated. Non-juvenile inmates will be detained on this floor in the area across the hall adjacent to the juvenile holding area. At no time will they be allowed visual, physical, or verbal interaction. Male and female inmates will be maintained in separate cells.

D. **4th Floor Hall of Justice**. For the detention of male and female inmates. Male and Female inmates will be separated physically and visually in separate cells.

E. **City Court Part I & V Holding Area**. For the detention of male and female inmates. Male and female inmates are separated physically and visually in separate cells.

F. **Town Courts-** For the detention of male and female inmates. When holding cells are utilized, male and female inmates are separated physically and visually in separate cells.

G. **Holding Areas**- In all holding areas, staff will ensure that they provide constant supervision when minor inmates and adult inmates have sight, sound, or physical contact. **Constant supervision** shall mean the uninterrupted personal visual observation of prisoners by facility staff responsible for the care and custody of such prisoners without the aid of any electrical or mechanical surveillance devices

II. **Security Procedures**

A. Transport unit staff will inspect the court holding areas when occupied, and will document the condition of the area in the JMS floor checklist. Inmates will not be permitted to occupy the court holding areas until the daily inspection is complete. The daily inspection will include, but not be limited to searching and/or inspecting for the following:

1. A search for weapons and contraband, prior to and immediately after each cell use.

2. Items that when in the possession of an inmate, constitute contraband and/or may endanger the safety and security of staff, inmates and/or the facility.

3. Condition of security within court holding areas or any condition that may jeopardize the safety and security of staff, inmates and/or the facility.

4. Condition of fire detection devices within court holding areas and fire suppression equipment maintained for use in court holding areas.

5. Sanitary condition of the court holding areas, including inspecting for vermin and pests.

6. Supply and condition of first aid kits maintained for use in court holding areas.

7. Conduct an inspection of all supplies, equipment, locks, gates, bars, security screens, security windows, and other securing devices. Any equipment found missing, damaged, or altered in any way will be reported to the Transport Sergeant/shift supervisor immediately.

B. Should transport staff discover contraband during the daily inspection; the staff member will document the inspection on an **Incident Report Form (JB-136)** and immediately forward the report and the discovered contraband to a transport unit supervisor.

C. Should a court holding area be in need of repairs, or in need of sanitation due to vermin or pests, a staff member will document the necessary repair(s) in the area log book and immediately notify the Transport Unit supervisor. In addition, the Transport staff will notify Court Bureau Base Station and Hall of Justice building maintenance. The cell will be taken out of service until it has been properly sanitized or repaired. Once the cell has been repaired, it will be placed back into service and a log notation will be made documenting the repair.

D. Court holding area doors will remain secured at all times. Transport unit staff will maintain constant supervision at all times when inmates are not secured in court holding cells. Transport staff will supervise inmates both entering and exiting the court holding areas at all times. Any unoccupied cells should be locked and secured. Storage area doors should be secured at all times.

NOTE: Inmates will be pat searched prior to entering the court holding area in adherence to **Searches of Person (JBGO-28)** and **Prisoner Custody, Transport and Treatment (JBGO-13).**

E. In court holding cells (county, city or town), when staff assigned cannot maintain personal visual observation of inmates, fifteen (15) minute supervisory tours of all cells within their assigned holding area will be documented in a bound ledger by the staff member completing the supervisor tour in accordance with **JBGO 047** Security and Supervision.
Fifteen (15) minute supervisory tours will **not** be required when staff occupy an assigned post within any court holding area (county, city or town) where they can maintain personal visual observation of the inmates in their custody from their post.

F. Transport staff **will not** enter a court holding area occupied by inmates unless the safety and security of the facility are at risk and only after sufficient staff is available to enter the court holding area. Staff will be permitted to enter a court holding area to conduct the following responsibilities:

1. Daily inspections.
2. Securing and/or unlocking inmates.
3. Controlling disturbances, altercations or other emergencies.
4. Provision of necessary medical care.
5. Attention to situations that require staff intervention.

G. Transport staff will permit access from **outside** court holding areas for persons directly involved in court proceedings (i.e., legal counsel, pre-trial services, etc.). Should an emergency situation arise, persons involved in court proceedings will be removed from the area immediately. Access of all non-essential persons to the court holding area will be prohibited except in emergency situations.

H. Any incidents that threaten the court holding facility or any person therein will be documented as required by **Incident Reports General Order (JBGO-58).**

I. At no time will a weapon be brought into any of the Hall of Justice court holding facilities. Should an emergency situation arise, transport staff may enter with a weapon only after being directed to do so by a Jail Supervisor or Court Security Administrator.

Note: Staff utilizing Town Court holding facilities will use proper safety techniques and discretion when entering holding cells with a weapon.

J. Any identifiable deficiency or repair will be logged in JMS by completing an equipment maintenance order.

K. The first floor Hall of Justice monitoring video camera will be monitored by the Court Security Bureau Base Station. The video camera will not be used for unauthorized monitoring that might invade a prisoner's privacy.

III. Emergency Procedures

Escapes

Should an inmate escape or attempt to escape from custody, transport unit staff will act in accordance with existing directives as outlined in **Jail Emergency Plan for Inmate Escapes (EMGO113).**

IV. Evacuations

Transport Unit Supervisors, Jail Security Supervisors and Court Security Supervisors will be notified immediately when an evacuation is needed from the Hall of Justice to MCJ.

1. Primary evacuation route procedures from the Hall of Justice to MCJ:

   a. The on-duty Transport Supervisor and Jail Security Supervisors will be contacted through Central Control of the need to evacuate the Hall of Justice. The Transport Supervisor in conjunction with a Court Security Supervisor will dispatch armed deputies and additional staff to the Plaza Level entrance of MCJ and the Plaza area between the Hall of Justice and to MCJ to assist with the movement between the two buildings.

   b. Prior to evacuation, each floor will conduct an inmate headcount and roll call before evacuation, by utilizing the floor court schedule for that particular floor. The desk person assigned will be responsible to account for staff and inmates.

   c. All inmates will be handcuffed pursuant to **JBGO 13** and escorted down the YELLOW stairwell to the 1st floor of the Hall of Justice during an evacuation. Court Security Staff will be responsible to maintain security of the YELLOW stairwell during an evacuation. **At no time will the elevators in the Hall of Justice be utilized during an evacuation.**

   d. The Transport Supervisors will stage inmates in the west lobby area of the Hall of Justice and coordinate the move out of the west exit door (doors facing South Plymouth Ave) on the 1st floor with assistance from Jail Transport staff and Court Security staff.

   e. Once all inmates are staged in the 1st floor lobby, an additional head count will be conducted by a Transport Supervisor.

   f. Once staged and accounted for, inmates will be escorted out the west exit doors, across the Plaza area and enter the jail through the City Court/Visits entrance. Jail staff will assist in moving the inmates into visits to the designated areas in the jail.

   g. Once back in the secure confines of the security envelope, the transport supervisor will conduct a headcount to confirm all inmates are accounted for.

   h. Medical staff will be staged to handle any medical emergencies, as directed by the on-duty Jail Supervisor.

i. Juveniles will be escorted via the secured YELLOW stairway to the 1st floor and out the west doors to the plaza. They will proceed across the plaza to the entrance of the vestibule on Exchange Street down to the parking garage to the designated transport vehicle and returned to the Monroe County Children's Center.

2. Primary evacuation route from City Court Part I/V or IX back into security.

   a. Inmates and staff will exit out of the City Court holding area into the Tower corridor using the P129A door on the Plaza level. Elevators 6 & 7 will be used to escort the inmates back to their respective housing units.

   b. Each area will conduct a headcount and roll call before evacuation by utilizing the court schedule for that particular floor.

3. Secondary evacuation route from City Court Part I/V or IX back into security.

   a. Exit the holding area through the west door and take the "F" stairwell up to the Plaza Mezzanine level and continue to the PM110 door and into the Mezzanine Gym.

   b. Each area will conduct a headcount and roll call before evacuation by utilizing the court schedule for that particular floor.

V. Training Procedures

Transport unit supervisors will insure that all staff assigned to the transport unit has been properly trained and familiar with court holding area procedures to include, but not be limited to, all aforementioned procedures. Transport personnel will also receive initial training on the operations of the court holding facilities, including fire suppression and equipment use and retraining every eighteen (18) months.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	January 15, 2010	January 16, 2010	22-10
SUBJECT: GENERAL ORDER Smoking Policy		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 22-J-00

Purpose: To establish a uniform agency policy relative to smoking materials and tobacco products at Monroe County Jail and Monroe County Correctional Facility.

Policy: In compliance with **Monroe County Sanitary Code, Article VI, Smoking In Public Places**, it is the policy of the Monroe County Sheriff's Office to ensure that all sworn and non-sworn personnel and civilians cleared to enter security, are strictly prohibited from smoking or introducing any smoking/tobacco related material(s) into either facility.

General Guideline

Smoking materials and/or tobacco products of any kind to include, but not be limited to, matches, lighters, chewing tobacco, cigarettes, or smoking pipes are strictly prohibited from being introduced into security at MCJ or MCF. All aforementioned items are considered contraband within the secure limits of both facilities. Staff members who violate this directive may be subject to departmental disciplinary charges. Civilians violating this policy may be barred access to either facility as determined by the Superintendent or designee.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE September 15, 2016	EFFECTIVE DATE September 16, 2016	NO. 023-16
SUBJECT: GENERAL ORDER Inmate Handbook		Distribution Jail Bureau Personnel	Amends
REFERENCE: Official Compilation of Codes, Rules, and Regulations of the State of New York (9NYCRR Part 7002). NYSSA 137.			RESCINDS 023-13

Purpose: To familiarize members and employees with the Inmate Handbook of the Monroe County Sheriff's Office. The Inmate Handbook contains the inmate rules, regulations, rights, responsibilities and other related information.

Policy: The Monroe County Sheriff's Office will provide all inmates with an "Inmate Handbook" that will include, but not be limited to, the inmate rules, regulations, rights, and responsibilities. The handbook will also include information pertaining to inmate programs and inmate conduct while incarcerated at either the Monroe County Jail (MCJ) or the Monroe Correctional Facility (MCF). The inmate handbook will be in accordance with **9NYCRR Part 7002 of the Official Compilation of Codes, Rules, and Regulations of the State of New York**.

Inmate Handbook

* 1. A sufficient number of handbooks will be maintained in the Reception Unit and Housing Areas, for issuance to inmates assigned there.

* 2. All inmates shall be provided with a copy of the rules of inmate conduct upon admission to the facility while in the Reception Unit. Additional handbooks will be located in each housing area as replacements due to loss or damage. Handbooks will only be issued in housing areas when inmates who are assigned there have lost, or are in possession of a damaged handbook. Handbooks will be surrendered when they are relocated.

* 3. It will be the responsibility of each housing officer to ensure inmates under their care and custody are issued an inmate handbook and that the presence of these handbooks is verified during routine housing inspections. **Any identified loss or damage of a handbook will result in an infraction.**

4. Disciplinary codes in the inmate handbook will be enforced to maintain standards of conduct for inmate behavior.

5. Arrangements will be made for all newly admitted inmates who are not fluent in English, or who have physical or mental handicaps, to ensure the inmate understands all the material being presented to them (e.g., interpreter, written/braille translations, or other communication specialist). Members will inform their immediate supervisor, who will make arrangements through the Reception Corporal, if an interpreter or special assistance is required to assist the inmate.

6. Inmates who are released from custody will return their handbook to the housing area deputy.

* 7. Reception Unit and MCF Inmate Property will maintain a surplus of replacement handbooks for instances of loss or damage.

By Order of the Sheriff,

Patrick M. O' Flynn

* Represents a change from previous general order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 25, 2011	EFFECTIVE DATE January 26, 2011	NO. 24-11
SUBJECT: GENERAL ORDER Forensic Unit Operations		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Correction Law 508 & 601; Criminal Procedural Law 330.20 & 730			RESCINDS 24-J-06

Purpose: To set forth the duties and responsibilities of Monroe County Sheriff's Office (MCSO) personnel assigned to the Rochester Psychiatric Center Regional (RPC) Forensic Unit.

Policy: MCSO will implement a system of security within the RPC Forensic Unit and will be responsible for the custody of inmate patients admitted under **Section 508** of the **Correction Law** and pursuant to **Sections 330.20** and **730** of the **Criminal Procedural Law**. The operation of the unit is governed by the New York State Mental Hygiene Law, as well as the applicable sections of Criminal Procedural Law and Correction Law. MCSO will maintain the safety, security and good order of the facility as set forth in the Official Compilation of Codes, Rules and Regulations of the State of New York as well as the Office of Mental Health and the Rochester Psychiatric Center.

I. Definitions

Inmate Patients: Any individual, who is committed to the Jail/Correctional Facility who has been admitted to, and referred for treatment, provided by the RPC Forensic Unit. Admissions will be determined by joint decision of the New York State Office of Mental Health Bureau of Forensic Services and the New York State Commission of Correction Medical Review Board.

II. General Provisions

A. The New York State Office of Mental Health Bureau of Forensic Services and the New York State Commission of Correction Medical Review Board jointly assigns inmate patients to the RPC Forensic Unit.

B. The Sheriff contracts with counties outside of Monroe County to act as a substitute jail for those counties that have inmates referred for treatment to the Forensic Unit by the New York State Office of Mental Health and the New York State Commission of Correction Medical Review Board.

C. The Executive Director of RPC will appoint a Chief of Service of the Forensic Unit who will carry out the policies mandated by law and interact with the Jail Bureau Command Staff. The Chief of Service will ensure the safety, security, and good order of inmate patients under the jurisdiction of the Monroe County Sheriff and recommend any changes regarding policy and procedure for the unit to the Director. Jail Administration will coordinate decisions made between the Director of RPC and assigned staff regarding policy that may be implemented or modified prior to the policy being sent to the Sheriff for approval.

III. Security Procedures

A. Security of the Forensic Unit is governed by policies and procedures mutually approved by the RPC and the MCSO for the Forensic Unit. Staff assigned to the Forensic Unit will be responsible for the inmate patients admitted to the facility under Section 508 of the Correction Law. All unusual incidents will be reported to the Chief of Service of the Rochester Regional Forensic Unit and to the MCF shift supervisor as well as being recorded in the facility log. If an emergency arises, Jail Bureau staff will assist Forensic Unit staff when requested as long as such action does not jeopardize the safety and security of the facility.

1. The RPC Forensic Unit, in coordination with the State of New York, maintains established rules and regulations pertaining to the operation of security within the Forensic Unit and may be more stringent than this general order.

2. Staff assigned to the Forensic Unit will review a current copy of the Forensic Unit facility rules and regulations and will be held responsible for knowledge and appropriate application of them. The Forensic Unit supervisor(s) and the MCF supervisors will ensure that current copies of the Forensic Unit facility rules and regulations and this order are maintained in the security control room at both MCF and the Forensic Unit.

3. Staff assigned to the Forensic Unit will be knowledgeable regarding bulletins and announcements posted in the security control room relating to policies and procedures of the Forensic Unit in accordance with **MBGO #01.**

4. Supervisory tours will be maintained at 30-minute intervals in conjunction with visits, recreation and any other activities at the facility.

5. MCSO staff members will respond to and be immediately available to all forensic unit staff to assist with non-compliant inmate patients. Members will not engage physically or apply handcuffs unless directed to do so by a Forensic Unit staff member. This will not preclude staff from intervening in any situation where a staff member or inmate patient was at risk of serious physical injury, or if an inmate escape was imminent.

6. Any incidents of a non-criminal that occur at the Forensic Unit including but not limited to, infractions, inmate injuries and subject management reports, will be documented and reported in accordance with **JBGO #58,** and **MBGO #33**. A MCF supervisor will review all reports generated from the Forensic Unit. Copies of such reports will be provided, upon request, to a Forensic Unit supervisor after Jail Administration's review and approval. Copies of subject management investigations or incidents of a serious nature will only be provided after review by the Superintendent.

7. All investigations conducted by an outside agency, or Forensic Unit investigative staff that occurred at the Forensic Unit will be referred to the MCSO Internal Affairs Unit in the event that statements are required from MCSO employees.

Note: Staff members are expected to comply or assist with requests from a Forensic Unit director, or safety officer supervisor. If such requests conflict with current agency or Bureau directives, a MCF supervisor shall be contacted for further direction.

B. A supervisor from MCF will complete a supervisory check at the Forensic Unit once each shift, as well as the observation of each 508 patient housed at the facility. These tours, and the current 508 count, will be documented in the unit logbook and noted on JMS in the Supervisor's Log.

Note: If only one supervisor is on duty at MCF, or circumstances occur that may preclude a supervisor from being able to leave MCF, the tour may be conducted telephonically, and will be noted as such when logged into JMS.

C. Reporting for Duty

1. Staff assigned to the Forensic Unit will report in uniform for duty at least 15 minutes prior to the commencement hour of their assigned shift in accordance with **MBGO #27**.

2. Staff will not wear his/her OC or cellular telephone within the confines of the Forensic Unit. This will also apply when conducting a supervisory tour.

3. Staff who cannot report for a scheduled tour of duty at the Forensic Unit will notify the on-duty supervisor at MCF and the Central Records Unit at least one hour prior to the start of their tour of duty. Departmental sick leave policy will be adhered to as outlined in **MBGO #18**.

4. Staff members will not be assigned to the Forensic Unit when there are no 508 patients in custody.

D. Shift Change Responsibilities

1. Staff assigned to the Forensic Unit will conduct shift change in accordance with **JBGO #47**. Staff will be briefed by relieving staff and will be aware of all current events relating to the Forensic Unit housing area(s).

2. Relieving staff will conduct a physical headcount of all inmate patients held under Section 508 of the Correction Law. Any headcount discrepancy will be reported to the Forensic Unit Chief of Service, or designee, and Jail Bureau Command Staff through Jail Records immediately.

IV. Substitute Jail Orders

A. Inmate patients from counties other than Monroe County will **not** be admitted to the Forensic Unit unless the New York State Commission of Correction has issued a substitute jail order.

B. A verbal notification will be sufficient for admission of an inmate patient to the Forensic Unit. Should the New York State Commission of Correction Medical Review Board issue a verbal substitute jail order, the Medical Review Board will notify both the Forensic Unit and the Monroe County Jail Records Office. In addition, the Forensic Unit and Records Office will be sent written verification of the order.

C. In accordance with Section 504 of the Correction Law, inmate patients in custody of MCSO may be transported outside the confines of the Forensic Unit in emergency situations when the health of any or all inmate patients is endangered. In such cases, the New York State Commission of Correction will designate another suitable place within the county or the jail of another county for the confinement of some or all of the inmates as the situation requires. The designation may be amended or revoked by the State Commission of Correction by filing such information in writing with the clerk of the County.

D. Inmates housed on a substitute jail order will be returned by the county of original jurisdiction when the inmate patient is discharged from the Forensic Unit. Should an inmate patient be released from the Forensic Unit to a jurisdiction other than his/her original jurisdiction, prior arrangements must be made with the Monroe County Jail Records Unit.

V. Forensic Unit Admission and Discharge

A. Inmate patients admitted to the Forensic Unit, under Section 508 of the Correction Law, are the responsibility of the MCSO. Custody is **not** relinquished during the course of treatment.

B. All admissions and discharges of inmate patients under Section 508 of the Correction Law must be reviewed and approved by the Jail Records Office via telephone at 753-4135 and via facsimile at 753-4141. If no 508 inmate patients are housed at the Rochester Regional Forensic Unit, and no deputy is on duty at the unit, it is essential that the Forensic Unit staff notify Jail Records immediately when a 508 inmate patient has been committed to the unit. Notification will then be made to Jail Command staff, who will assign a deputy, preferably from the MCF, to the Forensic Unit prior to the arrival of the 508 inmate patient.

C. All members assigned to the Forensic Unit will process incoming/outgoing inmate patients following central booking procedures. If an inmate patient is received without a completed Prisoner Data Report (PDR), the booking officer will complete one. In addition, any county requesting blank copies of the PDR will be provided up to ten (10) copies at no expense, for the purpose of assisting and facilitating the transfer of inmate patients.

D. When admitting an inmate patient to the Forensic Unit, outside counties must present the following documents:

1. One set of the inmate patient's fingerprints and a State of New York Custodial Transfer Information Form pursuant to **Section 601A** of the **Correction Law** as well as a Health Transfer Information Form in accordance with the same section.

2. The commitment document(s).

3. A copy of the Court Order or two (2) Physician's Certificates (2PC).

4. A minimum of two (2) photo identifications.

5. A complete Prisoner Data Report.

E. Upon completion of processing an inmate patient into the Forensic Unit, the commitment document(s) and PDR will be forwarded to Jail Records for retention with a photograph of the 508 inmate patient.

F. Inmate patients held on Section 508 of the Correction Law will be released to the county of original jurisdiction upon proper notification by the Chief of Service or his/her designee. The administering physician will initiate and forward a Discharge Notice form to an RPC social worker who will notify the staff member on duty, Jail Records and, in the event the inmate is on a substitute jail order, the county of original jurisdiction.

G. At the time of discharge, the staff member on duty will ensure the transporting officer signs a body order receipt.

1. The body order will be retained by the staff member on duty and will be attached to the inmate patient file.

2. In the case of a temporary release for a court appearance, the staff member on duty will be responsible for obtaining a copy of the court order from the transporting agency and must provide said agency with a body receipt before transferring custody of the patient.

3. A notation will also be placed in the Forensic Unit logbook documenting the date, time and name of the discharged inmate patient and the transporting agency.

H. MCSO has no jurisdiction over the admission and discharge of patients who are admitted under Sections 330.20 and 730 of the Criminal Procedural Law. Patients admitted under the aforementioned sections of law are the sole responsibility of the Commissioner of the Office of Mental Health. Additionally, MCSO staff is not responsible for the care and custody of patients who are admitted under Section 330.20 and 730 of the Criminal Procedural Law except under the following:

1. When the defendant is in custody at the time a court issues an order of examination, the examination must be conducted at the place where the defendant is being held in custody in accordance with 730.20.3 of the Criminal Procedural Law.

2. If the director determines that hospital confinement of the defendant is necessary for an effective examination, the Sheriff, or designee must deliver the defendant to a hospital designated by the director and hold him/her in custody therein, under sufficient guard, until the examination is completed.

VI. Jail Records Unit Responsibilities

A. When an inmate patient from Monroe County is sent to the Forensic Unit, the Jail Records Unit will forward all necessary forms and records required in accordance with **Section 601** of the **Correction Law** to include, but not be limited to;

1. A copy of the commitment.

2. PDR, Suicide Screening Guidelines Form and the inmate processing check list.

Note: Jail Records will retain the original commitment, the substitute jail order, one photo identification and a copy of the Prisoner Data Report.

B. When an inmate patient is in the custody of the Forensic Unit, Jail Records will initiate or close all permanent records as they relate to admission or discharge. In addition, Jail Records will coordinate with the Transport Unit for the transfer of inmate patients to or from court or hospitals, as directed by the MCSO Contract Medical Provider.

VII. Transportation of Inmate Patients at the RPC Forensic Unit

A. The MCSO will be responsible to transport inmate patients under their jurisdiction when the inmate patient leaves the confines of the unit unless the inmate patient is properly discharged from the unit.

1. The deputy on duty at the Forensic Unit and the Prisoner Transport Unit supervisor will coordinate all routine transports.

2. In an emergency situation, the deputy on duty will notify the MCF supervisor and will travel with the inmate patient to the hospital.

3. The MCF supervisor will assign a deputy to respond either to the hospital to relieve staff escorting the inmate patient, or report directly to the Forensic Unit.

B. Jail Records will be advised and will approve all routine transports before an inmate patient under the custody of the MCSO may be removed from the unit. In an emergency situation that affects the safety, security and good order of the unit or health and welfare of the inmate patient, Jail Records will be notified as soon as possible if such transfer becomes necessary.

C. Any county utilizing the Forensic Unit under Section 508 of the Correction Law will be expected to transport each inmate patient transferred on a substitute Jail order to the unit. The county having original jurisdiction over the inmate patient will return the inmate patient to their jurisdiction when the inmate patient is discharged from the unit by competent authority.

Note: Previous arrangements must be made with the MCSO Jail Records staff prior to discharge when an inmate patient is being released to a jurisdiction other than the original jurisdiction having control of the inmate patient.

VIII. Interagency Notification of Medical Information

A. The MCSO recognizes the right to privacy that each person has in regard to their medical record and history. Because the Sheriff does not relinquish custody of inmate patients, he/she retains the right to be provided with information necessary to provide for the health and welfare of inmates under his/her jurisdiction.

B. The Jail Contract Medical Provider will interact with the RPC Forensic Unit to ensure the proper flow and documentation of information relating to the treatment of inmate patients under the jurisdiction of the MCSO.

C. The Contract Medical Provider supervisor will act as the liaison between the Forensic Unit, MCSO Jail Bureau Command Staff and the Sheriff, providing medical expertise in facilitating decision-making in the area of medical and mental health policies in accordance with **JBGO #31**.

IX. Inmate Patient Activities/Services

A. Inmate Visitation

Staff will conduct inmate patient visits in accordance with the general procedures stated in **JBGO #2.**

1. All visits will be held in the visiting room on the first floor during the following hours:

   a. Weekdays - 1830 - 2000 hours.

   b. Weekends - 1300 - 1500 hours and 1830 - 2000 hours.

   c. Observed Legal Holidays – 1300 – 1500 hours and 1830 – 2000 hours.

2. Only two visitors will be allowed to visit at a time. All visitors must provide staff with valid picture identification or two non-photo identifications. Metal detectors will be used to screen all visitors prior to entering the visitation area in the Forensic Unit.

3. All visitors will be logged in a visiting area log book, noting the date, time in, time out, staff member's name, IBM # and the inmate patient's name. All inmate patients under Section 508 of the Correction Law will have their visits logged on cards that will include the visitor(s) name and address. Visitor cards will be kept on record in the inmate patient's file.

4. In accordance with RPC policy, visitors entering the Forensic Unit without a parent or guardian must be at least eighteen (18) years of age and show appropriate photo identification. Visitors who are under eighteen (18) years of age must be accompanied by either a parent or legal guardian. In addition, any one under twelve (12) years of age will not be allowed in the visiting area unless prior approval has been given by the parent(s) of the infant or legal guardian and the inmate patient's administering physician.

5. Inmate patients **will not** be allowed to receive any item(s) directly from visitors. Staff will accept property after it has been screened for contraband and suitability in the Forensic Unit. Security staff and the inmate patient's administering physician will make this determination.

B. Recreation

Recreational activities available to inmate patients are dependent upon the clinical condition of the inmate as determined by staff and the administering doctor. Jail Bureau staff and RPC staff, supervise all activities. Activities include library and music rooms, game room, ceramics and woodworking rooms, exercise room, outside yard and lounge.

C. Inmate Correspondence

1. Inmate patients may correspond with and receive correspondence from any person. Outgoing correspondence will be sealed by the inmate patient and will not be read or censored. Postage will be provided by the facility for a reasonable number of letters each week. Writing materials will be provided upon request.

2. Incoming correspondence will be delivered directly to inmate patients sealed. Upon receipt, the receiving inmate patient must then immediately open all correspondence in the presence of a staff member and allow staff to search the correspondence for contraband.

D. Commissary

All commissaries are controlled and distributed by RPC staff or the approved contract vendor. Inmate patients will be allowed to place commissary orders on a weekly basis. Inmate patient accounts will not exceed $250.00. In addition, the administering physician will determine restrictions pertaining to amounts and types of commissary allowable for inmate patients based upon the inmate patient's clinical condition. All orders will be completed and distributed by RPC staff.

By Order of the Sheriff,

Patrick M. O'Flynn

* Indicates a significant change from the previous order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	June 8, 2010	June 9, 2010	25-10
SUBJECT: FACILITY RECORD RETENTION SYSTEM		DISTRIBUTION: JAIL BUREAU PERSONNEL	AMENDS
REFERENCE: JAIL 44,66,67,68,71,164			RESCINDS 25-J-01

Purpose: To establish policy and procedure for retention and dissemination of reports and other records pertaining to MCJ or MCF and maintained by the MCSO - Jail Bureau.

Policy: MCSO Jail Bureau will utilize an organized system of information and record storage with retrieval and review capability. The system will be an integral part of the overall process for research and decision making relative to inmate, staff and operational requirements of various criminal justice and community agencies.

I. Jail Bureau Record Retention

A. All inmate records are retained as required in accordance with **Corrections Law 500-f**. Records are to include current and historical information and will be filed according to the inmates MoRIS number. All paper bound logbooks and operational documents will be filed chronologically and by category. All documents, excluding inmate's medical files and specific administration files, created during an inmate's incarceration will be retained.

B. Jail Administration is responsible for the overall management and retention of reports and other records.

II. Documentation of Specific Categories

Documents utilized by Jail Bureau personnel, in addition to those stated in **MBGO 36, Central Records Unit**, which will be subject to retention, will include the following:

1. Property Clothing Accountability Receipts.
2. Special Reports.
3. Inmate Visitation Records.
4. Active Jail Records files.
5. Incident and Infraction Reports.
6. Jail logbooks maintained in all areas.
7. Inmate Population and Count Reports.

8. Court Lists and Dockets.

9. All operational documentation.

* **III. Record Review**

A. Individuals who have been previously incarcerated may request a Jail Time Verification form from Jail Records staff for their own previous incarcerations. This can only be done in person, and the individual requesting the information must present valid identification.

B. Members are authorized to answer public inquiries about persons in custody. In these cases, the only information that can be given regarding persons in custody are the specific charges, the Judge or magistrate of jurisdiction, the next court date and the bail status. No other information may be disclosed.

C. If a member receives a written request for information or documents, the written request should be forwarded to Sheriff's Counsel. If a member receives an oral request for information, the member must direct the requestor to the Monroe County Communications Department. Staff receiving requests for documents from Sheriff's Counsel will process the request promptly and return the documentation to Sheriff's Counsel for dissemination

D. Authorized criminal justice and law enforcement agencies, courts and attorneys, and any other authorized governmental agency may obtain inmate and case specific information regardless of custody status.

E. The department of social services and support enforcement may obtain periods of incarceration and personal data only. Arrest and charge information will not be provided

* **IV. Removal of Documents**

A. Original files, logs, or documents will not be taken from the Jail unless proper documentation is received from Sheriff's Counsel as defined above.

B. All subpoenas or other requests for records will be routed to Sheriff's Counsel for review and distribution. Filled requests will be delivered back to Sheriff's Counsel for review and dissemination.

V. Authorized Protocol

If there is a question regarding authorized procedure, reference should be made to the provisions of **MBGO 36, Central Records Unit**, the **Compendium of the State Privacy and Security Legislation**, or referred directly to the Sheriff's counsel.

* **VI. Records Retention**

A. Jail Bureau records will be maintained as directed by the **State Archives and Records Administration (SARA)**, a division of the New York State Department of Education. Computer records will be filed and maintained using the most up to date methods available and archived utilizing appropriate storage media.

B. Reports generated during the normal course of business by security staff at MCJ or MCF will be reviewed and forwarded through the chain of command to Jail Administration for processing. Reports will be maintained in the appropriate file in Jail Administration. All other documents, files and logbooks will be forwarded through the chain of command to Jail Administration for

filing once they are no longer needed for use or reference by Jail Security, in accordance with **JBGO 47, Security and Supervision.**

C. When an inmate is released from custody, Jail Records staff will forward all documents contained in the Jail Records folder for that inmate to Criminal Records for inclusion in the Criminal Records file for that particular inmate.

D. All reports, documents, population counts and statistical reports generated by Jail Records will be maintained in a chronological manner. On an annual basis these records will be packaged and prepared for archiving through Staff Services. Records older than one year will be archived and not be maintained on site.

E. All reports, documents, Property Accountability forms, mail logs and statistical reports generated and maintained in the Inmate Property unit will be maintained in a chronological manner. On an annual basis these records will be packaged and prepared for archiving through Staff Services. Records older than one year will be archived and not be maintained on site.

F. All reports, documents, daily court and assignment logs, and statistical reports generated and maintained in the Prisoner Transport unit will be maintained in a chronological manner. On an annual basis these records will be packaged and prepared for archiving through Staff Services. Records older than one year will be archived and not be maintained on site.

G. All reports, documents, visitor logs, and statistical reports generated and maintained in the Inmate Visits unit will be maintained in a chronological manner. On an annual basis these records will be packaged and prepared for archiving through Staff Services. Records older than one year will be archived and not be maintained on site.

Note: Records prepared for the archives should be boxed with like documents. The archive box should be labeled with the form names and form numbers. Labeling should be consistent in all cases.

VII. Records Disposition

A. The Record Manager will coordinate and carry out all dispositions of records in accordance with the State Archives and Records Administration (SARA) Records Retention and Disposition Schedule CO-2.

B. Dispositions will be carried out regularly (i.e. quarterly or once yearly) by the Records Manager after audits are completed and reports are filed.

C. A permanent record will be kept of the identity, inclusive dates, and approximate quantity of records that are destroyed or otherwise disposed of.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE September 03, 2015	EFFECTIVE DATE September 04, 2015	NO. 026-15
SUBJECT: GENERAL ORDER Special Housing Unit (SHU)/Segregation Cells		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: 9NYCRR Part 7003 & 7006 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7003 & 7006) NYSSA-Jail 112, 113			RESCINDS 026-14

Purpose: To institute and maintain procedures within the Monroe County Sheriff's Office (MCSO) which promote the safety, security and good order of inmates housed in both the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) special housing unit/segregation cells.

Policy: It is the policy of MCSO to supervise inmates housed in the special housing unit (SHU) or MCJ/MCF segregation cells in accordance with the guidelines set forth in **Part 7003 and Part 7006 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9 NYCRR Part 7003 and 7006).**

I. Definitions

A. **Administrative Segregation:** Will consist of any cell or room, either in regular population areas or in a special housing unit, in which an inmate is continuously confined for administrative reasons, other than disciplinary, for the purpose of providing proper care and close supervision. Administrative segregation may be imposed for medical reasons, deviant behavior or in accordance with reception, evaluation and classification procedures.

B. **Punitive Segregation:** Shall consist of any cell or room, either in the general population area or in a special housing unit, in which an inmate is confined for a specific period of time as a sanction or partial sanction for violation of Jail/Correctional Facility rules and regulations.

II. General Provisions

A. Inmates **will not** be allowed to request placement in the **special housing unit.** However, inmates seeking segregation from general population may be relocated to segregation cells that are located in housing areas of MCJ/MCF. Inmates will not be placed in housing area segregation cells without the approval of a duty sergeant/shift supervisor.

B. Inmates housed in the SHU or in housing area segregation cells will, unless restricted by the Superintendent or his designee for reasons dictated by circumstances of each case, have access to the same services and privileges as afforded those inmates housed in general population housing areas. At a minimum, each SHU cell or housing area segregation cell will be fully equipped as cells in general population housing areas.

C. Civilian personnel allowed to enter the special housing unit to visit inmates will be limited to attorneys, medical staff, the chaplain and civilians specifically authorized by the Superintendent. **In all cases, civilian personnel will be escorted both into and out of the SHU and will not be allowed to remain in the SHU unless accompanied by staff.**

D. Should staff be unable to escort or remain in the SHU with a civilian, the housing area supervisor may authorize use of the second floor office for interview purposes. In addition, the aforementioned civilian personnel will be allowed to visit inmates housed in housing area segregation cells by communicating through cell door food flaps, unless alternative arrangements have been provided by a duty sergeant/shift supervisor.

E. Inmates housed in the Special Housing Unit will be escorted by staff whenever movement within MCJ is necessary. Upon completion of reason for the inmate movement, respective staff will escort the inmate back to the second floor. Staff will escort the inmate back to the SHU or remain with the inmate until second floor staff can receive and escort the inmate back to the SHU.

F. Staff will ensure that they provide direct supervision when minor inmates are out of their cells and have visual, audible, or physical contact with adult inmates. Direct staff supervision means that security staff are in the same room with, and within reasonable hearing distance of the inmate.

G. Inmates will not be allowed to cover cell lights or windows while housed in the special housing unit and/or housing area segregation cells. SHU/segregation cell lights will remain on at all times.

III. Admission Procedure

A. SHU cells and housing area segregation cells will be thoroughly inspected and searched prior to and immediately after occupancy in order to prevent the presence of contraband and to ensure the cell facilities are in working order.

B. When an inmate is admitted to the SHU or a housing area segregation cell for violation of facility rules and regulations or for the safety, security and good order of the facility, the duty sergeant/floor corporal must be present and ensure that:

1. The duty nurse and/or Mental Health Professional is notified immediately to verify from the inmates' health record that the inmate does not have a mental health condition that would preclude the inmate from being housed in the MCJ or MCF SHU or segregation cell. This review shall take place face to face with the Sergeant and a nurse. An Inmate Risk Assessment Form must be completed by the Medical Department to document this review. The Sergeant will note any medical or mental health information that is pertinent to the placement, care and custody of the inmate being assessed. In cases where there is a mental health condition the nurse in cooperation with the duty sergeant will then determine the appropriate segregation cell housing in other areas of the Jail/Correctional Facility.

2. Inmates admitted to the MCJ or MCF SHU or housing area segregation cells will be examined by a duty nurse as soon as possible, but not later than 24 hours. Exceptions to such cases would be if the inmate were involved in the use of Oleoresin Capsicum/ASR, other subject management, or a fight with inmates or staff. In these instances, the inmate is to be examined by a duty nurse immediately.

   Note: A mental health professional must see the inmate within one (1) business day of their placement into the SHU or a segregation cell.

3. Jail staff will only conduct strip searches of inmates placed in the MCJ or MCF SHU and or a housing area segregation cell when, based on the nature of the infraction there is probable cause that the inmate may be concealing contraband. In addition, inmates with a known past history of possessing or concealing contraband may be strip-searched in accordance with **Searches of Persons (JBGO 028).**

4. Upon initial housing placement into the SHU or housing area segregation cells, the inmate's personal property items will be inventoried and he/she will be allowed to keep the following items:

   - 1 jail uniform.
   - 1 set of bedding and linen.
   - 1 gray sweat shirt.
   - 3 pair socks.
   - 3 pair underwear.
   - 3 t-shirts.
   - 3 brassieres (female only).
   - 1 pair shoes.
   - 1 pair shower shoes.
   - 2 towels (one jail issued and one personal).
   - Legal paperwork to include, but not limited to, a writing tablet, writing implements and envelopes.
   - 3 religious publications.
   - Personal hygiene items.
   - Existing commissary food items

5. All other property will be inventoried in the SHU inmate property invoice by staff. The form will be completed in its entirety and the inmate will sign for the inventoried property. If the inmate refuses to sign, a second deputy will witness the refusal. One copy will be provided to the inmate, a copy will be in the property box and one copy placed in the inmates file in the SHU.

6. Staff members will ensure that all property items are packed and placed into storage in an orderly manner to minimize any damage or loss of property.

7. Any property that is in excess will be sent to the Inmate Property Storage Area, and will be stored until the inmate is released from custody in accordance with current directives.

   Note: Under **no** circumstances will inmate property be secured in housing area supply/equipment closets.

8. Inmates housed in the SHU will be restricted from purchasing any new items from commissary other than health and hygiene items until their release from the SHU. Inmates housed in the SHU solely on an Administrative Segregation order will not be restricted from purchasing commissary unless directed by the superintendent or his designee.

C. Inmates upon admission to the SHU, will be provided the following items, if they do not have these items in their possession. The items listed will be replaced as needed:

1. One bar of soap.

2. One toothbrush.

3. One roll toilet paper.

4. Tooth powder.

5. Bedding.

IV. Staff Responsibilities

A. SHU staff will maintain an official chronological log of all activities occurring in the unit. Contents will include, but not be limited to the following:

1. Names and titles of all staff assigned to the SHU. Listing the date and tour of duty.
2. A record of all equipment accounted for by SHU staff.
3. Name and title of all visitors to the unit, including the specific purpose(s) of the visit.
4. A record of inmate admissions, to include:
   a. Name, cell and identification number.
   b. Time admitted.
   c. Supervisor authorizing admission.
   d. Type of admission (i.e., medical, administrative segregation, etc.).
   e. Staff present during admission.
   f. Staff conducting the inmate property search and strip search if necessary.
5. A record of all inmate exits/entries including name, identification number, reason/destination and names of escorting staff.
6. A record of all restraint orders in accordance with **Inmate Movement/Restraint Procedure (JBGO 042).**
7. A record of all occasions when an inmate is restricted from the following:
   a. Recreation.
   b. Showers.
   c. Visits.
   d. Legal materials.
   e. Inmate property, to include linen.
   f. Phone calls.

   Note: Records will include the reason for all restrictions and the name of the authorizing supervisor.
8. The name and identification number of inmates who refuse exercise or showers. In addition, all completed exercise periods and showers will be recorded in the housing area logbook.
9. All medical visits by the medical staff.
10. A record of all meals and special diets when served.

11. A record of any time property items are removed or placed into an inmate's property container. A notation is also to be made on an inventory property form, with the staff member and inmate's signature acknowledging the change.

B. **Weekly Segregation Reports (JB-255)** will be initiated by first platoon staff and completed jointly with first, second and third platoon housing area staff and supervisors, in detail, on all inmates housed in the SHU and housing area segregation cells.

C. Staff will not leave inmates housed in the SHU or housing area segregation cells unattended anywhere within MCJ or MCF for any reason. Exceptions will be made for inmates housed in segregation under their own request, provided they have not been the subject of a disciplinary sanction which restricts their movement within either MCJ or MCF.

D. MCF 200 Unit will conduct supervisory rounds in accordance with **Security and Supervision (JBGO-047)**due to not being a hard post.

E. Staff assigned to the Special Housing Unit (SHU) will complete all supervisory tours in the SHU in accordance with, **Security and Supervision (JBGO-047).**

F. Cell door food flaps will be unsecured to provide serving of meals and linen/laundry exchange. Cell door food flaps will remain closed at all other times. Exceptions may be made during periods of extremely warm weather with prior approval of the duty sergeant/shift supervisor.

G. Staff assigned to the Special Housing Unit will serve all meals to inmates housed in the SHU. Staff will not, without prior approval from a duty sergeant/shift supervisor, allow trustee inmates to enter the unit. A floor supervisor may authorize a trustee to enter the SHU in order to clean the area.

H. Staff will maintain a file to be kept on each inmate assigned to the SHU or housing area segregation cell(s). The file will contain:

1. A segregation cell cover sheet.
2. Disciplinary dispositions.
3. Property/Clothing Accountability Invoices.
4. Orders of restriction, to include letters of administrative segregation.
5. Restraint orders.
6. Medical orders.
7. A copy of all Incident Reports.
8. Copy of completed Risk Assessment Form.

V. Recreation

Inmates confined to the SHU or housing area segregations cells must be permitted one hour of recreation daily, exclusive of the time it takes to go to and return from the recreation area, beginning on the day following admission to the unit or segregation cell. However, should a duty sergeant/shift supervisor determine that an inmate presents a threat to the safety, security or good order of MCJ or MCF, the inmate may be denied recreation for that day. The determination to deny recreation must be justified in writing.

VI. Medical Services

A. A duty nurse will be required to assess the condition of inmates admitted to the SHU or housing area segregation cells as soon as possible but not later than 24 hours from admission to the SHU or segregation cell. At a minimum, a mental health professional will be required by NCCHC standards to complete weekly assessments on the condition of inmates admitted to the SHU or segregation cells. Inmates admitted to the SHU or segregation cells will also be evaluated by a mental health professional within one business day of admission. Inmates admitted to the SHU or segregation cell on a weekend will be evaluated by a mental health professional on the next business day.

B. A duty nurse will be required to visit the special housing unit and occupied segregation cells at least two times daily, to review the state of health of the inmates confined in the unit/cells. Medical care will be provided to inmates within the SHU/segregation cells unless a duty nurse determines it necessary to transfer the inmate to the medical department.

C. Submitted sick call slips and medical visits will be recorded in each inmate's health record by the duty nurse. The deputy will record in the JMS computer system in their housing area assignment any medical visits.

D. The duty nurse distributing medications or touring the SHU and/or housing area segregation cells as outlined in Subdivision B of this section, will record in the inmates health record all tours and pertinent medical data. The deputy touring the SHU and/or housing area segregation cells will record in the JMS computer system in their housing area assignment all tours made by medical.

VII. Personal Hygiene

A. Inmates will have daily access to the following:

1. Shower areas.
2. Shaving equipment/supplies.
3. Cleaning equipment.

B. Razors may be utilized on an issue basis and must be returned immediately after each use. Inmates will be secured in a cell before receiving a razor.

C. Should a duty sergeant/shift supervisor determine that an inmate presents a threat to himself, staff or others, he/she may deny the inmate access to shaving equipment and/or cleaning supplies. The determination to deny inmates of shaving equipment or cleaning supplies must be justified in writing.

VIII. Law Library Services

Inmates confined within the SHU or a housing area segregation cell may obtain legal material from the law library by submitting form, **Administrative/Punitive Segregation Request for Legal Reference Material (JB 362)**, to the law librarian.

IX. Religious Counseling

A. Attendance at congregate religious services **will not** be permitted however, inmates housed in segregation under their own request, may be permitted to attend congregate religious services provided they have not been restricted due to disciplinary sanctions.

B. Inmate religious advisors will not be permitted to visit the SHU or housing area segregation cells for any reason, unless authorized by the duty sergeant/shift supervisor.

C. Religious counseling will be provided in the SHU or at housing area segregation cells by the chaplain, upon written request.

X. Commissary

Unless specifically authorized by the Superintendent or his designee, inmates confined to the SHU under administrative segregation will be limited to health and hygiene commissary items only.

Note: Commissary orders for inmates housed in the SHU will be placed and received in conjunction with the county second floor. Inmates housed in segregation cells will receive commissary orders in conjunction with inmates in their housing areas.

XI. Correspondence

Segregated inmates will be permitted to send and receive privileged and regular correspondence in accordance with, **Printed Material, Publications, and Inmate Correspondence (JBGO-010).**

XII. Visitation

Inmates confined in the SHU or housing area segregation cells will be permitted to receive contact visits unless restricted by the Superintendent or his designee pursuant to **9NYCRR Part 7008.8.** In such cases, alternative arrangements will be made to permit visitation including but not limited to non-contact visits.

XIII. Controls/Restrictions/Restraints

A. Any inmate housed in the SHU or segregation cell that returns from any area outside of the physical confines of the unit/housing area, or has contact with other inmates may be pat/strip searched at the housing area supervisor's discretion.

B. An order of restriction depriving a segregated inmate of a specific item, privilege or service, may be issued when it is determined that a threat to the safety, security or good order of either MCJ or MCF.

C. An order of restriction must be authorized by a duty sergeant/shift supervisor. Initial approval may be given verbally, but must be confirmed in writing within 24 hours.

D. A written order of restriction depriving an inmate of bedding, linen or clothing for reasons of mental hygiene, must be approved by an appropriate clinical professional or, in their absence, the medical department supervisor.

E. Inmates assigned to the SHU or housing area segregation cells who have displayed a history of assaultive behavior and/or who present a threat to the safety or security of MCJ or MCF property, staff or others, may be placed in restraints in accordance with, **Inmate Movement/Restraint Procedure (JBGO 042).**

F. After a Punitive Segregation or Administrative Segregation period is completed in the SHU for an inmate, they will be returned back into general population. No inmates will be allowed to sign themselves into the SHU under their own request.

By Order of the Sheriff,

Patrick M. O' Flynn

* Indicates changes from the previous General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	March 15, 2018	March 16, 2018	027-18
SUBJECT: GENERAL ORDER INMATE CLASSIFICATION		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7013 of Title 9 of the Official Compilation of Codes, Rules, & Regulations of the State of New York (9NYCRR Part 7013). NYSSA 113,136, 155, 157, 163.			RESCINDS 027-17

Purpose: To establish a method ensuring that inmates who are remanded to the custody of the Monroe County Sheriff's Office (MCSO) will be processed through a proficient jail inmate classification system.

* **Policy:** In order to determine appropriate housing assignments for all inmates during confinement, the MCSO will adhere to a formal, objective, classification process that is performed at both intake and specified intervals thereafter. The objective of the classification provides that all inmates begin at a medium security level, and depending on individual backgrounds they will adjust based on positive or negative factors. Adherence to this process will:

1. Promote the safe custody, as well as fair and humane care and treatment of inmates housed at the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).
2. Identify the special needs and required levels of security and supervision of inmates.
3. Separate inmates for housing purposes, as required by existing laws and regulations.
4. Prevent inmates from being segregated inappropriately on the basis of race, religion, nationality, or political beliefs.

I. Initial Screening and Risk Assessment

A. During the booking process each inmate will undergo an initial screening and risk assessment evaluation, which consists of a screening interview, visual assessment, and review of commitment documents.

B. During this evaluation, all observations and responses relating to the following will be recorded:

1. Any visible injuries.
2. Medical condition(s) requiring immediate treatment.
3. Mental and/or physical handicap(s).
4. History of mental illness or treatment.

5. Potential for self-injury or history of suicide.

6. History of detention or incarceration.

7. Medication(s) currently being taken.

8. Present appearance, behavior, emotional state, and attitude

9. Evidence of intoxication by alcohol or drugs and/or history of alcohol or substance abuse.

10. Criminal charge(s) and conviction(s).

11. Other relevant information, concerning the safety or welfare of the inmate.

C. Central Booking staff will observe current procedures for alerting supervisory staff and will exercise precautionary measures with respect to information obtained during the initial screening.

II. Assignment to Jail/Correctional Facility Housing Areas

A. Upon completion of the booking process, all inmates committed to MCJ will be housed in the Reception Evaluation and Classification Unit (REC) for a period of no more than seventy two (72) hours until a classification profile is completed.

B. Only staff members who have successfully completed **NYS Commission of Correction** approved training in classification theory and techniques will interview unclassified inmates for the purpose of making primary housing assignments. The classification interview will be conducted using the classification checklist on JMS which provides an objective means for determining the risk/victimization potential of an inmate, as well as special needs. If the inmate is Deaf or Hard of Hearing they can use the Interpretype. (Refer to **MBGO-093 Communicating with the Deaf or Hard of Hearing)** The score received on the interview will be totaled, with a rating assigned as follows:

1. 4 or Less (negative number) = minimum-security housing.

2. 5- 20 medium security housing.

3. 21 or higher = maximum-security housing.

C. The classification deputy will classify each inmate in a private setting away from all other inmates. With the inmate present, the classification deputy will complete the **JB-310 Inmate Classification Notification Form.** All the questions will be answered and completed thoroughly. Once completed and a final score is determined, the inmate will be notified both verbally and in writing of his/her classification prior to the inmate signing the Classification Notification Form. The inmate will then be provided with an Inmate rule book.

D. Prior to making classification/housing determinations, Reception Unit staff, will review the **JB-310 Inmate Classification Notification Form.** The classification deputy must review the inmates New York State Criminal History (Repository Inquiry for NYSID) located in the H-Drive/Classification Review Folder. This information (along with the inmate interview) will be utilized to complete the classification.

Note: The Jail Records Staff deletes the individuals NYSPIN once the inmate has been released from custody.

E. During the review of the inmate's criminal history, both current and prior charges shall be checked. Any information that is discovered pertaining to a security flag being attached to the inmate's classification (i.e. assault history/risk towards staff, escape risks, contraband risks) will be forwarded in writing on a special report to the platoon Commander for a full review and final authorization of the risk flag. Classification staff will complete a chronological note in the computer identifying the reason for the security flag and the command officer that authorized the status change.

F. Staff will review prior inmate classifications and/or infraction records, as well as available non-contact advisories.

G. A medical screening and evaluation will be completed by medical department staff as part of the Booking/Classification process. The medical department will report to the Booking or Reception Unit staff any information that may affect the safety, security, and good order of either facility (i.e. risk of self-harm, communicable disease(s), disability requiring special housing, drug/alcohol withdrawal, or other medical problems requiring special attention). In addition, inmates will be administered a tuberculosis (TB) test. Inmates refusing the TB test will be housed in accordance with **JBGO-032 TB Protocol,** pending consent to the test.

H. In determining an inmate's classification and making housing assignments, Reception Unit staff will review each inmate's **Inmate Classification Notification Form** and other available information relating to their classification which will include, but not be limited to:

1. Criminal record.

2. Medical and/or mental health background.

3. Institutional behavior and the inmate's attitude.

4. History of sex offenses (i.e. sexual abuse, sexual assault, rape, etc.).

   Note: Sexual Abuse or Sexual Assault can include but is not limited to sexual intercourse, oral or anal sodomy and sex with instruments while in a correctional facility.

5. Prior attempts at self-injury or suicide.

6. Propensity for victimization.

7. Prior escape(s) or attempted escape(s).

8. Any gang affiliation which may threaten the safety and security of either MCJ or MCF.

9. Any hostile relationship(s) with other inmates housed within MCJ or MCF.

10. Any other information which may affect the safety and welfare of the inmate or facility staff (i.e. prior assaultive behavior).

11. Review of any previous flags.

I. The classification checklist on JMS that utilizes a number system to designate a classification of Maximum, Medium, or Minimum, must not be used as the only deciding factor regarding placement and final classification. Reception staff must also take into consideration the above information as well as any other information known to them to determine appropriate housing. Once all things have been considered a determination should be reached and if the inmates' final classification is lower or higher than what was determined by completing the classification checklist on JMS, then an override must be placed in the computer to rectify the discrepancy. The Reception Unit supervisor must complete the override and place a note on the Inmate Classification Notification Form as well as a Chronological note in JMS justifying the override.

J. All inmates will be screened by Reception staff using the Prison Rape Elimination Act- **PREA Screening Checklist JB-323** during the classification process to be assessed for the risk of being sexually abused by other inmates or their risk of being sexually abusive towards other inmates.

1. Inmates who have been determined to be a **Potential Victim** shall be housed separate from inmates determined to be a **Potential Predator.** The reception supervisor will be required to review and sign the form if any inmate meets the criteria.

   Note: There may be a circumstance when an inmate qualifies as **both**, a **Potential Victim** and a **Potential Predator.** These individuals should be housed separately from any individual(s) who fall into either separate category.

2. Inmates will not be disciplined for refusing to answer questions pertaining to any mental or physical disability, sexual orientation, prior sexual victimization or their own perception of vulnerability.

3. Answers to information on the PREA Screening Checklist will only be disseminated to staff on a need to know basis as required for the safety and security of the facility operations and will be considered sensitive.

4. Reception staff will immediately notify mental health staff of an inmate's affirmative answer to being sexually victimized.

5. The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known by the agency, in assessing an inmate's risk of being sexually abusive.

6. An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

K. Classification will consider the PREA screening questions that have been flagged and/or deemed necessary regarding PREA into and along with its current process in classifying inmates regarding housing, bed, work, education and program assignment with the goal of keeping separate known/high risk victims from known/high risk abusers.

1. The facility shall make individual determinations on how to ensure the safety of each inmate.

2. Transgender and intersex inmates will be evaluated on a case by case basis when determining whether placement in housing and program assignments would ensure the inmate's health and safety and/or present management or security issues.

3. Lesbian, Gay, Bisexual, Transgender or Intersex inmates shall not be placed in dedicated housing units, solely on the basis of such identification or status, unless such placement is in a dedicated housing unit established in connection with a consent decree, legal settlement or legal judgment for the purpose of protecting such inmate.

4. When evaluating a transgender or intersex inmate's safety, the views of the inmate being evaluated will be considered.

5. Inmates at high risk of sexual victimization will only be placed in involuntary segregated housing (Protective Custody) as a last resort and no alternative means available. Assessments will be made by the Chief Administrative Officer and/or designee within twenty four (24) hours of commencement. Inmates placed in involuntary protective custody shall have access to programs, privileges, education or work opportunities and any loss or limits will be documented. Segregation shall not ordinarily exceed a period of thirty (30) days. A continuing need for segregation will require a review every thirty (30) days to determine assessment. Residents in isolation shall receive daily visits from medical and/or mental health care.

L. Determination of appropriate primary housing will be completed within five (5) business days, excluding weekends and legal holidays, of each inmate's admission to MCJ.

M. The Reception Unit supervisor may override any classification determination (i.e. maximum security to medium, minimum to medium, etc). The specific reasons for all overrides must be placed in writing on the **JB-310 Inmate Classification Notification Form** and signed by the person authorizing the change in classification. The Reception Unit **Supervisor** will complete the override in the JMS computer system. The Reception Unit Supervisor **must** also place a chronological note in the JMS computer explaining the specific reasons for the override.

N. Reception Unit staff will prepare a list of authorized moves scheduled to occur that day during 2nd and 3rd platoons.

O. Housing area supervisors may move an inmate to another area within the same classification.

P. Housing deputies shall have the authority to approve cell assignment changes within the housing area they are working when such moves are necessary for the good operational order of the housing area. Reception will be notified when an inmate is relocated from one housing area to another. For example, if an inmate is relocated from 2WL to 2MWL, reception unit will be notified. If an inmate is relocated from 2WL to 2WH this is considered within the housing area.

Q. The Reception Unit supervisor must be notified when any inmate is relocated from a housing area to another housing area with the exception of those inmates being transferred on the pre-approved transfer list from MCJ to the Monroe Correctional Facility (MCF). The Reception Unit will verify the inmate's classification to ensure that the inmate is appropriately classified for the area they are being relocated to as well as check Chronological notes, non-contacts, and any information that would assist in making an educated decision regarding placement. **The Reception Unit staff will ensure that a chronological note is completed providing justification and explanation for the relocation.**

If the inmate needs to be re-classified due to the circumstances surrounding the relocation Reception Unit staff will ensure this is completed and the inmate is notified in writing of the classification change as per **JBGO-027 Section III.**

III. Classification Reviews

A. The Chief Administrative Officer (or his/her designee) will review and revise as necessary, an inmate's classification status when one or more of the following conditions occur:

1. The legal status of the inmate changes, to include but not limited to local sentences, state sentences, and any new charges or upgraded charges that would likely result in a classification change.

2. The inmate is involved in a serious or unusual incident or exhibits adjustment problems which threaten his/her safety, or the safety, security, or good order of the facility.

3. There is a written request by a staff member, including justification, based upon new information or the display of positive or negative behavior by the inmate.

4. The Medical Department provides relevant information that was not previously considered.

5. Upon any additional relevant information received by the facility since the PREA (Prison Rape Elimination Act) intake related to sexual victimization or sexual abusiveness the inmate will be re-evaluated to determine their risk of being sexually abused or being sexually abusive towards other inmates.

*B. Information necessitating any requests for classification reviews will be forwarded to the Reception Unit for review and action as needed. Reception Unit staff will access the requested inmate's classification in JMS and review all information provided regarding the change request to ensure accuracy. Classification staff will select the Evaluation Update screen under the Classification Navigator. Classification staff will select the ReCalc button and change any category that applies. If the inmates classification changes the inmate must be notified in writing as per **Section IV of this Order**.

* IV. Inmate Notification

A. The Reception Unit staff will provide inmate(s) with written notification of their classification determinations and any changes to their classification status within one (1) business day after such determinations are made. The final page of **JB-310 Inmate Classification Notification Form** will be used for this purpose. When changes are made to an inmate's classification after the initial classification, the inmate will receive written notification from a floor supervisor. The floor supervisor will also document (in a chronological note) that the inmate was notified of their classification change.

*B. Inmates will receive education on sexual abuse and sexual harassment as part of the intake and classification process. Upon the classification interview, reception staff will provide the inmate with an additional handout concerning the facility's PREA (Prison Rape Elimination Act) policy. The inmate will then sign for the educational information received during classification and that documentation will be forwarded to the inmate's file in Jail Administration.

V. Inmate Transfers to the Monroe Correctional Facility

A. As directed by the Superintendent (or his/her designee), Reception Unit staff will compile a list of sentenced and non-sentenced inmates eligible for transfer to MCF. This list will be prepared two (2) days prior to the scheduled moves.

This list will be compiled after Reception Unit staff checks each inmate's charge sheet, outstanding warrants and reviews his/her Chronological Notes on the JMS computer system. Reception Unit staff will forward the list to the Medical and Mental Health Department for review.

B. Jail Administration will review the list of all inmates approved for transfer to MCF. The list will be emailed to the security supervisor's at MCF and circulated to MCF/MCJ command staff and to all affected areas in the jail (i.e. Commissary, Inmate Property, Jail Records, Reception Unit, Central Booking, the Medical/Mental Health Departments, and Visits).

C. The Medical Department will forward inmate medical charts to Central Booking for transport to MCF.

D. Reception Unit staff will notify the supervisory staff at MCF of all pending moves. The supervisory staff will determine appropriate housing assignments, based on his/her review of the inmate's classification.

VI. Record Keeping

A. Classification files for inmates that are out of custody or who have relocated to their primary housing assignment will be transferred to Jail Administration, where all information pertaining to the inmate's classification will be merged with the inmate file. The material will include, but not be limited to, the following:

1. The inmate's classification category, specific housing assignment, all completed classification/screening instruments used to make or record the initial screening, risk assessment, and subsequent classification determinations.

2. The inmate's **JB-310 Classification Notification Form.**

3. Any security and/or supervision requirements and special needs of the inmate.

4. Facility staff responsible for making each classification determination.

5. Dates when the inmate's initial screening and each subsequent classification determination were made, including verification that the inmate was notified of such determinations and their implications.

B. Inmate files are confidential. Proper access and control will be exercised by Jail Administration.

VII. Staff Training

Pursuant to **9NYCRR Parts 7013.7, 7013.8 and 7013.9,** all staff assigned to perform duties related to the administration and implementation of classification will receive **NYS Commission of Correction** approved training regarding:

A. Classification theory and techniques.

B. Classification policies and procedures of MCJ and MCF.

VIII. Quarterly Classification Report

A. On or before the 15th of February, May, August, and November of each year, the Superintendent (or his/her designee) will forward a quarterly report relative to the housing and classification of inmates to the **Commission of Corrections** which reflects information pertaining to the preceding three (3) month period.

B. Such report(s) will be prepared and submitted on forms required by the **Commission of Corrections.**

By Order of the Sheriff,

Todd K. Baxter

* Indicates changes to the original and any previous versions of the General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE DECEMBER 13, 2011	EFFECTIVE DATE DECEMBER 14, 2011	NO. JBGO 28-11
SUBJECT: GENERAL ORDER Searches of Persons		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: 9NYCRR PART 7002 & 7008 NYSSA 38, 102			RESCINDS JBGO-28-J-09

Purpose: To establish policy and procedure for conducting searches of prisoners and unofficial visitors, in order to maintain a safe and secure environment for Jail Bureau staff and prisoners housed at the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) that all inmates upon entering or re-entering MCJ will be immediately scanned with a hand-held metal detector, pat searched, and body scan searched. At MCF all inmates entering or re-entering the facility will be immediately pat searched and scanned with a hand-held metal detector. Jail Bureau staff will perform searches in order to detect and reduce the introduction of contraband (weapons and/or drugs) into the Jail/Correctional Facility, prevent escapes and disturbances, and recover missing or stolen property.

I. Types of Searches:

A. **Strip Search:** A search that requires the inmate to completely disrobe. Each item of the inmate's clothing is searched and their entire body is visually inspected, including a visual inspection of the mouth and ears only.

B. **Visual Body Cavity Inspection:** A visual inspection of an inmate's anal or genital cavity, without touching, generally while the person is bent over.

C. **Manual Body Cavity Search:** A manual and instrumental inspection of the interior of any private orifice (anus, vagina). This search will only be performed by trained medical personnel and at the direction or approval of the jail physician, should the inmate be in an outside hospital, and by virtue of a valid search warrant directing such a search. The only instance wherein a manual body cavity search is permitted without a search warrant is if the inmate is in extreme medical distress and it appears that his or her health will be jeopardized if the item(s) remains inside the body cavity.

D. **Body Scan Search:** A search conducted utilizing the body scan machine where inmates are not required to disrobe. All items are removed from the subject's pockets by booking staff before the handcuffs are removed. The body scan search is conducted in the search/scan room and the scan consists of a frontal, back, and side-scan of the inmate. This scan will be completed primarily for weapons detection. Male staff will body scan male inmates and female staff will body scan female inmates.

* E. **B.O.S.S. (Body Orifice Scanning System):** A search conducted utilizing a non-intrusive zoned scanning system where inmates are not required to disrobe. A pat search is conducted and all items are removed from the subject's pockets by booking staff before the handcuffs are removed. Following removal of the handcuffs, the B.O.S.S. search will be conducted in the search/scan room or any other areas deemed necessary. The scan will be completed primarily for weapons detection.

F. **Line Scan X-Ray Search:** A search that is conducted of multiple layers of the subject's outer clothing that may include coats, shoes, boots, hats, etc, along with personal property items such as purses, belts, etc.

G. **Pat/Frisk Search:** A search where inmates are not required to disrobe, but will be required to remove all items from their pockets and turn their pockets inside out.

H. Inmates will also be required to remove multiple layers of clothing, coats, shoes, boots, hats, belts, etc., in order to be searched.

II. Strip Searches

A. Any decision to authorize a strip search must be made on an articulated basis to suspect that the inmate may be in possession of contraband. Staff members will document his/her reasonable suspicion that a weapon, evidence, or contraband could be concealed on the individual and could not be detected by a pat down or body scan search.

B. Inmate strip searches will be conducted in accordance with the following guidelines listed below.

1. All **Unarraigned (UA)** and **County Prisoners** may be strip searched on intake only if staff has developed a reasonable suspicion that the prisoner may be concealing weapons, evidence, or contraband. Reasonable suspicion may be based upon a number of factors that include, but is not limited to, one (1) or more of the following criteria:

   a. The circumstances surrounding the criminal charge arrested for, indicating the likelihood of a weapon, evidence, or contraband being concealed on the individual.

   b. The suspicious characteristics of a prisoner indicating the possibility that a weapon, evidence, or contraband is attempting to be concealed through manipulation, distractions, etc.

   c. Prior history which has documented incidents of possession of contraband or the introduction or attempted introduction of contraband into the facility. Members will verify this by conducting a prisoner record history check utilizing the MoRIS and JMS computer systems.

   d. Personal observation that contraband is being concealed or detection of suspicious objects beneath the clothing of a prisoner during a pat search, either by the arresting officer, or by a Booking Deputy.

   * e. Refusal of an individual to have a body scan / B.O.S.S chair scan on intake will not be used as the sole reason for a strip search, but may be a factor for having reasonable suspicion.

2. Strip searches will be conducted by a Deputy of the same gender as the inmate, in an area away from other persons and in a manner to protect the dignity of the inmate and afford him/her the maximum amount of privacy possible.

3. A strip search may be conducted during a cell search.

4. A strip search will be conducted every time that an inmate, who is confined to disciplinary segregation, re-enters the housing area.

5. Inmates taken from the Monroe Correctional Facility (MCF) to a court, doctor visit, funeral home, etc. will be pat searched prior to departure from the Correctional Facility. At a minimum, inmates will be pat searched and screened with a hand-held search wand upon their return. Inmates will be strip searched upon their return if staff believes that the inmate had the opportunity to receive contraband.

6. Inmates returning to the Monroe Correctional Facility (MCF) from a furlough, work/education, or temporary intermittent sentence release will be strip searched upon re-entering the Correctional Facility.

* 7. All transported inmates leaving or re-entering the Monroe County Jail (MCJ) will be pat searched and screened using a search wand and magnetometer. Use of the body scan, and/or B.O.S.S chair in addition to these searches will be at the discretion of the transporting officer and based upon reasonable suspicion. This includes all inmates taken from MCJ to a court appearance, medical appointment, funeral, or other escorted activity outside of the security envelope. Inmates leaving MCJ security will be pat searched and screened with a search wand and magnetometer, prior to being placed in mechanical restraints (handcuffs, waist chains, shackles, etc). Use of the body scan, and/or B.O.S.S. chair in addition to these searches will be at the discretion of the transporting officer and based on reasonable suspicion. Inmates returning to MCJ security will be pat searched inside the **Transportation Vestibule 155/156** (sally port), escorted to designated holding cells, and screened as previously stated. Any inmate failing a wand and/or other scanning device search will be subject to a strip search after establishing reasonable suspicion. (Reasonable suspicion for strip searches conducted during this process will be articulated in a "Strip Search" booking activity log note in the JMS computer system.) Returning inmates will not be left unsupervised nor be allowed beyond the designated holding area until the completion of the search process.

8. Inmates will be strip searched after each contact visit.

C. All searches completed at the time of booking will be documented on the **Prisoner Data Report (PDR)** before being scanned into MoRIS. Search information is to include, but not be limited to the following:

1. The initials and IBM# of the primary member conducting the search.

2. Type of search that was conducted (Pat, Strip, or both), the date and time it was conducted.

3. Results of the search.

* 4. If the Body Scan, B.O.S.S chair, or Line Scan are down and/or not available.

5. Name and IBM# of each person(s) assisting and/or present during the search.

6. Initials of the Booking or Shift Supervisor.

Note: The **PDR** may be scanned into the booking record before the search information and review is completed to facilitate verification by records staff as long as it is re-scanned at the end of the shift with all applicable information documented.

D. On the MoRIS system, the Booking Tab function will allow for the following information to be indicated by the primary booking officer:

1. Identification of the type of search that was conducted in the form of a combination box which will designate "Pat", "Strip", or both.

2. Name of the personnel that performed the search by using his/her agency IBM number.

3. The date/time field for when the search was performed.

4. Reason for the search in the form of a free text field which will allow for the member to articulate why the search was conducted based upon his/her reasonable suspicion.

E. Strip searches are conducted to reduce and eliminate contraband from entering the facilities, in addition to protecting staff and others from potential harm. Under no circumstances will a strip search be used for retaliatory or punitive purposes.

III. Body Cavity Searches

A. A visual body cavity search may be conducted if there is reasonable suspicion that contraband, evidence, or a weapon is hidden inside the inmate's body, provided that the search is conducted in a reasonable manner.

B. A manual body cavity search will be conducted when there is reasonable suspicion that an inmate possesses and has concealed contraband. However, Jail Bureau staff will not conduct manual body cavity searches. The Superintendent or his/her designee must obtain legal authorization in order to have a manual body cavity search performed.

C. To obtain legal authorization for a manual body cavity search the Sheriff's legal advisor will prepare a petition and present it to the court. Should the court concur and order a manual body cavity search, the inmate will be transported to a hospital. The hospital staff, in a private area, will conduct all manual body cavity searches with a Deputy present, in order to avoid any unnecessary problems that may arise.

D. The only exception to the search warrant requirement in order to perform a manual body cavity search is if the inmate appears to be in medical distress due to the secreted object. If it appears that the inmates health will be jeopardized if the item remains within the body cavity, the item may be removed. These circumstances should occur very rarely.

IV. Body Scan / B.O.S.S. Chair Searches

* A. Body scan / B.O.S.S. chair searches will be conducted during the intake process on all inmates entering the Monroe County Jail. This will include prisoners brought into custody with an appearance ticket who will be released after processing.

* B. Body scan / B.O.S.S chair searches may be authorized by jail supervisory staff and conducted when there is reasonable suspicion that an in custody inmate possesses and has concealed contraband where utilizing the body scan machine / B.O.S.S chair may detect the contraband.

Note: In these instances an **Incident Report (JB-136)** will be submitted through the chain of command by the member conducting the scan and will include the prisoner's name, MoRIS #, commanding officer who authorized the scan, results of the scan, and articulates the basis to suspect that the inmate may be in possession of contraband.

* C. In circumstances where the body scan or B.O.S.S. chair indicates the presence of contraband, the inmate shall be placed away from any other inmate(s) in a secure cell and will be allowed the opportunity to relinquish the indicated contraband.

Note: The inmate suspected of possessing contraband should remain under constant observation pending the outcome of a more extensive search, obtaining a search warrant, or direction of supervisory staff.

D. The Line Scan X-Ray machine will be utilized in addition to the Body Scan to search multiple layers of clothing such as coats, boots, shoes, hats, and other personal property items.

1. Items taken from incoming prisoners at the time of booking, in addition to multiple layers of clothing, will be searched with the Line Scan machine.

2. The Line Scan may also be utilized to search clothing, or other personal property, of any in-custody inmate when such items cannot effectively or safely be searched by performing a pat search or by other means.

V. Pat/Frisk Searches

Pat searches of inmates will be performed at the discretion of facility staff. Staff will pat search all inmates going to court, recreation, and visits before the inmate leaves their housing area. Inmates taken to court by the Prisoner Transport Unit are to be pat searched prior to departing the Jail/Correctional Facility. All objects such as combs, books, pens, and pencils are to be taken away from the inmate and left in their housing area. This does not include legal materials necessary for court.

Note: The Pat Search is conducted in addition to any other type of search/procedure as outlined in this Order, i.e. inmates leaving or re-entering MCJ will be pat searched **and** screened using a search wand and magnetometer – see **Section II**.

VI. Ingested Contraband

A. Should an inmate accidentally ingest a harmful substance, or purposely ingest substances in an attempt to introduce contraband into the facility, medical staff and the duty Sergeant will be notified immediately. Medical staff will contact the **Poison Control Center** and follow the instructions provided by the Poison Control Center. Inmates will be sent to the hospital, if deemed necessary by the Poison Control Center, by medical personnel, or by a command officer.

B. The duty nurse in coordination with the duty Sergeant may have the inmate placed in an appropriate observation cell with increased supervision (i.e. 15-minute supervisory checks) or Constant Supervision. This supervision will continue until either the substance is passed through the inmate's system, or a determination is made by the duty nurse to terminate this supervision. The primary reason for this supervision is for medical reasons, should the inmate have complications due to the ingesting of the contraband.

C. Should medical staff believe that the contraband may be potentially harmful to the safety and welfare of the inmate, he or she will be transported to the hospital in accordance with current agency directives.

VII. Search of Visitors

A. All visitors entering the MCJ or MCF visitation areas will be scanned by a hand-held and/or walk-through metal detector.

B. Visitors failing the magnetometer scan will be asked to place unauthorized objects in a locker outside the visiting area. Visitors will not be allowed within the secure visiting area until they pass the metal detector screening.

C. Visitors who are suspected of transferring contraband to an inmate during a visit may be prevented from entering the Jail/Correctional Facility, prevented from leaving any inmate property or money, prevented from visiting inmates, and is subject to criminal prosecution. In such instances, the Visitation supervisor and duty Sergeant will be notified and notations will be recorded in the visit logbook and on the inmate's visitation card.

D. Visitors suspected of possessing contraband during a visit will be detained by Jail Deputies until an Investigator in the Criminal Investigation Section (CIS) is notified. Upon notification, the detainee will be turned over to CIS staff, or escorted to CIS by jail staff if CIS staff does not respond.

E. Civilian visitors to either MCJ/MCF will not be stripped or pat searched by jail personnel, unless they are placed under arrest and/or the Deputy reasonably suspects that they are promoting prison contraband.

VIII. Documentation

A. Strip searches conducted in accordance with **Section II, B 3, 4, 6, and 8** will require no documentation unless contraband is discovered during the course of these searches.

B. All contraband incidents will be documented on an **Incident Report (JB-136)** and noted in JMS in accordance with current reporting directives. This information may be retrieved and reviewed at later dates and used as a factor in establishing reasonable suspicion.

C. Command officers will conduct periodic audits of search practices and ensure that appropriate documentation is being completed. Any discrepancies will be addressed promptly. A **Special Report (MB-003)** will be submitted to the Major of Operations detailing such audits, the results, and any action taken to correct the deficiencies.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O' Flynn

*Indicates a change from previous order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE November 13, 2017	EFFECTIVE DATE November 14, 2017	NO. 029-17
SUBJECT: GENERAL ORDER MCF Booking and Release Procedures		DISTRIBUTION Jail Bureau personnel	AMENDS
REFERENCE: JAIL 38, 63, 136 Part 7002 of Title 9 of the Official Compilation of Codes[1]: Rules and Regulations of the State of New York (9NYCRR Part 7002)			RESCINDS 029-15

Purpose: To establish and maintain policies and procedures relative to processing and releasing county intermittent sentenced prisoners by the Monroe County Sheriff's Office (MCSO) as well as releases of sentenced inmates from MCF.

Policy: It shall be the policy of the Monroe County Sheriff's Office to establish and observe procedures that enable staff to properly conduct booking as well as release procedures for intermittent sentenced prisoners in addition to releasing sentenced prisoners whose sentence has expired from the MCF; Booking and release policies and procedures will be conducted in accordance with **Part 7002 of Title 9 of the Official Compilation of Codes[1] Rules and Regulations of the State of New York (9NYCRR Part 7002)** in such a way that will ensure accuracy, maximize time, safety and security of inmates, staff and the facility.

Definition: **Cosmetic Lenses**: Costume contact lenses – also known as cosmetic or decorative contact lenses, are any type of contact lenses that are meant to change the appearance of your eyes. They include colored contacts, fashion lenses and lenses that can make your eyes look like vampires, animals or other characters

I. MCF Intermittent Sentenced Prisoner(s)

The MCF annex booking office will be open Monday, Tuesday, and Wednesday from 0800 hours through 1530 hours for processing initial bookings for weekend/work program sentences. All information will be placed into the JMS system, MoRis system, as well as completion of a Prisoner Data Report and initial medical screening. A worksheet will be generated by MCF Jail Records staff prior to the next business week that will include all pertinent commitment information including but not limited to; Charges, sentencing court judge's name, and sentence imposed.

A. Entrance Procedures

1. A third platoon duty sergeant/shift supervisor will assign sufficient staff for the purpose of booking weekend prisoners.

2. Prior to entering the Correctional Facility, booking staff will pat search all prisoners outside the designated sally port doors.

3. Staff will refer prisoners who appear to be in need of medical or psychiatric treatment to the duty nurse.

   a. The duty nurse, assisted by security staff, will complete the initial medical screening of all prisoners prior to admission into the facility.

b. Any prisoner who arrives with an injury or significant medical condition previously unreported, or without prescribed, life sustaining medications, the duty nurse will interview and examine the prisoner and make a determination whether to accept or refuse the prisoner.

c. Prior to the refusal of any prisoner, based upon the duty nurse and duty sergeant's recommendation, the on duty shift commander will be notified to make the final determination.

4. Any prisoner exhibiting signs of intoxication or withdrawal or giving a history of recent heavy drinking will be referred to the duty nurse and processed in accordance with **JBGO-034, City and County Booking and Release Procedures** and **JBGO-031, Medical and Mental Health Protocols.**

5. Upon entering the Correctional Facility, booking staff will direct male and female intermittent sentenced prisoners to the booking area for processing.

6. Medical staff will perform the necessary physical examination and any information obtained signifying the inmate is either at risk for being a victim of sexual abuse or may be sexually abusive will be relayed to the Duty Sergeant so that the two categories of inmates are not placed in the same housing areas.

B. Identification Process

1. Photographs of intermittent sentenced prisoners will be stored and secured in the duty sergeant's/shift supervisor's office for the term of the prisoner's incarceration. A duty sergeant/shift supervisor will forward Prisoner Data Reports of intermittent sentenced prisoners previously incarcerated to booking staff. Staff will capture a photograph on the MoRis system of all intermittent sentenced prisoners initiating their weekend sentence who do not have images on their Booking Data Sheet. In the event that the MoRis system is not available, a manual photo will be taken and labeled with the prisoner's name, DOB and MoRis number. In addition, booking staff will verify the prisoner's identity by comparing the **Intermittent Weekend Schedule** with the prisoner's photographs and/or Prisoner Data Sheets.

2. The prisoner will be required to submit to retina photographs which will be submitted to the Inmate Recognition Identification System (IRIS) which enables law enforcement agencies to enroll and positively identify individuals using Biometric Recognition Technology. Individuals previously enrolled by a participating law enforcement agency can be identified as well as a partial criminal background of an individual.

Note: **The prisoner cannot wear cosmetic lenses as this causes an inaccurate scan.** Standard contact lenses may be worn.

3. Upon completing the identification process, the prisoner's time of arrival and the booking staff member's name and IBM number will be documented on the Intermittent Weekender Schedule. In addition, booking staff will instruct prisoners to sign their complete name in the space provided on the **Intermittent Weekender Prisoner Sign-in Sheet.**

4. Should an intermittent sentenced prisoner not arrive for their sentenced term of incarceration, booking staff will indicate **"no show"** in the space provided for prisoners to sign their names on the Intermittent Weekend Schedule.

5. Any intermittent sentenced prisoner that reports after the scheduled arrival time will not be admitted and will be marked as **"Late"** on the Weekender Sign-in Sheet.

C. Prisoner Property, Searches and Booking

1. Booking staff will direct prisoners to remove all property items in accordance with **JBGO-034, City and County Booking and Release Procedures, and JBGO-018, Inmate Property Storage Area.**

   Prisoners will be allowed to bring the following items into security:

   a. 2 pairs of socks.

   b. 2 pairs of underwear.

   c. 2 short-sleeved white T-shirts.

   d. 2 brassieres (females only).

   e. 1 pair of footwear.

   f. 1 bath towel (any color, except white).

2. Confiscated money will be placed and sealed in a separate appropriately sized envelope which will be labeled with the total amount confiscated, the prisoner's name, identification number, DOB and date. Money will be verified and accounted for in addition to the aforementioned items on the Property/Clothing Accountability Invoice in accordance with current procedures. Sealed envelopes containing prisoner money will be placed in the prisoner's property envelope.

   a. In addition, booking staff will record and account for all property envelopes containing money/jewelry in the weekender logbook located in the duty sergeant's/shift supervisor's office. Logbook entries will contain the prisoner's name, identification number, DOB, money amount, date, booking staff member's name and IBM number.

   b. The shift supervisor will recount and verify all money amounts that are over $100.00 that are contained in property envelopes and compare the amount entered on the property invoices prior to securing for the shift.

3. A suicide Prevention Screening Guideline Form and a Medical Receiving Screening Form will be completed in their entirety during the initial booking process on all intermittent sentenced inmates. When processing intermittent sentenced inmates on subsequent weekends, it is not necessary to complete additional Suicide Prevention Screening Guideline forms; however, a Medical Receiving Screening Form will be completed on each subsequent weekend. **The Medical Receiving Screening Form must be completed in its entirety.**

4. Booking staff will perform appropriate prisoner searching procedures in accordance with **JBGO-028, Searches of Person.** Additional property confiscated during the search will be listed and described on the Property/Clothing Accountability Invoice and placed and sealed in the property envelope.

5. Booking staff will issue an appropriate color-coded uniform to intermittent sentenced prisoners.

   Upon completing the Property/Clothing Accountability Invoice, booking staff will sign, date and instruct the prisoner to sign the invoice sheet in the appropriate space provided.

6. Property envelopes will be labeled with the prisoner's name, identification number and date. In addition, a copy of the Property/Clothing Accountability Invoice will be stapled to all property envelopes. Upon completion of the booking process, property envelopes containing non-clothing items (money, jewelry, etc.) will be stored and secured in the designated weekend money/property storage container within a cabinet located in the QET Room adjacent to duty sergeant/shift supervisor's office.

7. Property bags with clothing items will be labeled with property tags identifying the prisoner's name, identification number, DOB and that day's date. Property bags will be stored and secured in the Booking Medical Office.

II. Incidents and Violations Involving Intermittent Sentenced (weekender) Prisoners

A. Any time a prisoner violates the terms of their intermittent sentence, or is infracted for violation of facility rules and regulations, it is to be documented on an Incident Report detailing the violation (late arrivals, intoxication, etc.). All reports will be reviewed by the Sergeant in charge and forwarded to Jail Administration for review.

B. Copies of reports will be sent from Administration to the MCF Jail Records staff. The jail records staff will then send copies of Incident Reports only to the sentencing Judge.

Note: No departmental reports will be sent to a Judge before being reviewed by Jail Administration.

III. Non-Arrest Entry procedures for MCF

* A. Jail Records Unit responsibilities:

When an inmate or weekender has been incarcerated for 15 days or more, the Jail Records Corporal will complete the following:

1. He/She will complete the Sentence Term Calculation Form **JB-414**.

2. He/She will connect to the SaFran computer system by using Remote Desktop connection to input the name, # of days incarcerated, CJIN number, and charges of the inmate or weekender into the system. The Jail Records Corporal can use the Logging into MCJ or MCF Identix Workstations Manual for assistance in logging into the system.

3. Once the deputy has photographed, fingerprinted and submitted the record to DCJS, the Jail Records Corporal will review the status response.

   a. A green check means the record was accepted by DCJS. The Jail Records Corporal can delete the accepted records.

   b. An orange exclamation point means there is an issue with one part of the record or it could be in rejected status.

He/She will go through the orange status records to look at the return messages from DCJS to fix the error(s).

c. No color means that the record has not been processed by staff.

B. MCF Jail Records Deputies responsibilities:

For new weekender(s), the MCF Jail Records Deputy will enter the demographics into the SaFran computer system at the time of processing.

* C. MCF Deputies responsibilities:

Once the record shows up in the main screen the MCF Deputy will complete the following:

1. He/She will log into the SaFran system utilizing their username/password (SaFran PC Photo and Print Capturing Manual located on the Intranet can be used as a resource).

2. He/She will click on the non-colored records. The inmate will be brought down to the booking area for processing.

3. The MCF Deputy will click on the inmate record and will enter the ten prints and the photos into the system. The staff will save the record and then will submit the record to DCJS.

* D. When the weekender arrives for their first weekend, staff will need to ensure they are photographed and fingerprinted between Friday and Sunday once they are inside the facility.

IV. MCF Intermittent Sentenced (Weekender) Prisoner Releases

A. A designated staff member will obtain signatures of all weekend prisoners scheduled for release on the **Intermittent Weekender Prisoner Sign-in Sheet**. Staff will witness the prisoner's signature and place their name and IBM number in the appropriate space on the Intermittent Weekender Schedule.

Note: Weekender prisoners will only be released at the specific time stated on the Intermittent Weekender Schedule. The Third Platoon Central Control Staff will confirm through the MoRIS system that there are no active warrants for any of the weekend prisoners who have reported prior to their release.

B. Prisoner property will be released in accordance with **Section V, Subdivision B (2 & 3)**.

C. Upon verification of identification and final authorization by a supervisor, releasing staff will escort the weekend prisoner(s) in accordance with **Section V, Subdivision B (5)**.

D. Intermittent Weekender Schedules will be maintained in the MCF Sergeant office. Jail Records personnel will obtain the schedules from this location and secure them as per current procedures.

* E. Prior to release, prisoners will be IRIS photographed for positive identification and to ensure the correct person is being released. Refer to **MBGO-034 City Un-Arraigned and County Prisoner Release Procedures.**

V. MCF Pen Release Procedures

MCF prisoner's will be released on their respective out date at approximately 0600 hours, but not sooner than the completion of the morning daily population count conducted by Jail Records, unless otherwise specified by Jail Administration. **All commissary funds must be picked up at MCJ, as no checks will be issued from the MCF.**

A. Prior to releases of prisoners from MCF, MCJ Jail Records staff will complete a record check and notify the MCF Records Annex of any warrant lodged against a prisoner.

Note: Should the prisoner be a **fugitive from justice or** is being released to the **U.S. Marshals**, the duty sergeant/shift supervisor must make arrangements to transport the prisoner to MCJ, where MCJ Jail Records will complete the release.

B. MCJ Jail Records staff will initiate and authorize a prisoner release from MCF by sending a facsimile transmission of the prisoner's most recent PDR and by notifying the MCF Jail Records Annex by telephone the prisoner's name, MoRis number, housing location and type or condition of release. The following procedures will be completed as delineated below:

1. The Inmate Property Storage Area will be notified of impending releases and will retrieve all property along with Property/Clothing Accountability Invoices within the prisoner's file.

2. The Contract Medical Provider will be notified of all releases and ensures that all prisoner's medications are handled in accordance with **JBGO-018 Inmate Property Storage Area**.

3. Prisoners will be escorted to the designated Dress-out area at MCF by security staff and will surrender all county issued property, to include a complete bedroll, Inmate Handbook, combination lock (if issued) and picture identification card before being given stored personal property. All completed property folders will be forwarded to MCJ Inmate Property Storage Area for filing.

Note: All inmate property in the prisoner's possession that is brought from their housing area will be searched by releasing staff before the inmate is cleared for release.

4. A supervisor will contact MCJ Jail Records to verify the prisoner information contained in the prisoner's rehabilitation file is accurate and obtain final authorization. At which time the date, prisoner's name, MoRIS number, housing location, time, release type, and Jail Records staff completing the notification as well as the supervisor signing off on the release will be noted in the **MCF Release Logbook**. The Inmate Identification Wristband will be used to confirm proper identity prior to the actual release from custody.

Note: Refer to Section IV E for IRIS Scanning Release Information.

5. Releasing staff will escort the prisoner to the designated exit sally port doors, notify Central Control staff to open the sally port doors and physically release the prisoner from security.

By Order of the Sheriff,

Patrick M. O' Flynn

* Indicates changes from the original and any previously updated versions of this General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE August 9, 1999	EFFECTIVE DATE MAY 15, 2007	NO. 30-J-99
SUBJECT: GENERAL ORDER DWI/BREATH TEST PROCESSING		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS

PURPOSE: To outline the policy and procedures of the Monroe County Sheriff Office, for conducting breath tests on persons brought into custody at the Monroe County Jail (MCJ).

Policy: Due to the removal of all Breath Test machines in Central Booking, DWI Breath Test will no longer be conducted within the Monroe County Jail by sworn Jail personnel. This order is hereby rescinded.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE JUNE 7, 2011	EFFECTIVE DATE June 8, 2011	NO. 31-11
SUBJECT: GENERAL ORDER Mental Health Protocols		DISTRIBUTION Jail Bureau Personnel	AMENDS
Reference: 9NYCRR Part 7010, NYS Correction Law Article 3 & Sections 402 & 508, CALEA 72.6, NCCHC Standards CALEA 73.5.4 NYSSA 38, 136, 139, 155, 157, 165			RESCINDS 31-J-04

Purpose: To define policy and establish protocol governing the identification and treatment of suicidal inmates and inmates with serious mental health problems within the Monroe County Jail (MCJ) or the Monroe Correctional Facility (MCF).

Policy: The Monroe County Sheriff's Office (MCSO) shall implement, maintain and observe a systematic procedure that will enhance identification of suicidal inmates and inmates with serious mental health problems. These procedures will be consistent and in compliance with the New York State Commission of Correction, the Contract Medical/Mental Health Provider, the New York State Department of Mental Health and other relevant laws, rules and regulations of the State of New York.

Definitions: For the purpose of this order, the following definitions shall apply:

Mental Health Emergency: Circumstances where inmates are at substantial and/or imminent danger to self or others due to mental illness.

Mental Health Non-Emergency: Situations where an inmate is experiencing mental health problems who without staff intervention may de-compensate and/or become a suicide risk.

I. Prevention Administration

A. The Sheriff and Jail Bureau Medical/Mental Health Contract Provider have established a written service agreement for a comprehensive mental health program for inmates held in MCJ or MCF. The purposes of this service agreement is to:

1. Identify and treat inmates who are suicidal or who have serious mental health problems in a timely manner to reduce the incidence of suicide or self-harm.

2. Provide appropriate access to mental health services for the stabilization of mentally ill or suicidal inmates.

3. Ensure that sentenced and non-sentenced mentally ill inmates have appropriate access to inpatient care to prevent de-compensation among locally incarcerated or detained inmates with a history of mental illness.

4. Provide for continuity and transition of care for mentally ill inmates upon release from either MCJ or MCF facilitated by the Medical/Mental Health Provider.

5. Ensure that communication is maintained between the Contract Medical/Mental Health Provider and the Rochester Psychiatric Center to assure prompt evaluation, treatment and follow up of an inmate.

B. The prevention program will be reviewed on an ongoing basis to implement changes in policy, procedure or current law. Cooperation and coordination of community resources will be sought to allow input and information sharing regarding the program. Participation from MCSO staff and the Medical/Mental Health Provider will ensure that a comprehensive and uniform guideline for program changes, evaluation, planning and operation is ongoing.

C. The MCSO, with input from the County Director of Mental Health Services, community emergency service providers, Contract Medical/Mental Health Provider's Physician and other appropriate service providers, will develop procedures that ensure suicidal inmates and inmates with serious mental health problems can access emergency medical and mental health services. Services will include, but not be limited to medical and psychiatric inpatient services, non-emergency mental health services, referral procedures and appropriate forms that enable inmates to request access to such services.

D. MCSO will actively monitor all agreements that govern mental health and/or medical treatment for suicidal or mentally ill inmates detained or incarcerated within either MCJ or MCF.

E. Training shall be conducted, documented and maintained in accordance with **All Bureau Training Unit (MBGO-39).** The Training Unit will assure that staff assigned to inmate supervisory duties receives training in the identification, safety and general welfare of inmates who may be suicidal or who may have serious mental health problems.

II. Administrative Report

The Jail Bureau Medical/Mental Health Provider will forward a statistical report to the Office of Sheriff and on an annual basis identifying the following:

A. Number of inmates screened during admission procedures.

B. Number of inmate mental health referrals to mental health facilities.

C. Number of inmate transferred, pursuant to **NYS Correction Law, Section 402, 504 and 508.**

D. Number of suicides and attempted suicides.

E. Any other relevant statistical information regarding inmates with mental health problems.

III. Suicide Prevention Booking Procedures

A. In accordance with current booking procedures, as specified in **City and County Prisoner Booking and Release Procedures (JBGO-34)**, staff shall screen all inmates during the initial booking process in one-on-one interviews. Booking staff will review any documents accompanying the inmate for information relating to past or current mental health problems, prescribed medications or court orders for a mental health exam. Staff will assess the inmate for physical handicaps and consider any other relevant information regarding the inmate's physical and mental condition.

B. Booking staff will complete the appropriate Suicide Prevention Screening Guideline Form and

Medical Receiving Screening Form in their entirety and give both to the Central Booking supervisor for review. The Central Booking supervisor will complete each question in the sections at the bottom of the form (i.e. Supervisor Notified, Supervision Instituted and Detainee referred to Medical/Mental Health). This section must always be completed regardless of the score in the "YES" column.

C. Booking staff will notify the Central Booking supervisor, who in turn will be responsible for notification of the duty nurse and sergeant/shift supervisor under the following circumstances:

1. The inmate scores as "high risk" ("8" or higher in column A or answers "yes" to any of the "immediate referral categories" on the Suicide Prevention Screening Guideline Form).

2. Inmates who score less than an "8" but have had thoughts of self-harm or have made attempts of self-harm in the past.

3. Inmates whose condition, illness, behavior, or verbal statement(s) reflect intent to attempt suicide, no matter how insignificant at the time, or if the inmate is in a semiconscious or unconscious state, will require staff to immediately place the inmate on a suicide watch and constant observation.

4. Inmates who have prescribed mental health medications in his/her personal property.

5. Inmates who appear to be under the influence of alcohol and/or drugs sufficient enough to be a threat to themselves or others or a risk of alcohol or drug withdrawal.

6. Inmates who have been issued court orders for mental exams, suicide observation or medical and/or mental health treatment.

Note: Upon evaluation, a determination will be made if the inmate is a suicide risk, or if the inmate should be placed on suicide watch. Appropriate level of supervision will be instituted accordingly.

D. All notifications made to the shift supervisor duty sergeant and duty nurse shall be documented in the central booking operations log. Log notations will contain the inmate's name, nature of illness or injury, and the staff member(s) notified. If the duty nurse determines that a mental health problem exists, a referral for mental health services will be made.

E. Inmates deemed a threat to him / herself regarding attempted suicide/suicide risk will require staff to place the inmate on a suicide watch and under constant supervision. The duty sergeant and nurse will be notified **immediately** and initiate the following actions:

1. **County** inmates housed at MCJ will be relocated to appropriate housing on constant observation. Inmates who require constant observation in accordance with this directive who refuse a TB test will be locked into an appropriate housing cell until they consent to a TB test in accordance with **TB Protocol (JBGO-32)**. All inmates on constant observation will be issued jail footwear, and their personal footwear will be secured in a locked storage cabinet on the floor where he/she is housed. Inmates at MCF can be housed in a corridor cell immediately adjacent to the deputy's station, provided that they are observed constantly. If constant observation is not feasible, the inmate will be relocated to MCJ under constant observation.

Note: Inmates on constant observation will be allowed out of their cells for recreation, shower and telephone use in accordance with facility housing rules and regulations, unless otherwise stated by the Contract Medical/Mental Health Provider.

2. **City Un-arraigned (UA)** prisoner requiring constant observation will be allowed to remain in a central booking cell, provided a staff member is seated directly in front of the cell maintaining constant observation. Security staff will notify the Rochester Police Department should the inmate need to be transported for further mental health evaluation as deemed appropriate by the duty nurse or shift supervisor.

Note: City U/A Prisoners who are arrested pursuant to 9.39, 9.41 and 12.09 of the Mental Hygiene Law, a Uniform Mental Hygiene Information Form will be filled out anytime that a U/A is transported to a hospital for further evaluation. The Monroe County Sheriff's Office will submit any Incident and/or Addendum Reports as required in **Mental Hygiene Arrests (MBGO-66).**

3. While under constant observation security staff will be seated directly in front of the cell, and unless circumstances dictate otherwise, the inmate may receive one (1) jail uniform or safety smock, a mattress, and safety blanket with approval from a supervisor and clinical input from the Contract Medical Provider.

* 4. Each inmate placed under constant observation shall be evaluated on an individual basis to determine if in fact removal of clothing and placement in a smock is necessary. Anytime an inmate is placed under constant observation, an incident report will be completed using the Constant Observation report type. This report shall include the name of the member who evaluated and placed the inmate in a smock, the reason(s) that necessitated the inmate's placement in a smock and the duration of time that the inmate will wear the smock.

F. **When an inmate is placed under constant observation, the inmate must remain under constant observation until he/she is evaluated by the mental health staff.** Neither Jail security staff, nor medical staff can authorize the termination or removal of an inmate from constant observation once it has been initiated.

EXCEPTION: If an inmate refuses to answer any questions or is too intoxicated to answer, the inmate will be placed on constant supervision as a precautionary measure. Once the individual complies or is able to answer the questions, he/she may be removed from constant supervision upon approval of the Duty Sergeant or Command Officer, should the results not be indicative of suicide risk.

1. Immediately following an inmate being placed under constant observation, medical/mental health staff will review the Suicide Prevention Screening Form regarding the inmate who has been placed under constant observation.

* 2. An Assessment Team comprised of Mental Health, Medical and Security Staff (including a shift command officer, duty sergeant and reception & classification staff) will meet at least once daily (Monday-Friday) to evaluate any inmate placed under constant observation. The team will determine whether an inmate is continued under

constant observation or cleared for housing in general population. If an individual inmate is continued under constant observation and currently in a safety smock, the team will determine whether continuance in a smock is appropriate. If an inmate is cleared for general housing, the completed referral form will be placed in the inmate's medical chart noting that the inmate has been removed from constant observation.

G. In accordance with **9NYCRR Part 7003** orders for additional supervision must be recorded. The duty sergeant will ensure that a **Constant Supervision Logbook** is initiated each time an inmate is placed on constant observation. The logbook will contain the following information:

1. The reason for such order.

2. The date and time the order is in effect.

3. The name(s) of the staff member issuing the order.

4. The actual dates and times the additional supervision was performed.

5. The name of the staff member conducting the supervision.

6. Notes pertaining to the observations of condition or behavior. Events and activities include both verbal and non-verbal behaviors. This is to include, but not be limited to: an inmate who is exhibiting tearfulness, refusal to communicate, insomnia, significant events or activities, and particularly if the inmate is under constant supervision for mental health problems.

7. The date and time the order/supervision was terminated and the name of the authority issuing the order.

H. Completed Suicide Prevention Forms will be forwarded to the following areas:

1. One (1) copy will be sent along with the Medical Screening Form to the Reception, Evaluation and Classification Unit (REC).

2. One (1) copy will be forwarded to the Medical/Mental Health Provider.

I. Staff assigned to the REC unit will pay strict attention to any special orders or restrictions relative to inmate personal or special housing needs issued during booking by the duty nurse/medical department prior to inmate placement in general housing. REC staff will determine appropriate housing assignments in accordance with current procedures set forth in **Inmate Classification (JBGO-27)** and **9NYCRR Part 7013**.

J. Inmates with psychiatric or serious mental health problems requiring health care beyond the capabilities of the Medical/Mental Health Provider will be referred or committed to an emergency medical/mental health facility at the direction of medical/mental health staff.

IV. Security Staff Supervision of Inmates with Mental Health Needs

A. Inmates at MCJ or MCF with mental health problems will be provided with appropriate supervision in accordance with **9NYCRR Part 7003** and **Security and Supervision (JBGO-47).**

B. Security staff will observe all inmates in general population. The housing area supervisor, duty sergeant/shift supervisor, REC Unit supervisor and duty nurse will be notified immediately of inmates whose condition, illness, behavior, or verbal statement(s) exhibit signs of the inmate beginning to decompensate. Any observations will be noted in the housing area log and will include, but not be limited to:

1. The conscious, semi-conscious or unconscious state of an inmate.

2. Any signs of depression, withdrawal, periods of crying, insomnia, sluggishness, or extreme restlessness.

3. Any active discussion of suicidal intent.

4. Mood changes or changes in eating and/or sleeping habits.

5. Loss of interest in activities or relationships previously engaged in or enjoyed.

6. Giving away personal possessions.

7. Signs of drug or alcohol withdrawal or intoxication.

8. Signs of serious mental illness, hallucinations, or delusions.

9. Refusal to take prescribed medication or a request for increased dosages of medication.

10. Behavior immediately preceding or following court appearances and sentencing and periods following a significant loss by an inmate (e.g., death of family member) if known to jail personnel.

11. An **Incident Report**, to be submitted/faxed by staff with an accompanying Urgent Medical Assessment Form from the Medical/Mental Health Provider as required, will include additional supervision as required for an inmate, based upon the medical/mental health staff's evaluation of the inmate's condition, illness, or injury. An explanation detailing the reasons for increased supervision including specific facts and reasoning for such determination will be documented. Copies of this report will be forwarded to the duty sergeant/shift supervisor as well as Jail Administration.

Note: A **'Constant Supervision'** activity note type will be entered into the Facility/Floor Notes, Floor Activity logs and the inmate's status will be updated on JMS as well as documented in the Constant Supervision Logbook whenever a constant supervision detail is initiated. This is to include per whose authority and any medical ordered restrictions. Upon termination of constant observation it will also be documented as per whose authority, date and time.

C. This information will be provided to REC staff, and the inmates' classification will be updated to reflect that the inmate is suicidal. Staff will open the inmates' classification screen in the computer and go to the **Evaluation Update** screen located in the Classification navigator and open the **Hazards and Instructions** screen and mark the person as **GSU-Suicidal**. This will be reflected as the number **6** and will appear on the detail screen for that inmate. It will also show up next to the inmates' name on the operation status board to alert staff to the risk of suicide.

D. Reception unit Staff will also place a note regarding the inmates' suicidal statement(s) and status in the **Chronological Notes** file located in the Classification Navigator. Staff, during future classifications, will have the ability to access this information. When the inmate is cleared by mental health, the Reception Unit will again be notified and will remove the suicide hazard from the classification and make a second chronological note that mental health has cleared the inmate and label the inmate as a past suicide risk as previously noted.

E. Referral Procedures

The duty sergeant/shift supervisor will ensure that inmates requiring additional/constant supervision or treatment due to mental illness or mental health concerns, are provided with the same. Immediate notification will be made to the Contract Medical Provider to report and verify the information through verbal and visual contact with the inmate. Inmates who have been evaluated by the duty nurse and are believed to be a threat to him/herself will be referred for emergency or non-emergency services as deemed appropriate by the Contract Medical Provider. Inmates, either arraigned or un-arraigned, who are housed at either MCJ or MCF who appear to be physically incapacitated, incoherent, ill or suffering from mental illness or apparent retardation will be examined and evaluated immediately by a duty nurse.

1. In situations where an inmate requires emergency mental health treatment, the following protocol will apply:

   a. Any time Jail, medical staff, or mental health staff makes a visual observation, or has information that an inmate may harbor thoughts of self-harm, harm to staff or other inmates or by answering affirmatively that they are presently considering self-harm, the inmate will be placed in an observation cell under constant supervision. The inmate will not be removed until they are either evaluated by mental health staff or committed to a mental health facility at the direction of mental health staff or the Contract Medical Provider.

   b. Render first aid, if necessary until relieved by qualified emergency medical personnel.

   c. Contact Mental Health Provider for an evaluation of inmate.

   d. Inmates that require immediate mental health treatment will be transported to the psychiatric emergency department of a local hospital in accordance with the agreement set forth between the Department of Mental Health and the Office of the Sheriff. The Contract Medical Provider will prepare a Hospital Referral Form along with the Urgent Medical Assessment Form detailing the nature of the emergency and any specific observations made by staff that prompted the referral. This form will be sent with security staff to the psychiatric emergency department. The Contract Medical Provider will also notify the psychiatric emergency department staff of the impending arrival.

   e. Jail security staff will have a copy of the inmate's pending charge(s) or length of remaining sentence and length of time in custody.

   f. Inmates requiring immediate emergency mental health treatment will remain under **constant** supervision. The duty sergeant/shift supervisor will assign

staff accordingly to provide security during transport and hospitalization as per **Prisoner Transport Treatment (JBGO-13).**

2. The following procedures should be followed for inmates requiring non-emergency mental health treatment, after notification to the duty sergeant/shift supervisor and the duty nurse:

   a. The inmate will be placed into an observation cell and supervised as determined by the duty sergeant/shift supervisor and duty nurse pursuant to **9NYCRR Part 7003.**

   b. The contract medical provider will document on a mental health referral form (see attached) what he/she is observing by the inmate who is having potential mental health issues or deteriorating.

      1. This form will be forwarded to the mental health staff.

      2. Mental health staff will complete the bottom of the form and include any action plan or findings they may have had that they feel the housing staff should know about and return it to the housing area staff. This should include information such as medications that are ordered, certain responses or actions, etc.

   c. Inmates will be evaluated as soon as possible by the duty nurse, to determine if further action is required.

V. Pre-Release Referral

The Medical/Mental Health Provider will assist in transition of care by encouraging inmates with identified mental health problems to seek and continue appropriate mental health treatment upon their release from custody and facilitate transportation, if necessary. A listing of local referral agencies shall be compiled and periodically updated.

VI. Restraints

Restraints will only be utilized for the purposes for which they are intended and in accordance with **Inmate Movement/Restraint Procedure (JBGO-42)** and **9NYCRR Part 7027.**

VII. Identification of Inmates with Mental Health Problems

A. Routine Examinations

During routine examinations, medical staff will observe inmates for indications of mental disorders, self-harm and/or suicide potential.

B. Crisis Examinations

1. Medical staff will promptly evaluate inmates who are referred by staff as being suicidal or experiencing mental health problems. These evaluations will be conducted as soon as possible and within a time period consistent with the urgency of the referral.

2. Medical staff completing crisis examinations will determine, but not be limited to, the following:

   a. Past mental health history of the inmate and psychotropic medications prescribed if applicable.

   b. Precipitating factors of any unusual behavior either reported or observed.

   c. Recommendations prescribed by the Contract Medical Provider for procedures to be followed by Security Staff to insure the inmate's safety and management.

3. Medical staff will make one or more of the following dispositions upon concluding the crisis examination:

   a. Determine that the inmate does not require mental health services and answer any questions regarding the criteria for referrals and discuss trends and/or problems with referrals with the shift supervisor. This will include why a referral was not recommended.

   b. Determine that the inmate requires emergency mental health services and provide for immediate care as directed and initiate inpatient commitment procedures in accordance with **Section 402 and/or 508.3 of the NYS Correction Law**.

   c. Determine that the inmate requires non-emergency mental health services and provide the necessary assistance to facilitate this referral.

   d. Determine that the inmate requires mental health services due to a mental retardation disability and refer the inmate to the appropriate program for assessment and facilitate assistance as necessary.

4. Medical staff will notify the duty sergeant regarding the disposition along with all required actions and/or precautions.

5. Medical staff will consult, as necessary, with mental health personnel regarding the identification, management and treatment of any inmate believed to be in need of crisis services.

6. Medical staff will maintain appropriate documentation in accordance with departmental directives with respect to all mental health interventions made with an inmate.

VIII. Treatment of Inmates with Mental Health Problems

A. The Medical/Mental Health Provider will have the primary treatment responsibility for inmates who are addicted to and intoxicated by drugs and/or alcohol or who have symptoms of alcohol or narcotic withdrawal.

B. Medical staff will advise the duty sergeant to provide additional supervision for any inmate whose condition, illness or injury is such that increased supervision is warranted. The need for such increased supervision will be documented in the area log, along with necessary explanatory and instructive information.

C. Medical staff will, at **a minimum of three (3) times every twenty-four (24) hours**, check the condition of any inmate, except if the inmate is housed in the medical cell block or reception annex, under active or constant supervision due to a mental health or alcohol/drug abuse problem. The staff completing these checks and the condition of the inmate will be noted in the area log.

D. Medication

1. Medical staff will ensure that all prescribed psychotropic medication is administered in accordance with the prescribing physician's stated directions.

2. Medical staff will closely monitor the condition of any inmate who receives psychotropic medication and will advise the prescribing physician when an inmate:

   a. Refuses to take prescribed medication after 72 hours of consecutive refusals.

   b. Appears to be deteriorating or suffering from adverse side effects.

3. Medical staff will advise the duty sergeant/shift supervisor of potential medication side effects.

4. Inmates with mental health medications will be flagged in JMS so that he/she may receive such medication before being released. Inmates with stored medications will be handled in accordance with **Inmate Property Storage Area (JBGO-18)** and **9NYCRR Part 7010**.

IX. Documentation

A. Mental Health Records

1. A complete health record file will be maintained for each inmate to document accurately, in a manner consistent with established medical procedures, health care services received by an inmate while in custody. Only qualified medical or mental health personnel shall collect and record health history, vital signs and other health appraisal data onto the approved record forms that comprise the file.

2. All mental health records shall be maintained separately from facility inmate records, but will be maintained as part of the medical chart and will be available only as prescribed by law. All access to inmate patient's mental health records will be limited to medical/mental health staff requiring information for providing clinical services to the inmate.

3. The Sheriff or his designee will have access to an inmate's medical/mental health records when he/she believes information contained therein may be relevant to the overall safety, security or good order of the facility.

B. Institutional Record Keeping

1. Medical staff will ensure that entries relative to mental health concerns are placed in facility logs. All significant actions taken on behalf of inmates believed to be in a state of crisis will be recorded in a manner that protects patient confidentiality but which also makes other staff members aware of the actions and other critical information.

also makes other staff members aware of the actions and other critical information. Mental health entries in area logs will include, but not be limited to the following:

a. Medical staff distribution of psychotropic medications.

b. Medical staff checks on the condition of the inmate, noting the time of check, name of person making the observation, and the condition of the inmate.

c. Special instructions or information for security staff.

d. Completed receiving screening forms.

e. Prescribed medications and their administration.

f. Referrals initiated to mental health or an outside agency.

2. Security Staff Entries in Institutional Logs

At a minimum, security staff written documentation regarding high-risk inmates will contain, but not be limited to:

a. Officer observations of inmate verbal statements or behavioral signs that seem indicative of suicidal intent or serious mental health problems which will include observations made during admission and all supervisory checks.

b. Facility actions taken to assist inmates who are believed to be suicidal or mentally ill. These actions will include:

1. Notifications by admissions and security staff to shift supervisors regarding inmates with mental health problems.

2. Service referrals by shift supervisors for high-risk inmates.

3. Special instructions by shift supervisors regarding active, constant, or more frequent supervision or precautions for managing high-risk inmates.

4. Medication refusals or requests for increased dosages of medications prescribed for a mental health problem.

5. Inmate suicides or suicide attempts.

6. Inmate admissions, while in custody, to a psychiatric inpatient program for drug or alcohol abuse or admissions to a medical inpatient unit.

3. The jail physician, physician's assistant, or nurse practitioner will have access to an inmate's confinement record when the provider believes that information contained therein may be relevant to the inmate's health or medical condition.

X. Interagency Notification

A. The Medical Provider will prepare all required mental health related information that accompanies an inmate with mental health problems who is being transferred. This includes, but is not limited to, summaries or copies of mental health records, a **Health Transfer Sheet (NYS Form #3611-A)** and **Custodial Transfer Information Sheet (NYS Form #601-A)** provided by the Mental Health Provider.

B. If necessary, the Medical/Mental Health Provider will prepare a written summary of possible medication and/or treatment needs that may be required by the inmate in transit. This summary will address the following:

1. Medication needs of the inmate during transit.

2. Special medical needs or problems.

3. Psychiatric problems, especially suicidal tendencies.

4. Handicapping conditions that may require special procedures during transport.

C. Unless otherwise provided by law or administrative regulation having the force of law, written authorization by the inmate will be necessary for the transfer of health records and information. This includes, but is not limited to, health record information transmitted to specific and designated physicians or medical facilities in the community.

XI. Planning and Coordination

A. As directed by the Jail Superintendent, the Medical/Mental Health Provider will provide and maintain all statistical data and other relevant information necessary to evaluate the effectiveness of the procedures contained herein pertaining to the Local Forensic Suicide Prevention Crisis Service Model.

B. At the direction of the Jail Superintendent, designated Jail Security and the Medical/Mental Health Provider will review these procedures and recommend changes to improve the delivery of crisis care in the jail.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE May 31, 2011	EFFECTIVE DATE June 1, 2011	NO. 32-11
SUBJECT: GENERAL ORDER TB PROTOCOL		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NATIONAL COMMISSION ON CORRECTIONAL HEALTH CARE J-B-01 OSHA 29 CFR. 1910.139 NYSSA 145, 154			RESCINDS 32-J-03

Purpose: To establish policy within the Monroe County Sheriff's Office (MCSO) relative to the testing of all inmates remanded to the Monroe County Jail for Tuberculosis (TB).

Policy: The MCSO recognizes that members, employees and prisoners may be exposed to communicable diseases which can be transmitted by air, direct contact with an infected individual and/or through contact with body fluids of another. This policy has been established to minimize the risk of exposure to infected individuals.

I. Definitions

Communicable Disease

Any diseases that are capable of being transmitted from one person to another for the purpose of this protocol, the term includes, but is not limited to; the diseases known as Human Immunodeficiency Virus (HIV), Hepatitis B (HBV), Hepatitis C (HCV) and Tuberculosis.

II. General Guidelines for Un-arraigned (U/A) Prisoners

A. If a U/A prisoner enters the jail with active TB or suspected TB, N95 respirators will be used by all staff members who have contact with such inmate. The contract medical provider will be notified and will, in turn, contact the Monroe County Health Department to confirm or deny that the individual is in the system.

B. The inmate will be processed under the following guidelines:

1. The Rochester Police Department (RPD) will be notified to effect transport of the inmate, making sure to observe appropriate RPD directives with respect to such details.

* 2. A surgical mask will be given to the UA prisoner.

3. The UA prisoner may be returned to the Monroe County Jail only after a confirmed normal chest x-ray.

4. Upon arrival to MCJ, the booking process may continue and the prisoner may be housed in a general population holding cell.

5. The Contract Medical Provider will be notified to complete follow up.

C. All UA as well as arraigned (county) inmates in Central Booking will be required to respond to several medical inquiries on his/her medical screening.

III. General Guidelines for County Inmates

A. County inmates will be held in Central Booking until TB tests are planted. County inmates will be held in Reception Annex until TB tests are read. Tests will be read 48 to 72 hours after testing of a county prisoner is initiated.

Note: Any inmate refusing a TB skin test will be moved immediately to a segregation cell and the shift supervisor will be notified of same. The inmate will be treated as if positive for TB until consenting to a TB test, or unless otherwise cleared by the Contract Medical Provider.

B. Inmates who test positive will be noted on the REC Unit TB list and be held pending a normal chest x-ray.

1. Inmates exhibiting any signs or symptoms of TB before a TB test is performed and read will be x-rayed and isolated awaiting x-ray results.

2. X-rays will be completed twice weekly, unless otherwise specified by the Contract Medical Provider on duty physician or the Monroe County Health Department.

C. Inmates with abnormal chest x-rays, not ruling out TB, read by the contract Radiologist will be moved from Central Booking or the Reception Unit to the Special Housing Unit with a mask.

1. The Strong Pulmonary Team will be notified that the x-ray is being sent for review to Strong Memorial Hospital. Negative x-rays will warrant release back to either Central Booking or Reception. A positive x-ray will require the inmate to be escorted with a mask to the Chest Clinic, Strong Pulmonary Unit or Strong Emergency Department if so indicated by the Monroe County Health Department.

2. The Contract Medical Provider will notify the shift supervisor that the inmate is to be sent out for a medical transport.

3. The shift supervisor will obtain the names of all persons who were in direct contact with the inmate from time of entry into the Monroe County Jail. Anyone in contact with this individual will be re-tested for TB three months from the initial contact date, and re-tested again three months later.

4. Any individual exhibiting signs and symptoms compatible with active TB will be evaluated promptly. The individual will not return to the facility (whether it is an inmate or staff) until a diagnosis of TB has been excluded or until the individual is on therapy and a determination has been made that the individual is noninfectious.

D. Any inmate in general population exhibiting weight loss with night sweats, productive cough and general malaise will be reported to the Contract Medical Provider immediately.

E. Any inmate requiring physician ordered AFB sputum's will be escorted in handcuffs by one deputy and one nurse to the outside sally port once each day for three consecutive days where sputum induction will take place. The inmate will be housed in the Special Housing Unit and will be required to wear a mask until the results of the three AFB smears return negative.

E. Inmates who test negative are cleared to move from reception to housing areas of either MCJ or MCF.

IV. General Guidelines for Intermittent Sentenced Inmates (Weekenders)

A. All intermittent sentenced inmates will be administered a TB test by the contract medical provider prior to his/her admittance into the facility. Tests will be read 48 to 72 hours after testing is initiated.

Note: Any inmate refusing a TB skin test will be moved immediately to a segregation cell and the shift supervisor will be notified of same. The inmate will be treated as if positive for TB until consenting to a TB test, or unless otherwise cleared by the Contract Medical Provider or provides documentation from the Health Department or outside physician.

B. The contract medical provider will direct any inmates who test positive to the Chest Clinic at the Monroe County Health Department. Failure to comply with this directive will result in refusal to re-accept this person into the facility.

Note: In the event he/she wishes to seek outside medical consultation (Private Physician, VA Hospital, etc.) a one week 'grace period' will be granted and admission will be allowed for one weekend, under strict medical isolation.

C. Failure by the inmate to produce negative x-ray results, or a treatment plan (positive chest x-ray) on the second week, will result in staff denying entrance into the facility. Staff will notify the appropriate sentencing court, whereby the re-calculation of sentencing dates may become necessary.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE July 14, 2011	EFFECTIVE DATE July 15, 2011	NO. 33-11
SUBJECT: GENERAL ORDER Medical & Withdrawal Protocols		DISTRIBUTION Jail Bureau Personnel	AMENDS
Reference: 9NYCRR PART 7010, NCCHC STANDARDS, NYS CORRECTION LAW - ARTICLE 3, ARTICLE 5 SECTION 140, NYSSA 113, 136, 140, 146, 152, 153			RESCINDS 33-J-04

Purpose: To define policy and establish protocol governing the identification evaluation and treatment of inmates manifesting alcohol/drug withdrawal symptoms and inmates with medical problems within the Monroe County Jail (MCJ) or the Monroe Correctional Facility (MCF).

Policy: The Monroe County Sheriff's Office (MCSO) shall implement, maintain and observe a systematic procedure that will enhance identification of inmates manifesting withdrawal symptoms and inmates with minor, acute and chronic medical problems.

Definitions: For the purpose of this order, the following definitions shall apply:

Withdrawal Symptoms Emergency: Identification of those individuals at too great a medical risk to be committed to the Jail, or whose condition progresses to a point of delirium tremens.

Withdrawal Symptoms Non-Emergency: Identification of those individuals who are experiencing or may experience the effects of withdrawal and treatment of inmates with mild symptoms of withdrawal.

I. Security Staff Supervision of Inmates with Medical or Withdrawal Needs

All inmates will receive initial and periodic health assessments while in the custody of the Sheriff's Office in accordance with the guidelines delineated in 9NYCRR and NCCHC Standards.

A. Inmates at MCJ or MCF with medical/withdrawal problems will be provided with appropriate supervision in accordance with **9NYCRR Part 7003** and **Security and Supervision (JBGO-47).**

B. Upon initial intake, If an inmate refuses to answer any questions on the Suicide Prevention Screening Form, Medical Screening Form, or is too intoxicated to answer, the inmate will be placed on constant supervision as a precautionary measure. Once the individual complies or is able to answer the questions, he/she may be removed from constant supervision upon approval of the Duty Sergeant or Command Officer, should the results not be indicative of suicide risk as delineated **in Mental Health Protocols (JBGO-31).**

C. Security staff will observe all inmates in general population. The housing area supervisor, duty sergeant/shift supervisor, REC Unit supervisor and duty nurse will be notified immediately of inmates whose condition, illness, behavior, or verbal statement(s) reflect;

1. The conscious, semi-conscious or unconscious state of an inmate.

2. Any signs of depression, withdrawal, periods of crying, insomnia, sluggishness, or extreme restlessness.

3. Mood changes or changes in eating and/or sleeping habits.

4. Signs of drug or alcohol withdrawal or intoxication.

5. Signs of hallucinations, or delusions.

6. Refusal to take prescribed medication for more than 72 hours or a request for increased dosages of medication.

7. An Incident Report, submitted by staff will include additional supervision as required for an inmate. Medical assessments requested by security staff following any incident will ensure that an Urgent Medical Assessment form is submitted by the medical contract provider based upon evaluation of the inmate's condition, illness, or injury. Copies of these reports will be forwarded to the duty sergeant/shift supervisor for inclusion before being sent to Jail Administration.

II. Health Services for Minor Inmates

A. Un-arraigned

1. Upon intake, any un-arraigned minor under eighteen years of age will be required to submit the name and contact number of a parent or legal guardian. This information is to be placed on the medical screening form by booking staff.

2. Prior to administering any non-life threatening medical, dental and mental health services, the consent of the minor's parent or legal guardian must be obtained by the medical provider and documented in the inmate's medical file.

3. Medical, dental, mental health and/or hospital services may be rendered to persons of any age without consent of a parent or legal guardian when an attempt to secure consent would result in the delay of treatment that would increase the risk of the person's life or health.

* B. County Inmates

For any county inmate under eighteen years of age who has been committed or transferred to the custody of the department, the commitment order will grant the minor the capacity to consent to routine medical, dental and mental health services and treatment.

III. Treatment and Management of Inmates with Alcohol / Drug Withdrawal

MCSO will follow a standard alcohol/drug detoxification protocol that provides for the detection, evaluation and treatment of controlled and safe withdrawal of inmates from alcohol and/or drugs. The Contract Medical Provider will begin a detoxification flow sheet that details the condition of the inmate and note the inmate's vitals, speech patterns, visual observations, anxiety levels, emesis and any other pertinent medical information.

A. Protocol for Un-arraigned (UA) Prisoners

1. UA prisoners who appear to be demonstrating serious complications from alcohol withdrawal (delirium tremens, withdrawal seizures) will be referred immediately to the duty nurse. **UA's requiring medical treatment beyond the capabilities of the Contract Medical Provider will be transported for emergency medical treatment by the arresting agency and will not be committed to the Jail**.

2. UA prisoners who are intoxicated and report a history of alcohol/drug abuse will be observed for potential medical complications and be referred to the duty nurse for acceptance into the facility.

3. In instances of alcohol withdrawal, booking staff will complete the **Alcohol Withdrawal Screening Checklist (JB-47).** at the time of admission/booking, or if the inmate answers affirmatively during the booking process that he/she has a history of delirium tremens (DTs) or other effects associated with alcohol withdrawal.

B. Protocol for County Inmates – Jail Bureau Staff Responsibilities

1. Booking staff will complete **JB-47** for committed county inmates upon admission, under the same conditions as set forth above.

   Note: The duty nurse will be notified of any inmate answering affirmatively to characteristics listed in either **Section I. or II.** of form **JB-47**. Upon evaluation, the duty nurse will make a determination if the inmate should be placed on detoxification. Placement on detoxification will be for **at least 72 hours** or until cleared by the Jail Physician or Physician's Assistant.

2. Booking staff will notify the duty nurse of any new admission with previous history of serious complications from alcohol withdrawal (delirium tremens, withdrawal seizures, etc.) or who is presently delirious or otherwise medically ill.

3. Booking staff will forward the completed **JB-47** to the medical department along with the inmate's **Suicide Prevention Screening Guidelines** for appropriate classification and supervision.

C. Protocol for County Inmates – Contract Medical Provider Responsibilities

1. The duty nurse will assess all inmates who, prior to admission, exhibit signs of significant intoxication, early withdrawal, or give history of recent heavy consumption of alcohol to address appropriate treatment prior to accepting into custody.

2. Information from this assessment will be recorded in the inmate's medical record and will include, but not be limited to, the following:

   a. Medical history.

   b. The duration of recent abuse and last usage of alcohol and/or other cross-tolerant sedative-hypnotics.

   c. Prior history of complications associated with alcohol/drug withdrawal syndrome (DTs, seizures, GI bleeding, etc.).

   d. Current symptoms and/or signs of alcohol/drug withdrawal (orientation, nausea, signs of tremor and/or agitation, vomiting, diarrhea, etc.).

D. Medical Observation and Treatment

Upon completion of the initial assessment, medical staff, in consultation with the Medical Contract Provider Supervisor and the Jail Physician or Physician's Assistant, will develop a plan of observation/treatment for those inmates deemed suitable for continued confinement in the jail. This plan will include the following:

1. The medical staff will conduct clinical assessments of inmates going through alcohol/drug withdrawal at **a minimum once per (8) hour shift, or (3) times every twenty-four (24) hours**, for at least 72 hours according to the medical department guidelines or as directed by the Jail Physician or Physician's Assistant. Documentation of vital signs, as well as visual observations regarding withdrawal symptoms and the inmate's overall condition will be noted.

2. Specific criteria indicating a deteriorating condition that are observed by the Contract Medical Provider will require the on-call physician to be notified if an inmate presents any of the following symptoms:

   a. Excessive sweating and/or increased vomiting.

   b. Hallucinations or any other alterations in mental status such as disorientation to person, place, or time and restlessness, pacing, or agitated movements.

   Note: The Jail Physician or Physician's Assistant will evaluate any inmates (upon return to the facility) who are sent to the hospital, at the next scheduled sick call.

3. If staff suspects multiple drug use, the inmate will remain in the Reception Unit. The inmate will be monitored in REC by medical staff until cleared by the Jail Physician or Physician's Assistant.

4. Medical staff will notify the Booking Corporal when an inmate is placed on detoxification precautions. A medical segregation form is completed by the R.N. and the Reception Unit is notified to place the inmate's name on the detoxification sheet.

E. Medication will be prescribed as deemed necessary by the Jail Physician, Physician's Assistant or Nurse Practitioner in the following manner:

1. Blood pressure instability associated with withdrawal; the Contract Medical Provider will administer treatment according to proscribed protocols.

2. Pain, nausea and/or vomiting, associated with withdrawal; medication will be prescribed as determined by the medical provider.

3. If any inmate is unable to hydrate themselves after **twelve (12) hours** of observation the duty nurse must notify the Jail Physician, Physician's Assistant, or Nurse Practitioner on call.

F. The Contract Medical Provider will verify any current treatment and continue providing appropriate methadone treatment for females who are pregnant. Inmates in general population, remanded to the Jail and who are currently enrolled in a licensed methadone program will be evaluated and treated in accordance with protocols established by the Contract Medical Provider and the New York State Office of Alcoholism and Substance Abuse Services.

G. Protocol for Intermittent (Weekender) Inmates

1. Staff will complete the **JB-47** form for any intermittent inmate who is intoxicated at admission or who answers affirmatively during the booking process that he/she has a history of delirium tremens (DTs) or other effects associated with alcohol withdrawal.

2. An alco-sensor test will be performed on all intermittent inmates who are, or appear to be, intoxicated at the time of admission with the results being documented and the violation noted.

3. Intermittent inmates who are intoxicated at booking and/or report a history of medical complications associated with withdrawal will be transferred to MCJ and placed on detoxification precaution. **Checks by medical staff will be conducted once per (8) hour shift or (3) times in a (24) hour period.**

4. Intermittent inmates who appear to be demonstrating serious complications from alcohol withdrawal (DT's, withdrawal seizures, etc.) will be referred immediately to the duty nurse and may be placed on increased supervision as delineated in **Security and Supervision (JBGO-47).** Inmates requiring medical treatment beyond the capabilities of the facility medical department will be transported to a hospital for emergency medical treatment and will not be treated in the facility.

IV. Treatment and Management of Inmates with Medical Problems (Other than Withdrawal)

To identify potential emergency and non-emergency situations among new arrivals to the facility, and also to ensure that those inmate patients with known illnesses and currently on medications are identified for further assessment and continued treatment.

A. Non-Emergency Medical Requests

1. Non-emergency requests for health care will be submitted to the Contract Medical Provider on a sick call slip and will be documented in the inmate's medical file.

2. All non-emergency requests will be reviewed by the Contract Medical Provider within 24-hours and a disposition noted (e.g. scheduled for sick call, outside referral, dental appointment).

B. Individual Treatment Plans

1. Inmates who are diagnosed with an illness or condition that affects the individual's wellbeing for an extended interval, or who have a chronic disease will be provided with a course of therapy or treatment by the Contract Medical Provider to ensure that he/she receives ongoing multidisciplinary care.

2. To ensure continuity of care the Contract Medical Provider will ensure that inmates with individual treatment plans receive diagnostic and other health services and modify treatment plans as appropriate.

C. Emergency Services

1. Emergency medical and dental health care will be provided for any acute illness or unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

2. Inmates requiring emergency treatment will be transported by ambulance or Sheriff's Office vehicle at the determination of either the duty nurse or on-duty command officer.

D. Staff transporting inmates to or from a clinic, doctor visit, hospital, etc will comply with current directives regarding prisoner transport and treatment in accordance with **MBGO-06**, **MBGO-22**, and **JBGO-13.**

V. Interagency Notification

A. The Contract Medical Provider will prepare all required medical related information to accompany an inmate with medical problems who is being transferred.

B. If necessary, the Contract Medical Provider will prepare a written summary of possible medication and/or treatment needs that may be required by the inmate in transit. This summary will address the following:

1. Medication needs of the inmate during transit.

2. Special medical needs or problems.

3. Handicapping conditions that may require special procedures during transport.

C. Unless otherwise provided by law or administrative regulation having the force of law, written authorization by the inmate will be necessary for the transfer of health records and information. This includes, but is not limited to, health record information transmitted to specific and designated physicians or medical facilities in the community.

VI. Planning and Coordination

A. At the direction of the Jail Superintendent, designated Jail Security and the Contract Medical Provider will review these procedures and recommend changes to improve the delivery of medical care in the jail.

B. The Contract Medical Provider will encourage inmates with identified alcohol/drug medical problems to seek or continue appropriate services upon their release from custody. The Contract Medical Provider will ensure that a written listing of local referral agencies is compiled and periodically updated.

By Order of the Sheriff

_____
Patrick M. O'Flynn

* Indicates change from previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE November 21, 2017	EFFECTIVE DATE November 22, 2017	NO. 034-17
SUBJECT: GENERAL ORDER CITY UN-ARRAIGNED AND COUNTY PRISONER BOOKING AND RELEASE PROCEDURES		DISTRIBUTION JAIL BUREAU PERSONNEL	AMENDS JBB #03-11 JBB #18-12 JBB #06-14 JBB #05-14
REFERENCE: Part 7002 of Title 9 of the Official Compliance Codes, Rules, & Regulations of the State of New York (9NYCRR Part 7013) and Section 3202 (7) of the New York State Education Law. NYSSA 38, 65, 97, 136, 157			RESCINDS JBGO 34-15

Purpose: To establish and maintain policies and procedures relative to processing and releasing city un-arraigned (UA) prisoners as well as county (arraigned) prisoners by the Monroe County Sheriff's Office (MCSO).

Policy: It will be the policy of the Monroe County Sheriff's Office to establish and observe procedures that enable staff to properly conduct booking as well as release procedures for City UA Prisoners and County Prisoners in the Monroe County Jail. Booking and Release policies and Procedures will be conducted in accordance with **Part 7002 of Title 9 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (9NYCRR Part 7002)** in such way that will insure accuracy, reasonable processing times, and safety and security of inmates, staff, and the facility.

Definition: **Cosmetic Lenses:** Costume contact lenses – also known as cosmetic or decorative contact lenses, are any type of contact lenses that are meant to change the appearance of your eyes. They include colored contacts, fashion lenses and lenses that can make your eyes look like vampires, animals or other characters.

I. Entrance Procedure

A. Members of a police agency or any other duly authorized person with prisoners in custody will request Booking Control to open the Vehicle Sally Port Entrance Door, utilizing either the vehicle induction loop or the intercom which will send an intercom call to Booking Control. Transporting officers will identify their agency and state the number of prisoners in custody. Upon visual verification, Booking Control will open the Vehicle Sally Port Entrance Door and then secure it upon vehicle entry.

B. Booking Control will ensure that the transporting officer(s) have all prisoners handcuffed behind their back, unless prevented by a disability or medical condition, prior to entering the pre-book area. The transporting officer will activate the intercom at the Pre-Book Outer Door (S-103). Booking Control will open the Pre-Book Outer Door, allowing for entrance.

C. The transporting officer(s) will escort the prisoner(s) to the pre-book area bench, and then will deliver the appropriate paperwork to Booking Control staff.

D. Booking Control will review the paperwork, which may include, but is not be limited to:

1. Prisoner Data Reports (PDRs).

2. Booking Control Staff will ensure that the transporting officer has accurately completed boxes 1-60 on the PDR. Any blank spaces will be completed by the arresting officer at this time.

3. Appropriate medical paperwork, if applicable.

   Note: Should either a UA or County Prisoner receive medical treatment prior to entering Central Booking, receiving staff will ensure that all appropriate hospital referral paperwork is attached to the medical receiving screening form.

4. Appropriate Commitments, Court Orders, Warrants and Remands, if applicable

   Note: Any questions or inconsistencies will be directed to the arresting officer(s) while still in the Pre-Booking Area by a Booking and/or Jail Records staff member for clarification. If necessary, the Jail Records Supervisor is to be notified.

   Booking Control staff will notify Jail Records staff, if applicable, to retrieve paperwork for those prisoners who are committed to the custody of the Sheriff's Office.

   * For both UA and County Prisoners, paperwork will be filed according to the guidelines set forth in **Section III and IV** of this order.

* E. While in the Pre-Booking Area, any prisoner who appears to be in need of immediate medical or significant psychiatric treatment will be referred immediately to the duty nurse. County Prisoners requiring emergency medical treatment beyond the capabilities of the Facility Contract Medical Provider will be transported to an emergency medical treatment center. MCSO staff will escort and maintain constant supervision of the prisoner until returned to the Jail. The Rochester Police Department, pursuant to the agreement between the Rochester Police Department and the Office of the Sheriff will transport UA prisoner's requiring medical treatment beyond the capabilities of the Contract Medical Provider, to an emergency medical treatment center and maintain supervision of said prisoner until booked into the jail.

* F. Prisoners who appear to be under the influence of alcohol or drugs and cannot be screened due to intoxication, but do not require immediate emergency medical treatment, will require booking staff to notify a duty nurse immediately who will then respond and evaluate the individual in accordance with existing procedures. Booking staff will complete the alcohol screening form in accordance with current directives (following MoRIS imaging, search and property receipt procedures). In addition, the prisoner will be placed in an observation cell under constant supervision. Changes in a prisoner's condition will be reported to a duty nurse and a duty Sergeant/shift supervisor immediately.

II. MoRIS Photo Capture & Initial Processing and Biometric Recognition

A. Booking staff will ensure that they are logged into the MoRIS system using their personal user identification and password when initiating a booking entry or when adding any of the booking images (including fingerprints) or booking forms. **Under no circumstances will any member utilize or enter prisoner data under another member's user identification.**

B. Booking Control will direct the transporting officer to place the prisoner in the MoRIS imaging area. If the prisoner has been booked by the arresting agency and an arrest booking entry exists, booking staff will verify the arrest information entered with existing hard copy documents provided by the transporting officer(s). If the prisoner has not been entered into the MoRIS system, booking staff will compare previous existing information, take a new photo of the prisoner, and complete the MoRIS booking process.

*Note: IRIS scanning will occur upon completion of the MoRIS booking process and submission.

*C. Booking staff will create a new Inmate Recognition Identification System (IRIS) entry by telling the inmate to step up to the IRIS camera. Booking staff will open the IRIS capture screen and activate the IRIS camera. Staff will instruct the inmate to look directly at the mirror from about 12 inches away. The camera will automatically move to search for the eyes. Staff will watch the capture page and tell the inmate to lean forward or backward slightly based on whether the screen says they are **too far away or too close**. A green light will flash on the camera when it can get a good image of the irises. **When staff hears the click, the camera has captured the image**. Once the image is taken, the system searches the database for a match. If no match is found, the system will notify staff of negative results. The inmate can now be added to the National IRIS database. Please refer to the **IRIS Quick Guide** located on the MCSO intranet for enrollment instructions.

*Note: **Inmate will not wear cosmetic contact lenses as this causes an inaccurate scan.** Standard contact lenses may be worn.

To accomplish this, the booking officer will complete the following steps:

1. Booking Control will determine if the entry is an Arrest or Non-Arrest Booking. Booking Control will search MoRIS by the prisoner's name or number to verify if the prisoner is currently in the system. If the prisoner has not been entered into the MoRIS system, booking staff will compare the previous existing information to the new information to see if they are the same prisoner. If the information is the same, booking staff will template the information onto the new booking entry. If the prisoner is not in the system, booking staff will start a new booking, input the data, scan the PDR and "save incomplete" so that booking staff can complete the forms.

2. Ensuring the prisoner is standing on the designated spot, facing the MoRIS capture station, with both eyes open, the booking officer will proportion and capture the prisoner's photo utilizing the yellow outlined box. Individuals wearing headgear will have it removed before being photographed. **Individuals wearing glasses will be photographed twice, once wearing their glasses and once without their glasses**. The primary photo will be **without** glasses.

3. If the photo image is unacceptable, the image will be re-taken and the process will be repeated. When an acceptable photo is obtained, staff will apply the photo and prisoner data to the system database. If a prisoner is uncooperative or unable to have their MoRIS photo captured, the prisoner's photo will be taken when appropriate.

D. Upon completion of the MoRIS/IRIS photo identification process, including a MoRIS warrants check, the prisoner will be escorted into the security vestibule.

E. The Prisoner will be searched according to current procedure. Reference **JBGO-028 Searches of Persons**.

F. In the Security Body Scan Vestibule, restraining devices will be removed, and the prisoner will be searched according to current procedures **JBGO 028 Searches of Persons**. The prisoner will wear one (1) layer of clothing; remove their shoes, earrings, body jewelry, belts, etc.

G. The restraining devices are then passed through the flap in the S-106 door to the transporting officer. The officer will be allowed to exit the facility. If in the opinion of the booking officer, the removal of restraints constitutes a security/safety risk, the restraints may remain on the prisoner and that information will be reported to the booking supervisor.

H. Staff will line scan coats, shoes, and all large objects.

I. Any contraband found, refer to **JBGO-028 Searches of Persons, MBGO-016 Property Custody and Security** for documentation procedures.

III. Completion of MoRIS Processing and Searches

A. After entering through the S-106A door into the Central Booking Processing Area the prisoner is to be escorted to an available MoRIS processing station.

B. Money will be confiscated from both UA and County Prisoners and secured in the following manner:

1. UA prisoner funds will be counted, placed and sealed in an appropriately sized envelope, and deposited. A deposit slip will be completed and verified with both booking staff and the prisoner's signature. Amounts in excess of one hundred dollars will require verification by a second booking staff member. In addition to the required information on the deposit slip, booking staff will place the prisoner's MoRIS number and DOB on the bottom portion of the deposit slip.

   Note: In the event an Un-Arraigned Prisoner becomes a county prisoner, the money will be deposited in the inmates account by Commissary staff or Inmate Property Staff.

2. County prisoner funds will be counted, placed and sealed in an appropriately sized envelope and labeled with the prisoner's full name, date, DOB, MoRIS number, money amount, and the MCSO deposit slip number. A deposit slip will be completed and verified with both booking staff' and the prisoners signature. In addition to the required information on the MCSO deposit slip, booking staff will place the prisoners MoRIS number and DOB on the bottom portion of the MCSO deposit slip. Completed money envelopes will be attached to the white and yellow copies of the MCSO deposit slip and will be deposited in the commissary safe located in booking. All deposits will be logged in the commissary logbook in accordance with current procedure. The pink copy of the deposit slip will be issued to the prisoner as a receipt.

   Note: Amounts in excess of one hundred dollars will require verification by a second booking staff member.

C. Staff confiscating medications or medical equipment will notify a duty nurse and follow guidelines set forth in **JBGO-018 Inmate Property Storage Area.**

D. A **Suicide Prevention Screening Guideline Form (ADM 330)** and **Medical Receiving Screening Form** will be completed in their entirety for each prisoner in the MoRIS system. When possible booking staff will complete the Suicide Prevention Screening Guideline Form and Medical Receiving Screening Form during private one-on-one interviews. After the Booking Supervisor reviews and signs the Suicide Prevention Screening Form, the Medical Provider will review all Suicide Prevention Screening Guideline Form and Medical Receiving Screening Form.

* E. Medical emergencies discovered during the booking process will be reported immediately to the booking supervisor as well as the duty nurse, and noted in the central booking JMS activity log. Staff will identify the date, time, prisoner's name, nature of illness or injury, staff notified, and name/IBM number of the booking officer. When there is a County Prisoner who requires more intensive observation, the Constant Supervision Logbook will be utilized in accordance with **JBGO-031 Mental Health Protocols**. The procedure will be followed for suicide screening of U/A Prisoners: Prisoners making threats or attempts of self- harm will be assessed by the Booking Supervisor and Medical Provider.

F. If it is determined that the Un-Arraigned Prisoner needs evaluation/treatment from an outside hospital, staff will contact ECC (911) and request an "**Ambulance with RPD Escort**" to take custody of the prisoner and transport them to the appropriate facility. In an emergency situation where the ambulance has arrived and RPD has not arrived for the escort, jail staff will be assigned to the escort in order to prevent any delay in getting the U/A Prisoner to the hospital. ECC will notify and redirect RPD to meet jail staff at the hospital to take over the detail.
If it is determined by the Booking Supervisor and the Medical Provider that the prisoner requires constant supervision, refer to **JBGO-031 Mental Health Protocols.**

Note: When a prisoner is segregated in a cell for medical, psychiatric reasons, known non-contacts with other prisoners, disruptive behavior, or any other reason(s) dictated by the duty Sergeant or Booking Supervisor, a thorough descriptive notation explaining the reason(s) for such segregation will be put in the Central Booking log. In addition, the Booking Supervisor will notify a Duty Nurse immediately of any prisoner with medical or psychiatric conditions.

* **Note:** If the inmate is placed on a medical observation, detox, constant supervision or medical segregation, the Duty Nurse will complete the appropriate notification forms and provide the Booking Supervisor with these forms to make the proper notifications. **Reference JBGO-033 Medical and Withdrawal Procedure and JBGO-031 Mental Health Procedures.**

G. Booking officers will complete the MoRIS booking by entering the prisoner's religion, level of education, marital status, military background, and number of children in the appropriate spaces.

H. Upon completion of a UA Prisoner booking, booking staff will separate and forward the completed booking forms as follows:

1. Attach the RPD Records, RPD Court 1, and RPD Court 2 copies of the PDR, and file in the "ID work" tray on the city desk.

2. Warrants will be processed in accordance with **Section VII** of this order. All copies of RPD warrants will be stapled to the RPD Sheriff 1 and RPD Sheriff 2 PDRs, including family court warrants.

3. Attach a copy of the prisoner's Suicide Prevention Screening Form and a copy of their Prisoner Data Sheet to the RPD Sheriff 1 and RPD Sheriff 2 copies of the PDR and file alphabetically in the UA filing cabinet.

I. Upon completion, Booking Staff will escort the prisoner to the live scan fingerprint board and complete all fingerprints in accordance with current procedures.

Note: As indicated on the arresting Prisoner Data Report, Box #32 and #33 require a full set of "rolled" prints on the live scan fingerprint board.

J. Booking staff, upon completion of booking processing, will allow the prisoner a chance to complete a phone call. The booking staff will document this in the MoRIS system indicating: the prisoner's name, date, time, number called, and whether or not the call was completed. Should a prisoner attempt a phone call and is unable to complete a phone call, opportunities will be made at a later time, allowing the prisoner ample time to complete a phone call.

IV. Completion of Processing

A. UA Prisoners

1. The prisoner will be placed in the appropriate prisoner holding area in Central Booking. This may include a holding cell or open sitting area, dependent upon the individual's behavior

2. When appropriate, Prisoners will be transported to UA Housing. Inmates will be transported in a group of ten or less.

3. Appropriate paperwork will accompany each prisoner to his/her assigned housing area and include, but is not be limited to:

a. A copy of the MoRIS Booking Data Sheet

* b. A copy of the Medical Forms and Suicide Prevention Screening Form

* c. A copy of the Booking Officer Observation Form

B. New County Intakes

1. The prisoner will be placed in the designated prisoner holding area in Central Booking.

* 2. Booking staff will issue County Prisoner(s) a jail uniform and confiscate all personal clothing in accordance with current procedures and direct the prisoner to sign a copy of the **JB-118 Property/Clothing Accountability Invoice Form** in the appropriate space provided. Should the prisoner refuse to sign, staff will write on the invoice "Refused to Sign" and have a second staff member sign the invoice as a witness to the refusal. A copy of the property invoice will be issued to the prisoner as a receipt and the clothing will be placed in a property bag. Staff will then deliver property to the Property Room. At no time will any property bags be left unattended.

3. The county prisoner will then be placed in the appropriate holding area while awaiting transport to the Reception Unit.

C. UA Inmates Returning from Court as County Inmates

* 1. Before leaving the City Court Holding Area, Transport Staff will verify that the prisoner and the securing order match.

2. UA Prisoners returning from court as County Inmates will enter the Central Booking area through the transfer corridor, escorted by the Prisoner Transportation Unit.

* 3. Transport staff will provide the booking staff with a PDR and Suicide Sheet for each prisoner.

* 4. After booking staff reviews the paperwork, the transport officer will deliver the appropriate paperwork to the Jail Records Unit.

5. The prisoner will be placed in the designated prisoner holding area in Central Booking.

* 6. Additional property items (i.e. clothing) will be confiscated according to the guidelines defined in **Section IV B (2) of this order.** The county inmate will then be placed in the appropriate holding area while awaiting transport to the Reception Unit.

D. City and County Inmate Court Remands

1. Prisoners will be escorted by Prisoner Transport through the transfer corridor to the transportation corridor. Transport staff will continue with their prisoner out the Transportation Sally Port, into the Vehicle Sally Port, and enter into the pre-book area.

Note: At no time will Court Remands be brought through Central Booking using any other route.

2. Processing will follow the same guidelines as stated previously in this order, **Section I, Entrance Procedure.** After processing is completed, the prisoner will be placed in the designated prisoner holding area in Central Booking.

E. County Inmate In-Custody Charges

1. When an arresting agency files new charges or warrant(s) against a county prisoner, Booking Staff will escort the prisoner to the designated in-custody MoRIS capture station.

2. The prisoner will be processed in accordance with this order regarding County Prisoner MoRIS Processing Procedures. Processing will include MoRIS photo, scanning PDR, and fingerprinting if appropriate.

*V. Non-Arrest Entry procedures for MCJ

* A. Jail Records Unit Corporal or designee responsibilities:

When an inmate or weekender has been sentenced for 15 days or more, the Jail Records Corporal or designee will complete the following:

1. He/ She will complete the **JB 414 Sentence Term Calculation Form.**

2. He/ She will connect to the SaFran computer system by using Remote Desktop connection to input the name, # of days incarcerated, CJIN number, and charges of the inmate or weekender into the system.
The Jail Records Corporal or designee can use the MCJ or MCF Identix Workstations Manual for assistance in logging into the system.

3. Once the Deputy has photographed, fingerprinted and submitted the record to DCJS, the Jail Records Corporal or designee will review the status response.

   a. A green check means the record was accepted by DCJS. The Jail Records Corporal or designee can delete the accepted records.

   b. An orange exclamation point means there is an issue with one part of the record or it could be in rejected status. He/She will go through the orange status records to look at the return message from DCJS to fix the error.

   c. No color means that the record has not been processed by staff.

B. MCJ Booking Corporal responsibilities:

1. He/ She will check the SaFran computer system for entries that haven't been completed.

2 He/She will have a Booking Deputy take inmate's photograph and fingerprints.

C. MCJ Booking Deputies responsibilities:

1. Deputies will have the inmate escorted to Booking to have his/her photograph and fingerprints taken.

2. Deputies will submit the entry after completion.

3. Deputies will escort to inmate back to his/her location in the MCJ.

VI. Booking Medical Protocol

As part of the booking process, the booking nurse will screen all prisoners upon entrance to Central Booking:

* 1. Upon completion of the booking process by security staff, the UA Prisoner will be placed in the booking day area until screened by medical personnel. Booking Staff will add the UA's name to the **JB-055 Booking Checklist** located in the booking medical office, to include time of entry.

If a prisoner is unable to remain in the day area prior to being screened by medical personnel, medical staff will be notified so additional arrangements can be made for medical screening.

2. When the booking process cannot be completed, the Booking Deputy will inform the Booking Nurse and place the prisoner's name and MoRIS number on the booking checklist located in the booking medical office.

3. Un-Arraigned (UA) prisoners remanded to custody from City Court will be re-assessed by the Booking Nurse upon their return from court for PPD placement (medical skin test which shows the presence of tuberculosis), mental health screen, and electronic medical chart review.

4. County Prisoners who do not have a medical record will be documented by medical staff on the **JB-155 Booking Checklist.**

5. County prisoners will not be relocated out of Central Booking until they have been screened by medical and a chart review has been conducted and documented. Problematic inmates who are relocated prior to being screened due to being placed on a Constant Supervision will be medically screened in the Reception Annex Unit.

6. Booking Checklist

   a. The purpose of the **JB-055 Booking Checklist** is to provide the Medical Department with a chronological listing of prisoners needing to be screened. The list also serves as a tracking device that allows booking staff to know who can or cannot be relocated to the Reception Unit. This list provides accountability and enables staff to monitor whether the prisoners are being screened in a timely manner.

   b. At the beginning and end of each shift the Reception Corporal, Booking Corporal and Booking Nurse will meet and verify the following; the booking checklist, detox list and inmates currently on medical segregation/observation or any other pertinent information. This time should be utilized to discuss which inmates should be watched more closely, which inmates refused a service, and why inmates are being held in their respective area. If an inmate refuses medical, the Booking RN should check the refusing inmates chart to see if there are any issues from their past which would warrant immediate medical attention. The Reception Unit Detox/Medical Observation sheet will be cross referenced with the Booking Checklist and any discrepancies rectified. Constant Observation inmates should be verified to ensure everyone has the same list.

   c. Each day at 0700 hours, 2nd Platoon Staff will remove the Booking Checklist from the Booking Medical Office and transfer any non-screened county prisoners to a new Booking Checklist. UA Prisoners scheduled for court the following day will also be transferred to the new Booking Checklist. UA Prisoners that were not screened prior to 0700 hours on their scheduled day for court, will be screened if they return as a County Prisoner.

* d. Once a prisoner has been screened, the Booking Nurse will note the time, their initials, and "done" or "new" on the booking checklist. When the Booking Checklist is completed with the above information, the prisoner is eligible to be transferred to the Reception Unit.

* e. Booking Staff must ensure that every prisoner that enters custody as a County Remand or UA Prisoner is logged on the Booking Checklist in the medical office. The Booking Checklist must be manually updated once it is started. Unless special circumstances arise, inmates will be screened in the order they are written on the booking checklist.

VII. Record Checks

* Booking Deputies will complete UA record checks by notifying City Records of the name of the prisoner, date of birth, MoRIS number and whether or not the prisoner was received on a bench/active warrant.

Booking Staff will indicate on the upper right hand portion of the PDR the name of the city records staff member conducting the record check and the date and time.

VIII. Warrants

A. In the event that a UA Prisoner has a warrant from another town or municipality within New York State the following procedure will be followed:

1. Obtain and complete a warrant flag to include the name and agency notifying booking staff of the warrant, whether or not the warrant has been lodged, time (if lodged), and the receiving booking officer's name and IBM number.

2. Attach the completed warrant flag over the prisoner's name on the Sheriff 1 and 2 copies of the PDR.

* B. UA Prisoners either with a county probation, parole, superior court, or county court warrant will be processed as a County Prisoner with city charges. In such cases, the Booking Control Deputy will notify Jail Records. Jail Records Staff will stamp "IN CUSTODY WARRANT" on the PDR. New charges must be added by Jail Records Staff first through MoRIS. One (1) copy of the UA charge will be retained in Jail Records with the county paperwork. The second copy is to be placed in the top file drawer in the "IN CUSTODY" folder.

C. Should the warrant be lodged on a UA Prisoner after initial booking, the booking officer accepting the warrant must check and ensure that all steps outlined above, are accurately completed in addition to creating an additional booking.

IX. Jail Records Release Procedures

A. Staff assigned to the Jail Records Unit will initiate prisoners releases from both MCJ and MCF (MCF releases will be completed in accordance with **JBGO-29 MCF Booking and Release Procedures)**. Only designated staff will review and authorize the prisoner's release in accordance with the following guidelines:

B Examine and determine the validity and authority of any documents authorizing the release of any prisoner from any facility of the MCSO. Jail Records staff receiving a telephone call authorizing a prisoner release from "legal personnel" working under the authority of a judge,

MUST return a telephone call to the releasing authority to verify information received.

1. Legal personnel will be required to forward a facsimile transmission to Jail Records authorizing the prisoner's release.

2. Judges authorizing a prisoner release via telephone will not require a facsimile transmission prior to Jail Records processing a prisoner release.

C. Compare the prisoner's Jail Records file with the information contained within the Jail Management System (JMS) system to verify charges and current release status.

Any inconsistencies between a Jail Records prisoner's file and prisoner information contained within the JMS/MoRIS system will be reported to a Jail Records Supervisor and clarified prior to completion of any further release procedures.

D. Documents authorizing release of a prisoner must satisfy all commitments contained within the Jail Records prisoner file. If a releasing document does not clear all commitments contained within a Jail Records prisoner file, the prisoner will not be released.

1. Jail Records staff will search the **New York State Police Information Network (NYSPIN)** as well as MoRIS for any outstanding warrants. If a warrant exists, the prisoner will only be released to the wanting agency. If NYSPIN is down the prisoner release process will continue. The release will occur without a NYSPIN check.

2. For prisoner's who have a warrant, Jail Records staff will place a **"Hold For"** stamp on the top copy of the PDR as well as note the specific agency for which the prisoner is being held adjacent to the "Hold For" stamp on the PDR. Jail Records staff will notify the specific agency for which the prisoner is being held and the prisoner will only be released to that agency.

D. A Jail Records staff member will verify that Registered Sex Offenders are provided the appropriate Sex Offender Registration and/or Sex Offender Change of Address forms to complete prior to release.

E. A Jail Records staff member will verify and authorize prisoner releases by indicating his/her signature in Box #66, "Released By" on the PDR.

X. MCJ Prisoner Release Procedures

A. County Prisoner Releases

Jail Records/Authorized Booking Staff will verbally notify, update the JMS/MoRIS database, and authorize all county prisoner releases, as well as relay any conditions of the release to the booking staff member assigned to complete prisoner releases. Jail Records will forward all commitment(s) and PDR(s) to releasing staff that will complete the following:

1. Utilize **JB-022 Prisoner Release Checklist** as a record to verify completed county procedures. The prisoner release checklist will remain with the release package and will be forwarded to criminal records by jail records.

2. The Inmate Property Storage Area will be notified of impending releases and will retrieve all property along with **JB-118 Property/Clothing Accountability Invoices** within the prisoner's file. The property staff member will deliver all aforementioned items to the releasing staff member through a pass-through adjacent to the male and female "dress out" cells.

3. Releasing staff will notify the appropriate housing area supervisor of confirmed prisoner release. **Housing area staff will insure that all inmate property, both county issued and personal property, is forwarded from the floor with the prisoner to the "dress out" area for out-processing.** Staff will utilize the transfer corridor to bring the prisoner to the release area.

4. Releasing staff will secure all prisoners awaiting release in the appropriate "dress out" cell and confiscate all county issued items from the prisoner before issuing the prisoner their personal clothing.

   a. Releasing staff will verify the property contained within the property bag with the prisoner. Upon verification, staff will sign and instruct the prisoner to sign the top copy of the **JB-118 Property/Clothing Accountability Invoice**. Completed invoices will be filed in the Inmate Property Storage Area.

   b. Any property envelopes containing prisoner's valuables will remain with the releasing staff until the prisoner is physically released from security of either facility.

5. Releasing staff will verify information to confirm the prisoner's identity by completing the following:

   a. Compare the most recent photograph, utilizing the photo identification system on MoRIS as well as comparison of the prisoner's wrist band to the MoRIS system.

   b. Confirm the prisoner's identity by verifying all available data located on the prisoner's PDR to insure a positive identification. Inconsistencies obstructing a positive identification will be directed to the Central Booking Supervisor for clarification.

   c. Prior to release, inmates will be IRIS Photographed to confirm positive identification and ensure the correct person is being released.

6. Withdrawal of prisoner's commissary funds will be completed after verifying the prisoner's current balance, using the **ACTFAS Inmate Release**. Any funds in the prisoner's account will be printed out on a check and accompanying receipt. The prisoner will sign the generated payment receipt in the appropriate space provided. Commissary checks/receipts must be prepared for all prisoners closing jail commissary accounts even if the balance of their account is zero (0).

7. Release approval will be obtained from a Central Booking Supervisor, who will designate authority for release by signing Box #66 on the PDR. Release Staff will then log the prisoner "Out of Custody" in the Central Booking Activity Log noting the date, time, prisoner's name, floor, type/condition of release, and releasing staff members name and IBM number.

8. Releasing Staff will return the completed PDR to Jail Records Staff for final authorization for release. Once granted, staff will then escort the prisoner to the Release Corridor. At this time, staff will give the prisoner any remaining property envelopes containing valuables as well as any commissary funds, if applicable. Jail Records Staff will forward all release PDRs to Criminal Records for filing.

B. Un-Arraigned In-Custody Prisoner Releases

All UA in-custody prisoner releases will originate with the Rochester Police Department (RPD) Headquarters Desk, who will receive bail posted for any UA Prisoner. RPD Records will scan the UA Bail Receipt into MoRIS. Jail Records/ Booking staff will print the receipt out from the computer after RPD Records notifies them that the bail has been received. Upon review and verification, the release will be confirmed with RPD Headquarters Desk and releasing staff will complete the following:

1. RPD Sheriff 1/RPD Sheriff 2 copies of the PDR will be retrieved from the UA file and the prisoner's identification will be verified in accordance with **Section XI, Subdivision A (5)** of this order.

2. UA property and the **JB-118 Property/Clothing Accountability Invoice** stored in the Inmate Property Storage Area will be retrieved and verified with the prisoner that the property contained in the envelope is correct with that delineated on the invoice. If no discrepancies are noted, the releasing staff will sign and instruct the prisoner to sign the invoice in the appropriate space provided. Completed invoices will be forwarded to the Inmate Property Storage Area for filing.

* C. County Inmates on Constant Supervision Releases

When an inmate who is on constant supervision who has not yet been cleared by Mental Health staff and has been released the following actions are to occur:

* 1. A copy of the Jail Bureau Incident Report placing the inmate on constant supervision and a copy of the most recent MoRIS Suicide Prevention Screening Guideline Form will be attached to the Monroe County Mental Hygiene Form (MH-9.41) and will be delivered to the hospital staff upon transfer of the inmate to their custody.

* 2. The Corporal or Sergeant assigned to Central Booking will ensure the Monroe County Mental Hygiene Form is completed in its entirety, documenting as much specific information as available and identifying why the inmate was placed on constant supervision.

* D. Release of Un-Arraigned Prisoners on Constant Supervision

Un-arraigned prisoners who are on constant supervision and are released by pre-trail, ROR'd or bailed out prior to arraignment, will be transported to the hospital for a mental hygiene evaluation.

* 1. The Booking Supervisor will complete the **Monroe County Mental Hygiene Form MH-9.41** with as much detail as possible. The narrative portion will detail the circumstances surrounding the reason the Un-Arraigned Prisoner was placed on a constant supervision. The Suicide Screening Guideline Form and the Jail Incident Report will be attached to the Mental Hygiene Form and will accompany the inmate to the hospital.

2. The Booking Supervisor will direct booking medical staff to call the designated hospital prior to the transport for notification that a MH-9.41 is being sent for evaluation from the Monroe County Jail.

3. The Booking Supervisor will ensure the un-arraigned prisoner is sent to the designated hospital as per the hospital schedule.

E. Un-arraigned Prisoners Released from Court on a Constant Supervision

a. Un-arraigned Prisoners will be seen by the Jail Mental Health provider prior to being transported to court, and the Mental Health provider will make one of two decisions:

i. The Un-arraigned prisoner may be authorized for release from court without any further actions needed. In such cases, the un-arraigned prisoner will not be required to be sent to the hospital.

The jail mental health provider will make this determination and note their decision on the constant supervision sheet that will be provided to the City Court Holding Deputies prior to arraignment.

ii. If The Jail Mental Health Provider decides the UA Prisoner requires evaluation at a designated hospital if released by the judge, the Mental Health Director will be notified.

The Mental Health director will complete the MH-9.45 paperwork. The MH-9.45 document will be delivered to the City Court Bullpen Deputies by the Mental Health Director or designee directing a Police Officer to transport the Un-Arraigned Prisoner for evaluation.

b. City Court Transport Staff upon receipt of the MH-9.45 mental health documentation will notify the appropriate City Court Judge that if the inmate is released they must be sent to the hospital. City Court Transport Staff will coordinate the un-arraigned release with the City Court Judge and Court Security Staff.

c. City Court Transport Staff will contact 911 and request that a Rochester Police Officer and an ambulance respond to the appropriate Rochester City Court for a mental hygiene MH-9.45 transfer. Upon arrival of both, the City Court Bullpen Staff will coordinate the arraignment and immediately upon the prisoners release by the judge, RPD will take custody of the inmate in the courtroom.

d. If RPD and the ambulance have not arrived prior to arraignment and release by a City Court Judge, Court Security Staff will take temporary custody of the arraigned and released prisoner pending the arrival of RPD and the ambulance. Court Security will ensure the released prisoner remains in the courtroom until RPD arrives to affect the MH-9.45 transfer. If the Un-Arraigned

Prisoner is not in City Court I and V, bullpen deputies will coordinate with Transport Staff in the Hall of Justice to ensure the process is followed.

e. Un-arraigned prisoners who were interviewed by the Jail Mental Health provider prior to court and who were deemed appropriate for release without hospitalization, will remain on constant supervision upon arraignment if they are committed to the custody of the Sheriff. These inmates will be evaluated a second time by the Jail Mental Health provider after they are committed to the custody of the Sheriff to determine if they should remain on Constant Observation status.

F. Sunday Un-Arraigned Prisoner Release Procedures:

1. In-custody lists are faxed by Booking staff to City Court (Part I & V).

2. City Court decides on releases and bails

3. City Court notifies RPD who will then notify MCJ of who is to be released.

Note: Rochester Police Department will notify Booking Central control of any UA releases. Booking Jail staff will report to RPD headquarters located at **185 Exchange Street** to retrieve the appearance tickets. The appearance tickets are completed by RPD then taken back to the jail to have the released inmate sign it. Once the appearance ticket is signed and the inmate has been released, it will be sent back to RPD with the next available officer (or returned by jail staff). **All releases are to be done at the direction of RPD**, to include completion of appearance tickets.

XI. Courtroom Releases

A. Prisoner Transport will conduct a record check of all UA Prisoners scheduled for court that morning and will facilitate courtroom releases only when ordered by a Judge. Any additional warrant(s) and/or detainer(s) will be marked as such adjacent to the prisoners name on the court schedule.

B. The following procedure will be adhered to, to ensure that all Un-Arraigned (UA) Prisoners being released from court are identified by the Prisoner Transport Deputy assigned in the courtroom:

1. Prisoner Transport Staff assigned to the docket preparation will print an extra copy of the MoRIS in-custody report. Each prisoner's booking incident will be cut individually. The "U/A Property Release Stamp" will be used to stamp the reverse side of each slip of paper. When the prisoner enters the courtroom, the Bullpen Deputy will hand the MoRIS ID/property tag to the Courtroom Deputy.

2. If the Un-Arraigned Prisoner has no other holds and is released from the courtroom upon arraignment, the Prisoner Transport Courtroom Deputy will verify the prisoner's identity using the MoRIS ID/property tag to verify name, date of birth, and photo, prior to completing the property release information on the reverse side. Inmate Property Staff will retain the MoRIS ID/property tag and use it as a final verification prior to returning the prisoner's personal property. Transport staff will notify MCJ Jail Records of the release as soon as time permits.

C. Should the County Prisoner not have additional outstanding charge(s) and/or detainer(s) noted on the court schedule and are ordered released from a courtroom by a Judge, transport staff will escort county prisoners back to their respective housing areas to await out-processing by MCJ Jail Records.

*D. The IRIS Release From Court function will allow U/A's to be booked out of the IRIS system by Jail Records once court is completed. Upon completion of arraignments each day, Jail Records will verify who was released from City Court then manually release each individual from the IRIS database.

By order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O' Flynn

* Indicates changes from the original and any previously revised versions of this General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 24, 2011	EFFECTIVE DATE January 25, 2011	NO. 35-11
SUBJECT: GENERAL ORDER Inmate Telephone Use		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 35-J-06

Purpose: To outline procedures governing the use of telephones by inmates housed at the Monroe County Jail (MCJ) or the Monroe County Correctional Facility (MCCF) in general population housing units and the monitoring of inmate telephone calls.

Policy: It is the Monroe County Sheriff's Office policy that uniform telephone procedures, including the ability to monitor and/or record inmate telephone calls to preserve the security and orderly management of the Monroe County Jail or Correctional Facility be established and adhered to. Each facility will allow inmates who observe the procedures specified herein the privilege of accessing legitimate telephone communication at times not disruptive to the operation of the Jail Bureau facilities.

I. Rules for Inmate Use of Collect Telephones

A. Time of Calls

1. Each housing area supervisor/deputy will determine the times when inmates are permitted to use the collect telephones that are provided in the regular housing areas.

2. These times may be modified or restricted to accomplish housekeeping tasks, or any necessary correctional functions. Telephones may also be restricted if the use of the phones interferes with the safety, security or good order of the facility.

3. Inmates scheduled to be transported out of the jail or correctional facility will not be allowed to make any telephone calls prior to the transport.

B. Length of Calls

1. Inmate telephone calls will be limited to 15 minutes; however, the housing area staff member may extend an inmate's telephone call beyond this limit if needed, provided that there are no other inmates waiting to use the telephone.

2. The housing area staff member may terminate an inmate's telephone call when the deputy believes the inmate is abusing his/her telephone privileges (e.g., over exceeding time limits, etc).

C. Inmate Behavior while Using Collect Telephones

1. Inmate use of collect telephones for personal calls is a **privilege, not a right**. Abuse of this privilege may result in criminal charges, disciplinary action or in loss of the telephone privilege for a period of time determined by the Superintendent or designee.

The inmate may request restoration of the privilege at any time by way of written communication to the Superintendent or designee. Upon review, telephone privileges may be restored, unless restrictions were the result of disciplinary sanctions or criminal charges.

2. Inmates must demonstrate common courtesy when dealing with telephone operators and other inmates in the area waiting to use the telephone. Those who fail to do so may be charged with an infraction or have their telephone privileges withdrawn by the housing area supervisor.

3. The person contacted by the inmate **must** agree to pay for the telephone call or the call will be automatically terminated.

4. Inmates **may not** use the telephone to engage in illegal activity or threats, verbally abuse or attempt to coax or coach testimony from or by any person. Information pertaining to the telephone abuse will be documented on an incident report to include the telephone number. The report will be forwarded to Jail Administration for review and disposition. Upon receipt of a civilian complaint concerning harassing telephone calls, Jail Administration, at the written request of the civilian, will restrict the telephone number from being dialed from the facility.

   Note: Staff may limit telephone use as reasonably necessary to prevent the disclosure of classified information or as reasonably necessary to protect persons against the risk of acts of violence, harassment, threats, intimidation, other forms of criminal activity, or terrorism.

5. Inmates who violate the rules for collect telephone use as specified herein will be charged with an institutional infraction. Neither the rehabilitation staff nor sworn staff will allow an inmate who has had telephone restrictions due to infractions or facility blocks, to make free calls from staff telephones unless such calls have been authorized by Jail Administration.

II. Restitution for Damages

Any inmate who is found guilty of wrongfully damaging collect telephone equipment in the jail or correctional facility will be held liable for the repair and/or replacement cost for such equipment. The hearing officer will notify the commissary manager of any restitution ordered against the inmate and begin to deduct partial payments from the inmate's commissary account until full payment is made.

III. Monitoring

A. Telephone calls in all housing areas are subject to being monitored and recorded.

   1. The telephone system will normally terminate a call at the end of the authorized period, approximately 15 minutes.

   2. The telephone system will automatically broadcast a recorded message indicating that the telephone call is originating from a correctional facility and that conversations are subject to being monitored and recorded.

B. Only personnel authorized by the Superintendent or designee may monitor inmate's telephone calls. Information gained from monitoring calls, which affects the security of the institution or threatens the protection of the public, will be communicated to other staff members or other law enforcement agencies.

C. Telephone calls to attorneys may not be monitored and/or recorded unless reasonable suspicion of illicit activity has resulted in a formal investigation and the Sheriff or designee has authorized such action.

IV. Access to Legal Counsel

A. It is the policy of the Sheriff's Office to permit inmates to make a reasonable number of telephone calls at facility expense to contact, retain and consult with legal counsel. These calls will be documented in the housing area log and be given at the discretion of the housing area supervisor at times not disruptive to the operation of the facility.

B. Inmates who are verified to be indigent will be entitled to make such legal calls at the facility's expense.

C. Long distance calls for the purpose of retaining or consulting with legal counsel shall be made collect unless approved by the Superintendent or designee, then and only then can such calls be made at the facilities expense. In such instances, the approved calls will be logged in the inmates' housing area logbook.

V. Telecommunication Service for the Deaf

A. Telecommunication devices for the deaf (TTY/TDD) will be made available at MCJ and MCF to provide communication to or from hearing or speech impaired individuals.

B. Instructions for the use of the (TTY/TDD) are posted on the inside covers of the machines. An outside telephone line and power outlet will be needed for (TTY/TDD) telephone operations.

VI. Restrictions

A. Inmates are prohibited from initiating calls to the following;

1. Any member of the public who requests to have their telephone number blocked.

2. All toll-free and emergency numbers (e.g. 800, 888, 911) with the exception of toll-free numbers used for TTY/TDD relay services.

3. Three-way calling, call forwarding, call forwarding service using a local phone number, or other multiple long distance carriers.

B. Use of any staff, office telephone or other telephone not specifically designated for inmate use is expressly prohibited.

C. The only phones that shall be utilized shall be those phones designated within each specific facility. Such calls may include contact with an attorney, serious illness of family member(s), hospitalization or death of a family member, etc.

1. In all instances that an inmate is granted and given access to a free phone call, the member facilitating the phone call will document the completion of such call in the JMS floor activity log.

2. Any phone call made by a member on behalf of an inmate will also be documented in the JMS floor activity log.

3. All members shall exercise due diligence and reasonable discretion in relaying the content of these individual requests to third parties.

D. The Superintendent or designee may restrict and/or suspend any provision or section of this policy in an emergency or extended disruption of normal facility operation, for a specific period.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	JANUARY 17, 2011	JANUARY 18, 2011	36-11
SUBJECT: GENERAL ORDER INMATE EXERCISE		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PART 7028 OF TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES & REGULATIONS OF THE STATE OF NEW YORK (9NYCRR PART 7028) NYSSA 149			RESCINDS 36-J-02

Purpose: To familiarize employees of the Monroe County Sheriff's Office with the policies and procedures for inmate exercise.

Policy: As policy of the Monroe County Sheriff's Office, the Monroe County Jail (MCJ) and the Monroe Correctional facility (MCF), in accordance with Part 7028 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7028)**, will provide inmates with access to exercise opportunities and the use of equipment to include one (1) hour seven days a week or 1 ½ hours five days per week.

I. Gymnasium/Exercise Areas

A. At MCJ, inmates will exercise in the following areas which shall provide natural sunlight and access to fresh air:

1. 5th Floor gymnasium
2. Tower Housing Units gymnasiums
3. Mezzanine gymnasium

B. At MCF, the inmates will exercise in the following areas which shall provide natural sunlight and access to fresh air:

1. Modular outdoor exercise area- (inclement weather dependant)
2. Housing Unit gymnasiums
3. Main gymnasium

II. Exercise periods

A. The Monroe County Jail and the Correctional facility will maintain an exercise schedule designed and structured to accommodate all classifications of inmates with exercise time in each facility gymnasium/exercise area.

B. All inmates who have completed the inmate classification process as outlined in **9NYCRR Part 7013** and **JBGO #27 Inmate Classification** will be allowed to participate in the scheduled exercise periods as previously determined for their assigned housing area.

C. All inmates who wish to participate in the scheduled exercise periods will wear the appropriate uniforms to and from the gymnasium/exercise room.

D. All exercise periods will commence when all inmates have entered the exercise area and will conclude when all inmates are instructed to cease exercise activities.

III. Exercise Limitations

A. An inmate's exercise period may be denied, revoked or limited when it is determined that such exercise period would cause a threat to the safety, security, or good order of the facility, or the safety, security, or health of the inmate or other inmates.

B. Determinations to deny, restrict, or limit an inmate's exercise period will be made by the chief administration officer in writing stating the specific facts and reasons underlying such determination. A copy of this determination will be forwarded to the inmate.

IV. Inmates Confined to Segregation

Inmates housed in segregation cells as a result of administrative actions, disciplinary actions and/or medical problems will be granted a period of at least one (1) hour of exercise seven days a week. For inmates with medical problems, their ability to participate in exercise periods within the gymnasium/exercise area will be determined by medical staff.

V. Exercise Records and Electronic Logs

A. An exercise log will be maintained electronically through JMS. Use of the exercise area in a housing unit will be documented in JMS. The duty sergeant will also review and make an entry in JMS during their daily inspection tour of the area.

B. Staff will utilize the log to record any pertinent information relating to all exercise activities (e.g., inmate injuries sustained in the area, inmate incidents, infractions and any equipment malfunctions or damages). Staff will also use the log to record all equipment inspections, verifying that all equipment was checked and accounted for.

C. Assigned staff will complete an inmate headcount and utilize JMS to log the physical head count of all inmates who participate in exercise activities from each floor/housing area on a daily basis.

VI. Exercise Security and Supervision

All staff members assigned to the area will ensure that the entire exercise area is searched prior to and after each exercise period to include, but not be limited to checking all doors, lights, locks and equipment. These searches will be recorded in JMS. If any item is found to be damaged or in disrepair, staff will complete a maintenance work order in JMS and notify the duty sergeant.

Note: When over 50% of the inmate population from a main frame housing area attends gym, a staff member from the respective housing unit will accompany the inmates attending recreation and assist in their supervision.

B. Staff will maintain a current inventory of all exercise and athletic equipment that is either used or stored in the area. Staff will supervise inmates to ensure that equipment is not misused or damaged.

C. Staff will continuously observe inmates utilizing the exercise area. Staff will ensure that all doors, staff offices and storage rooms are locked when not in use. Inmates are not allowed to loiter unattended in staff offices, storage rooms or hallways. Should an inmate worker be assigned to the area, staff will be responsible for maintaining supervision over him/her as well.

* D. Staff will document in JMS when the retractable skylights, overhead doors/windows are opened. Staff will also document in JMS when retractable skylights, overhead doors/windows are not operational and why. Weather that jeopardizes the safety of the inmate population is the only reason for the ventilation to remain closed.

E. At the conclusion of all scheduled exercise periods, additional checks of all athletic equipment will be made prior to inmates leaving the area. Inmates will be moved in an orderly fashion to the elevator area and/or through the hallway area to be transported back to their housing area.

VII. Inmate Injuries

Anytime an inmate makes a claim of injury due to participating in an athletic activity, staff assigned to the exercise area will:

A. Notify the medical department and the duty sergeant immediately.

B. Photograph the inmate's injury (digital photos preferably).

C. Document such injury on an incident report and in JMS.

D. Notify the inmate's housing area supervisor of the incident and any special needs of inmate, if any.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE SEPTEMBER 1, 2008	EFFECTIVE DATE SEPTEMBER 1, 2008	NO. 37-J-08
SUBJECT: GENERAL ORDER Media Access to Jail Facilities		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: 9NYCRR PART 7023			RESCINDS JBGO 37-J-07

***Purpose:** To establish general guidelines for working with the media, rules for news media interviews with offenders for the purpose of reporting items of public interest, and providing inmates in the Monroe County Jail and the Monroe Correctional Facility access to the media that is consistent with preserving inmate(s) privacy and the safety, security and order of the facility.

***Policy:** In accordance with 9NYSCRR Part 7023, inmates are entitled to present their views to the public through the media. It shall be the policy of the Monroe County Sheriff's Office to allow for such requests as delineated in the following order. Media representatives will be asked to sign a statement indicating they are familiar with the rules and regulations of the facility. The Sheriff, or designee, may restrict or prohibit the use of cameras and/or recording devices by the media within the facility.

I. General Provisions

A. The Sheriff or designee has the right of final approval for any and all media interviews.

* B. Inmates held or sentenced on local charges are entitled to present their views to the public through the media.

C. "Media" shall mean any printed or electronic means of conveying information to any portion of the public and shall include, but not be limited to: newspapers, magazines, books and/or other publications; and licensed radio and television stations.

D. Properly identified media representatives may request, through the Superintendent, to interview any inmate who consents to such an interview.

E. "Properly Identified Media Representative", for the purposes of identification, must present both photo identification, such as a valid driver's license, and an identification card issued by the reporter's place of employment. In the absence of employee ID cards, the Monroe County Sheriff's Office reserves the right to verify all identification and to refuse admittance when such identification is found to be suspect.

F. Prior to scheduling a media representative interview with a consenting inmate, Jail Administration will inform the inmate's legal counsel that such an interview has been requested. A media interview with a consenting inmate may not be denied based solely upon the objection of an inmate's legal counsel.

Note: An inmate's legal counsel shall be permitted to speak with his/her client prior to any media interview, provided the client is willing to be interviewed by his

counsel. After being interviewed by their counsel, an inmate who previously consented to a media interview may withdraw his consent by informing the Superintendent in writing. The Superintendent will then inform the media representative that the interview has been canceled at the request of the inmate.

G. The Superintendent or designee will schedule media representative interviews with inmates at a reasonable time, so as not to create unreasonable disruption to the facility. The Sheriff's Office Public Information Officer (PIO) will be notified of all approved media interviews.

Note: Unless specifically assigned to do so by the Superintendent, or designee, other employees shall not make statements on behalf of the agency. Staff shall refer all media inquiries of this nature to the PIO.

H. The highest-ranking supervisor shall ensure compliance with agency and facility rules and regulations by making this policy available and by conveying oral instructions to the media to ensure that they are aware of their responsibility regarding custody and security.

I. Media representatives shall be escorted at all times while in the facility by a designated staff member. Interviews will take place in view of a sworn staff member for the safety of the media and security of the facility. Staff reserves the right to terminate any interview or coverage within the facility should a disruption, disturbance, or emergency situation occur.

J. Interviews are voluntary. The inmate has the right not to be interviewed, photographed, or recorded by the media. The written release or decision either to be interviewed and/or photographed, or to decline shall be retained on file in Jail Administration.

Note: In open housing, recreation, or common areas where individuals are not singled out, inmates shall be advised of media presence to afford those the opportunity who do not want to be recognized to turn away, or leave the immediate area.

K. A representative of the media agency will be required to give the Monroe County Sheriff's Office an opportunity to review any video or still photography for content purposes (i.e. locking devices, communications systems, etc.) and subsequently be advised of any required editing before such is distributed, published, or broadcast.

L. No inmate will be subject to retaliation by any member of the Office of the Sheriff because of his/her statements to a media representative, or due to a request for an interview with a media representative.

II. Procedures for Requesting Interviews

A. The inmate(s) requesting to be interviewed by media representatives must make such requests in writing through the United States postal service or via the collect phone. Should the inmate wish to consent to the interview, he/she will proceed as in paragraph "B" below. If the inmate chooses not to consent to the interview, no further action is necessary; however the inmate must notify the media of the refusal by mail.

B. Inmates wishing to be interviewed by a specific media representative will be required to complete a Request for Press Interview Form (JB-27). The completed form will be forwarded to the Superintendent's office. He/she will review the form, notify the attorney and contact the specified media representative. The form must contain the following information prior to submission to the Superintendent:

1. Inmate's name.

2. Media representative's name.

3. News agency's name.

4. The attorney of record's name.

C. The Superintendent or designee will respond to the inmate on the Request for Press Interview Form indicating the status of the request.

D. If the request is approved, the inmate(s) will be provided with a Media Consent Form (JB-27A). The inmate will indicate on this form whether or not he/she gives permission for the use of his/her name, voice, photographs or other recordings and whether he/she wishes his/her attorney present.

E. Copies of the completed Request for Press Interview Form (JB-27) and Media Consent Form (JB-27A) will be retained in the inmate's file in Jail Administration.

III. Limitation of Media Representative Interviews

A. Media representatives will not be allowed to use the name, photograph or any recordings of an inmate who is eligible for treatment as a youthful offender or has been adjudicated a youthful offender pursuant to Criminal Procedure Law, Article 720 and as noted as an exception to the Freedom of Information Law.

* B. The Sheriff's designee shall review the request and may deny, revoke or limit a media representative interview with an inmate only if it is determined that such interview constitutes a threat to the safety, security, or good order of the facility.

C. The provisions of 9NYCRR art 7006 shall apply prior to any determination made under the provisions of paragraph B above.

D. Any determination made pursuant to paragraph B above will be made in writing and state the specific facts and reasons underlying such determination. A copy of this determination will be given to any person affected by the determination, and will set forth the appropriate appeal procedures.

E. Inmate(s) that are denied access to a media representative, or any media representative who is denied access to an inmate, may appeal to the Superintendent in writing.

By Order of the Sheriff,

Patrick M. O'Flynn

* Indicates a significant change from the previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 5, 2010	EFFECTIVE DATE January 6, 2010	NO. 38-09
SUBJECT: GENERAL ORDER COMMISSARY, TELEPHONE AND JAIL ENHANCEMENT TRUST FUND ACCOUNTS		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7016 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7016)			RESCINDS 38-J-2000

* **Purpose:** To establish and define policy and procedure for the receipt and expenditure of commission monies earned through the operation of the Commissary, Inmate Telephone System and Social Security Incentive Program Payment Program.

* **Policy:** The Monroe County Sheriff's Office has established two distinct trust fund accounts for inmate generated commissions and a third trust fund account for incentive payments from the Social Security Administration. The **T99 Jail Commissary Fund 9618** account is for the receipt of commissary commissions and for those expenditures deemed appropriate for the purposes of inmate welfare and rehabilitation. The **T99 Jail Commissary- Phone Fund 9620** account is for the receipt of inmate telephone commissions and for those expenditures deemed appropriate for other jail related purposes. **The T64 Jail Enhancement Fund 9602** account is for the receipt of incentive payments from the Social Security Administration. This general order will describe the procedure required to purchase items and services using the Commissary and Telephone commissions and the Jail Enhancement Account funds.

* **I. Commissary (Fund 9618) Trust Fund Account Procedure**

A. Commissions resulting from commissary sales shall be deposited into the separate T99 trust fund account set up by the budget office of the Monroe County Office of Sheriff.

B. The commissions held in the Commissary T99 trust fund account shall be utilized **only** for purposes of prisoner welfare and rehabilitation.

C. All expenditure requests from the Commissary T99 trust fund account will be reviewed and approved by the Jail Superintendent. The Jail Superintendent will then forward the approved expenditure requests to the Undersheriff for approval. Approved requests will be forwarded to the Sheriff's budget office where it will be processed according to Monroe County purchasing procedures.

D. The Commissary T99 trust fund account must be maintained in a manner that will fully substantiate all purchases and expenditures. The County of Monroe Controller's Office is responsible for the maintenance of all financial records related to this account.

E. A periodic audit must be conducted by the office of the county auditor, county treasurer or other county officer in a similar capacity in accordance with the New York State Commission of Corrections Minimum Standard Part 7016(d).

* **II. Telephone (Fund 9620) Trust Fund Account Procedure**

A. Commissions resulting from inmate collect telephones shall be deposited into the separate T99 Jail Commissary – Phone trust fund account set up by the budget office of the Monroe County Sheriff.

B. The commissions held in the Telephone T99 trust fund account shall be utilized to further inmate rehabilitation or welfare, or which otherwise improve operations at the Jail/Correctional Facility, deemed appropriate by the Jail Superintendent with approval of the Sheriff.

C. All expenditure requests from the Telephone T99 trust fund account will be reviewed and approved by the Director of Rehabilitation and Jail Superintendent. The Jail Superintendent will then forward approved expenditure requests to the Undersheriff for approval. It will be then forwarded to the Office of Sheriff's budget office where it will be processed according to Monroe County purchasing procedures.

D. The Telephone T99 trust fund account must be maintained in a manner that will fully substantiate all purchases and expenditures. The County of Monroe Controller's Office is responsible for the maintenance of all financial records related to this account.

* **III. Social Security Incentive Program (Fund 9602) Trust Fund Account Procedures**

A. Incentive payments resulting from the Social Security Incentive Program shall be deposited into the separate T64 Jail Enhancement Trust Fund Account set up by the budget office of the Monroe County Office of the Sheriff.

B. The funds held in the T64 Jail Enhancement Trust Fund Account shall be utilized to further inmate rehabilitation or welfare or which otherwise improves operations at the Jail/Correctional Facility, deemed appropriate by the Jail Superintendent with approval of the Sheriff.

C. All expenditures from the T64 Jail Enhancement Trust Fund Account will be reviewed and approved by the Jail Superintendent. The Jail Superintendent will then forward approved expenditures requests to the Undersheriff for approval. It will be then forwarded to the Office of Sheriff's budget office where it will be processed according to Monroe County Purchasing procedures.

D. The T64 Jail Enhancement Trust Fund Account must be maintained in a manner that will fully substantiate all purchases and expenditures. The County of Monroe's Controller's Office is responsible for the maintenance of all financial records related to this account.

IV. Trust Fund Account Expenditures and Purchases

The following list of trust fund expenditures by revenue source is a guideline for each of the trust fund accounts. The lists however are not all inclusive.

A. T99 Commissary (Fund 9618) expenditures and purchases shall be utilized to further inmate rehabilitation or welfare. Expenditures and purchases shall include but not be limited to:

- Books and publications for programs (education, rehabilitation, religious, and chemical dependency)
- Contracts for inmate programs

- Equipment for inmate programs
- Inmate recreation supplies
- Inmate recreation and television repair
- Supplies for inmate programs
- Training workshops for inmate program staff
- TTY equipment

B. T99 Telephone (Fund 9620). Expenditures and purchases shall benefit inmate rehabilitation or welfare, or otherwise improve operations at the Jail/Correctional Facility, as deemed appropriate by the Jail Superintendent with approval from the Sheriff. The expenditures or purchase shall include but not be limited to:

- Barber supplies, equipment, and maintenance
- Building maintenance, vacuums, water coolers, buffers
- Computers for program staff
- Computer supplies – commissary, program staff
- Construction – renovations to program and recreation areas
- Copying expense for program staff
- Equipment repair, law library, programs, recreation areas
- Furniture, program area's, inmate housing, program staff areas
- Inmate recreation supplies, television purchase and repair
- Law library supplies
- Parks program, vehicle maintenance, equipment and supplies
- Professional organization memberships
- Program contracts, (education, religious, chemical dependency, and rehabilitation)
- Property bags
- Radios for program staff
- Rehabilitation and inmate padlocks
- Salaries for rehabilitation counselors
- Supplies, education, religious, chemical dependency
- Supplies for inmates' babies
- Tailor shop, equipment and supplies
- Washer purchase and repair
- Wheel chair purchase and repair

C. T64 Jail Enhancement Fund 9602 expenditures and purchases shall benefit inmate rehabilitation or welfare, or otherwise improve operations at the Jail/Correctional Facility, as deemed appropriate by the Jail Superintendent with approval from the Sheriff.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 12, 2015	EFFECTIVE DATE January 12, 2015	NO. 039-15
SUBJECT: GENERAL ORDER Commissary Accounts Maintenance		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7016 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7016), JB #65			RESCINDS 039-11

Purpose: To establish, implement and maintain procedures that ensure proper accountability for funds deposited, expended, and withdrawn by or for inmates through the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) commissary.

Policy: To maintain and enforce a system of strict accountability for inmate funds received or disbursed through the Jail/Correctional Facility, it shall be the policy of the Monroe County Sheriff's Office to process all inmate funds in accordance with generally accepted accounting procedures and in compliance with applicable federal, state, and local laws.

I. Sources of Inmate Fund Receipts

An inmate committed to the custody of the Monroe County Sheriff may establish and receive money in an inmate fund account at MCJ or MCF (i.e., commissary) through the following means: at time of admission, deposits through kiosks, the money window on Fridays, and by mail.

II. Acceptable Types of Currency for Deposits to the Jail/Correctional Facility Commissary

The only forms of currency, which will be accepted for deposit, are cash, Western Union Money Orders, U.S. Postal Money Orders, and checks from other governmental agencies.

III. Inmate Fund Deposit Procedures

Under no circumstances will change be made to cash or money provided for deposits nor will any funds be left unattended or unsecured for any reason.

A. Money Intake Window

* 1. Funds brought by family/friends for inmates housed at both the Monroe County Jail and Monroe County Correctional Facility will be accepted for deposit, ~~;~~ the Monroe County Jail Inmate Property window only, on Friday from 0800 hours to 1530 hours.

* 2. **The maximum amount of cash that a depositor may leave for an inmate is $200.00.**

* 3. Once currency has been accepted, the commissary computer will generate a deposit receipt. Staff will ensure that the visitor making the deposit acknowledges the accuracy of information on the slip by signing the receipt where indicated.

4. Receipts for deposits shall be distributed as follows: the yellow copy to the depositor, the pink copy for the inmate, the white copy secured with the money and placed in the money intake window safe.

5. At the end of the shift all prisoner deposits receipts will be sorted by floor or housing area and placed in the appropriate mail bins in the Roll Call Room for delivery to inmates within the Monroe County Jail or Monroe County Correctional facility.

B. Kiosk Machines

1. Kiosk machines will be located at the Jail Records lobby area at the Monroe County Jail and the visitor lobby area at the Monroe Correctional Facility.

2. Kiosk machines will have 24 hours access and will only accept US currency with a minimum deposit of $5.00. A processing fee of $2.75 per transaction is deducted from the deposit.

3. Kiosk machines will produce a receipt upon completion of the deposit.

4. Once a deposit is made, the money is immediately available for use for commissary purchases.

C. Mail

1. Legal tender (cash) and acceptable money orders for any amount received through the mail will be processed and deposited in the commissary system.

2. Unacceptable money orders, foreign currency, paychecks, and personal checks other than those received from governmental agencies shall be forwarded to Inmate Property. In doing so, the procedures indicated below shall be observed:

   a. A Property Invoice Sheet will be completed, with the following information about currency listed under "Miscellaneous":

      i. Type of Money Order/Check/Currency;

      ii. Money Order/Check Control Number;

      iii. Amount of Money Order/Check/Currency; and

      iv. Identity of sender.

b. The currency will then be placed in a plain envelope, with the following information noted on the envelope:

i. Inmate Name;

ii. Inmate Identification Number;

iii. Housing Location;

iv. Type of Money Order/Check/Currency;

v. Amount of Money Order/Check/Currency;

vi. Date; and

vii. **Deputy's Signature and IBM Number.**

c. The envelope will be sealed, with the white copy of the Property Invoice Sheet attached to it, and secured in the Inmate's Property.

d. The pink copy of the Property Invoice Sheet will be forwarded to the inmate.

e. The yellow copy will be placed in the inmate's property folder.

3. Any cash and all acceptable money orders will be processed as follows:

a. The cash/money order will be entered into the inmate's commissary account on the computer.

b. The computer-generated receipt will be distributed as follows: The white copy secured to the cash/money order shall be placed in the safe. The pink copy sent to the inmate. Staff entering the information into the computer for record keeping purposes shall retain the yellow copy.

c. As soon as possible on the following business day, commissary staff will retrieve cash/money orders from the safe(s) for deposit to the bank.

4. Inmate checks received from other governmental agencies will be accepted and deposited into their commissary accounts.

C. New Admissions

Unarraigned (U/A) Inmate Funds/ County Committed Inmate Funds

1. A Central Booking Deputy will count the funds received from the inmate. The inmate funds will be placed in the appropriate, stamped "U/A Money" or "County Money" envelope.

2. The Deputy will complete a deposit slip in its entirety for the amount of funds received.

   a. The hand written Deposit Slip will be utilized for U/A inmates. Staff will ensure that the inmate's MoRIS identification number and date of birth is printed legibly on the lower portion of the receipt. In addition, deputies will sign and instruct the inmate to sign the deposit slip in the appropriate space provided.

   b. County prisoner funds will be logged in the ACTFAS Computer in accordance with current procedure noting the prisoner's full name, DOB, MoRIS number, and money amount. A printed deposit slip will be generated and will be signed by the Deputy and the inmate in the appropriate spaces provided.

3. **Any cash deposits of $100.00 or more must be verified by two Deputies, both of whom must sign the deposit slip as well as the appropriate Money Log Sheet.**

4. The pink copy of the slip must be given to the inmate as a receipt for the deposit, and the remaining copies (the original white and yellow copies) must be secured with the money inside of the money envelope. All deposits will be secured in the commissary safe located in booking.

5. Each "U/A Money" or "County Money" envelope must be sealed and marked with the inmate's name, identification number, date received, amount of deposit, and Deputy's signature and IBM number.

6. Each deposit of "U/A" inmate funds at admissions must also be recorded on the "U/A Money Log Sheet".

IV. Unarraigned Inmate Money Disposition

A. The next business day, the inmate property deputy will pick up the money envelopes. The booking corporal and inmate property deputy will verify each envelope against the "Monroe County Jail U/A Money Log Sheet". The number of envelopes will be verified as well as the names and amounts. Any discrepancies will be reported to the duty sergeant for investigation.

* B. The Property Deputy will place the envelopes into a secure money drawer in Inmate Property.

* C. Inmates released from City Court may retrieve their funds at Inmate Property the day of their release providing they show their copy of the receipt and identification. Additionally, staff will utilize the "MoRIS In Custody Report" to identify all inmates retrieving money. When an inmate does not have their copy of the receipt or identification, use of the "MoRIS In Custody Report" must verify the inmate's identity.

Note: This money is to be only handled by the Property Supervisor, the Property Deputy, or other sworn security staff.

D. At the end of the shift, the staff member assigned to Inmate Property will retrieve a report from Central Booking Staff listing all new County Intakes. All appropriate deposits shall be made for those inmates remanded as County prisoners. The staff member will indicate on the Monroe County Jail U/A Money Log Sheet the MoRIS identification number for each posted deposit to the inmates account.

Note: County remanded prisoners who do not enter custody with money will also be entered into the commissary computer as an active account with a $0.00 balance. This process allows for future deposits by mail, in-person via money window or by kiosk.

E. Any remaining unclaimed U/A money envelopes in addition to the Monroe County Jail U/A Money Log Sheet will be automatically deposited by Property Staff at the end of each business day.

V. Inmate Withdrawals

A. Third Party Releases

1. Inmates must write to designated Jail Command Staff using Internal Communication Forms to request approval to release money from their commissary accounts to third parties. Such releases will be limited to necessary transactions to effect bail or deal with an emergency family situation.

2. If such a release is approved, the inmate will complete a withdrawal slip with all information required and sign it. It will then be forwarded to designated Jail Command Staff for their signature indicating approval. The approved money withdrawal slip is forwarded to Jail Records where it is held until the person designated to receive the funds arrive with proper identification. At that time Jail Records staff will issue a check in the appropriate amount and the designated person will sign the money withdrawal slip in the designated spot. A record of approved releases will be forwarded to the Commissary Office where it will be maintained with the check stub.

B. Photocopying and Legal Mailings

1. The Law Library Clerk will process all withdrawals for inmate photocopying and sending of legal mail.

2. Before any withdrawal is processed, the Clerk will obtain authorization from a jail command officer after contacting commissary to ensure the sufficiency of funds.

3. A record of all such withdrawals processed by law library will be maintained in the Commissary Office.

C. Release of Inmates

The following procedures will be observed for closing commissary accounts of inmates scheduled for release:

1. The Jail Records staff member will view the inmate's account on the computer and, if he/she has funds, will generate check to be printed and close out the inmate's account.

2. A Jail Bureau staff member who is authorized to sign checks will then sign the check and check stub. The inmate will also sign the check stub to indicate receipt of the check. The check stubs will be placed in the Jail records safe where they will be picked up by Commissary staff.

3. All inmates released from MCF must report to the Monroe County Jail to pick up their checks.

VI. Jail Commissary Accounts Maintenance

A. Retrieval/Verification of Inmate Funds Received/Disbursed

1. The Commissary Contract Provider, escorted by Prisoner Transport Staff, will collect the previous days deposits and transactions from the safe located at MCF in Central Control, the safe in the Property Room in MCJ, the safe in the MCJ Central Booking, the Kiosk in the Jail Records lobby and the Kiosk in the MCF visitor lobby.

2. The Commissary Contract Provider will prepare the bank deposit by balancing the individual deposits against the daily drawer report in Jail Records at MCJ. Once this is completed, the deposit bag will be secured in the safe in Jail Records for later delivery to the bank by Prisoner Transport Staff.

B. Accounts Data Entry

1. Once the day's bank deposit is prepared, the Clerk will adjust inmate accounts for withdrawals/deposits through the commissary computer database as needed.

2. The day's commissary orders will be processed in accordance with **JBGO-73, Commissary Sales Operations.**

VII. Holds on Commissary Accounts

The Jail Administration Hearing Officer will notify the Commissary of any debits to be made to an inmate commissary account to collect for damages or loss intentionally caused by an inmate. A copy of the infraction and paperwork related to the transaction are maintained in the Commissary office.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

• Indicates a change from the previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 17, 2011	EFFECTIVE DATE January 18, 2011	NO. 40-11
SUBJECT: GENERAL ORDER COMMISSARY SALES OPERATIONS		DISTRIBUTION JAIL BUREAU PERSONNEL	AMENDS
REFERENCE: PART 7016 OF TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES & REGULATIONS OF THE STATE OF NEW YORK (9NYCRR PART 7016)			RESCINDS 40-J-2000

Purpose: To establish and institute procedures that ensures proper maintenance and control over commissary operations at the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) by the Commissary Contract Provider.

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to ensure that the Commissary Contract Provider operates, manages, and provides commissary services to the inmates at the MCJ and MCF in accordance with the provisions stipulated in the agreement between the County of Monroe and the Commissary Contract Provider.

I. Commissary Contract Provider and MCSO Responsibilities

A. Commissary Contract Provider

1. The Commissary Contract Provider shall be responsible for the management (to include the provision of, and operation of an inmate booking system, product purchasing, ordering and distribution system) of an operation to sell merchandise (i.e. food, candy, non-alcoholic beverages, health and drug items, clothing and general merchandise) and or services to inmates incarcerated at the Monroe County Jail/Correctional Facilities. This management includes but is not limited to:

   a. Daily reconciliation of all deposits and withdrawal transactions posted to inmate accounts;

   b. Collection, processing, scanning, delivery, corrections, and reconciliation of inmate commissary orders;

   c. Order/accounts problem resolution;

   d. Daily preparation of bank deposits and maintenance and balancing of overall commissary accounts. Prisoner Transport Deputies, at the direction of Jail Administration shall transport all deposits to the bank;

   e. Provide a large selection of food, candy, non-alcoholic beverages, health and drug items, clothing and general merchandise, including quality brand name products. All products shall be approved by the Monroe County Sheriff's Office. Any product changes to include substitutions, additions, or deletions will also be subject to approval;

   f. Maintain, or have readily available, sufficient inventory to fill every item on all orders on the scheduled delivery date. There will be no substitutions or backorders;

   g. Adherence to policies and procedures relating to the commissary operation as set forth by the Monroe County Sheriff's Office;

h. Detailed manual and automated accounting and report generation for all aspects of the operation;

i. Hiring and maintaining sufficient personnel for the efficient management of the commissary operation. Contractors' employees will be subject to the Monroe County Sheriff's Office rules and regulations and guidelines while on the Sheriff's premises; and

j. Preparation of the commissary annual report, as well as other ad hoc reports as requested.

2. The Commissary Contract Provider shall report directly to Jail Administration.

* B. Jail Administration

1. The Commissary Contract Provider will submit to Jail Administration a monthly reconciliation report and all related financial reports, to include all assets and liabilities of the operation. The Contract Administrator is responsible for reviewing all balance reports.

2. The Commissary Contract Provider will submit a detailed invoice and related reports to Jail Administration weekly. A Jail Administration clerk shall be responsible for processing the invoice for payment.

II. Commissary Merchandising Operations

A. Processing Commissary Orders at the Jail/Correctional Facility

1. Inmates in each housing area at the Jail/Correctional Facility shall have the opportunity to receive commissary one day each week.

2. To receive commissary on their scheduled delivery day, inmates must ensure that deposits are received for posting to their accounts before ordering.

* 3. **Inmates may place orders with the commissary with a maximum $100.00 in food items and maximum $100.00 in clothing/hygiene items.**

4. The Commissary Contract provider will scan in all orders received from inmates for commissary.

B. Packing Commissary Orders

1. Each inmate(s) order will be packed in a clear plastic bag for delivery.

2. A two-part, carbon-less receipt detailing each inmate's order, order total and account balance will be placed in the bag.

C. Delivering Commissary Orders

1. Jail Bureau staff members will accompany Commissary Contract Provider employees making commissary deliveries to each housing area in the Jail/Correctional Facility. In the event the Corporal/Deputy is called away during deliveries, commissary activity in the housing area will cease until the Corporal/Deputy is once again available or replaced.

2. The process used to deliver commissary orders at the Jail/Correctional Facility shall be as follows:

a. The Commissary Contract Provider staff will establish a housing area schedule to receive orders and arrange a delivery time.

b. Prior to the arrival of commissary, the Corporal/Deputy will lock down the floor or restrict inmates to their bunks if the area is a dormitory setting. Absolutely no inmates will be allowed out of the cell/bunk area during commissary delivery time, including trustees.

c. The delivery cart shall be placed and remain at the end of the cellblock or at the Deputy's duty station, if in a dormitory or direct supervision setting, during deliveries.

d. The Corporal/Deputy and Commissary Contract Provider staff shall carry the orders to each individual inmate. The Corporal/Deputy will verify the identity of the inmate and the Commissary Contract Provider staff will count out the items included in the order. The Commissary Contract Provider staff member will retrieve the signed receipt from the inmate.

* e. All inmates residing in a direct supervision unit (Tower Housing), will be secured within their respective cell, until they are individually released to inventory and sign for their respective commissary order. At no time will more than one inmate be allowed out of their cell during commissary delivery.

f. Any commissary account problems or errors with an inmate's order will be written on the back of the individual's order receipt by the Commissary Contract Provider staff.

g. Under no circumstance shall Commissary Contract Provider staff leave an order for an inmate who is not in his /her housing area to accept the delivery.

D. Special Orders

1. Inmates who are new to the Jail/Correctional Facility or a housing area and have not received commissary during the week of scheduled deliveries may place a special order for inmate commissary.

2. The Commissary Contract Provider will complete all special orders placed by inmates as authorized by Jail Staff.

E. Problem Resolution

1. It shall be the responsibility of the Commissary Contract Provider to coordinate and/or process the resolution of any problems/questions received regarding inmate accounts and orders.

2. To the greatest extent possible, the Commissary Contract Provider shall resolve inquiries made via inmate communication forms within 48 hours of their receipt in commissary. The response shall be documented on the form, notification sent to the inmate about the disposition and signature of staff completing the inquiry. Once the problem has been resolved, staff will send the communication form to Jail Administration for logging. There may be occasions when Commissary Contract Provider staff may have to meet with inmates in their housing area to resolve issues.

3. To the greatest extent possible, the Commissary Contract Provider will resolve complaints received via the telephone within 48 hours of receipt of the complaint.

4. The Commissary Contract Provider will contact Jail Administration <u>immediately</u> during business hours, or as soon thereafter as possible, regarding any discrepancies with money.

III. Record-Keeping

A. A complete record of all transactions for each day of business shall be maintained in the commissary.

B. This daily file shall include, but not be limited to, the following:

1. Daily drawer reports

2. Printed check reports
3. General Ledger Summary Reports
4. All Check Stubs
5. All deposit receipts
6. All completed order receipts
7. Inmate Internal Communication Forms addressed/ resolved that day

IV. Key Control

A. The Commissary Contract Provider has key sets to access all commissary safes and Kiosks in the Jail/Correctional Facility. They must ensure that proper key control is maintained.

B. Jail/Correctional Facility Administration maintains a current list of all key sets as well as duplicate key sets for all commissary safes.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O'Flynn

* Indicates a change from the previous order

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

General Order	Date of Issue	Effective Date	No.
JAIL BUREAU	January 24, 2011	January 25, 2011	41-11
SUBJECT: GENERAL ORDER Educational Services for Youth		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7070 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7070). Section 3202 (7) of the New York State Education Law.			Rescinds 41-J-03

Purpose: To familiarize members and employees of the Monroe County Sheriff's Office with the educational opportunities that are provided for incarcerated youth within the Monroe County Jail and the Correctional facility.

Policy: The Monroe County Sheriff's Office in conjunction with the Local School District will provide an educational program that will allow incarcerated youth to receive and/or continue their education during incarceration, as well as provide transitional assistance after they are released from custody.

Definitions

A. Eligible Youth is defined as an inmate who:

1. Is less than 21 years of age.

2. Has not yet received a high school diploma. Inmates who have received a G.E.D. are still eligible to take high school level course work.

3. Has been incarcerated in a local correctional facility for 10 or more calendar days or who, in the judgment of the chief administrative officer, can reasonably be expected to be incarcerated for a period of 10 or more calendar days.

B. Educational Services are defined as services that are made available to eligible youth (inmates) by the local school district pursuant to **Section 3202 (7)** of the **New York State Education Law** and **8 NYCRR 118.3** and **118.4**. Such services will include, but not be limited to:

1. Diagnostic tests on each eligible youth (inmate) to determine the individual educational needs.

2. Individual or small group instruction to address the identified educational need(s) of each youth (inmate).

3. Provide special assistance in learning, speaking and writing the English language where necessary.

4. Provide transitional assistance and counseling to enable youth (inmates) to continue their education upon custody release.

I. Instructor Orientation

A. The Monroe County Sheriff's Office Director of Rehabilitation will be assigned as the staff liaison to work with the education personnel. The Rehabilitation director will be responsible for coordination and delivery of educational services to eligible youth (inmates) within the MCJ and MCF facilities.

B. An orientation will be provided for all prospective (jail) education instructors by the rehabilitation department. The orientation will include, but not be limited to:

1. Information regarding the rules, regulations and security procedures that must be followed by the education staff while they are in the MCJ or MCF.

2. Establishing an institutional staff liaison that will discuss and resolve problems related to the program.

3. Review the inmate rules and regulations handbook.

4. Review the procedure to be followed in the event of an emergency.

II. Program Participation

A. The Rehabilitation Director will provide the jail education staff with a weekly list of all youth (inmates) who have entered the facility within the previous week.

B. In accordance with **9 NYCRR Part 7070.4**, a member of the education staff will interview all prospective students (inmates) to determine whether or not they meet the requirements for education services. The education staff member will provide the inmate(s) with the following information should they choose to participate in the program. The education instructor will:

1. Inform the inmate(s) of the need to make their educational request in writing to the designated school district and the facility.

   Note: A copy of the completed request will be placed in the inmates' facility file as well as one copy forwarded to the New York State Education Department.

2. Inform the inmate(s) that he/she may attend the program as long as they meet the requirements of an eligible youth and abide by facility rules.

3. Inform the inmate(s) about the education program, explaining that it consists of small group and individual instruction, designed to prepare students to take the high school equivalency exam, or complete regular high school course work.

4. Inform the inmate(s) that they are able to enter the program at any time during incarceration, but full cooperation and participation will be required.

III. Security and Educational Staff Roles and Responsibilities

A. Security Staff will be responsible for:

1. Ensuring that all enrolled students who are not restricted from participation in the program are called out for school and allowed to travel to and from the classroom, under the direction of security staff.

2. Communicating with educational staff as to student changes in the instructional environment (removals for safety and security reasons, non-contacts, etc).

3. Cooperating with educational staff to maintain a safe and secure instructional environment.

B. Educational Staff will be responsible for:

1. Observing all rules and regulations of the facility.

2. Providing student information and instruction in accordance with the provisions of this order and any other pertinent education regulations.

3. Working with security staff by reporting problems in the classroom that interfere with the maintenance of a safe and secure instructional environment.

IV. Instructional Setting

A. All classrooms within the Monroe County Jail and the Correctional facility will be organized and maintained to promote a safe and effective learning environment, which would accommodate the needs of the education staff as well as the inmate. MCJ and MCF will provide a secure storage area for all educational materials, equipment and records.

B. While inmates are receiving their educational instruction, the classrooms will be monitored by facility staff, as deemed necessary by the chief administrative officer to ensure the safety and security of civilian staff and participating inmates.

C. Educational services at the jail/correctional facility will be conducted similar to that of regular public schools, keeping with an equivalent curriculum. Established school days are defined as the days of the year that school is in session, excluding legal holidays as determined by the Local School District. The educational program is authorized to run during the summer as determined by the Rochester City School District and the Monroe County Sheriff's Office.

D. As participants in the education program eligible youth (inmates) will be required to attend school each day school is in session, for a minimum of three (3) hours of instructional time per day. The education staff will schedule such time to meet the needs of the institution and the inmates involved in the program.

E. **The instruction time will be scheduled as such not to deny the inmate of recreation, legal services, religious services, health services and/or personal visitation.** Eligible youth (inmates) may be absent from school **only** under the **other** following circumstances:

1. Institutional emergencies.

2. Poor institutional behavior.

V. Restrictions from Educational Services

A. An eligible youth's participation in educational services will not be restricted or denied as a result of such youth's involvement in a disciplinary matter unrelated to the youth's participation in the facility's educational program. The exception to this will be when such involvement demonstrates that the youth's presence in the program presents a clear threat to him/herself, others, or jeopardizes the safety, security and good order of the facility.

B. An emergency situation exists within the facility that temporarily prevents or significantly interferes with the delivery of such services.

C. Facility staff will notify the educational staff as soon as possible, within reason, when a youth is restricted from educational services.

VI. Procedures to Restrict from Educational Services

A. If an eligible youth (inmate) experiences problems in the education program, a determination may be made to restrict or deny him or her from participating. Before making such determinations the following procedures will be followed:

1. The facility staff and the Jail education instructor will discuss the problem.

2. Attempts will be made to resolve problem.

B. If a determination is made to restrict or deny an inmate from participating in educational services, as previously stated in Section V, the hearing officer will make a notification in writing on the infraction disposition form with a copy forwarded to the local school district and the inmate. The written determination will include, but not be limited to:

1. Date of the determination.

2. Name of the eligible youth effected.

3. Dates when services are to be suspended and/or denied and the date when services may be resumed, if applicable.

4. The nature of and/or time period for any restriction of services.

5. Specific facts and reasons underlying the decision.

6. Comments and/or recommendations made by the instructor.

7. The signature of the chief administrative officer.

C. After a determination has been made to restrict or deny an inmate from participating in the program, jail education staff will consult with security staff as to continuing independent study within the inmate's housing area.

D. Whenever a determination is made to restrict or deny an eligible youth's participation in educational services, the chief administrative officer shall review such determination in writing within 14 days and at least every 14 days thereafter while such restriction or denial is in effect. These written reviews shall include, but not be limited to the following;

1. Date of review.

2. Comments submitted by the eligible youth, if available.

3. Comments made by the instructor.

4. Justification for either continuing the denial or restriction of such services or for permitting the youth to resume participation in the program.

5. Recommendations as appropriate.

6. Signature of the chief administrative officer.

E. Copies of each determination and review made pursuant to this section shall be distributed as follows by the end of the next school day following the date of the determination or review;

1. Placement and retention in the youth's inmate file.

2. Forwarded to both the affected inmate and the inmate's instructor.

VII. Education Records

The Jail Rehabilitation Department will maintain written records of all information concerning any participation in the education program. Such records will include, but not be limited to:

1. Dates and times education services were provided.

2. A list of all youths (inmates) participating in the program, on a daily basis.

3. Dates and times educational services were restricted or denied due to an emergency situation and/or behavior problems, including information explaining why such action was necessary.

VIII. Custody Release

As an attempt to continue to facilitate the educational program for eligible youth (inmates) following their transfer/release from the Monroe County Jail/Correctional facility, educational staff (teachers and counselors) will do the following:

A. Contact the appropriate school district to schedule readmission or obtain information relative to GED preparation classes or examinations.

B. Counsel the student about the services available in the community and encourage him/her to continue to pursue their education.

C. Assist the student with making appointments with educational providers in the community.

D. Upon request, forward all educational paperwork to the student's next destination.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	October 28, 2015	October 29, 2015	JBGO-042-15
SUBJECT: INMATE MOVEMENT/RESTRAINT PROCEDURE		DISTRIBUTION: JAIL BUREAU PERSONNEL	AMENDS
REFERENCE: Part 7003 & 7022 of Title 9 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (9NYCRR Part 7003 & 7022). NYSAA 40, 100.			RESCINDS: 42-09

Purpose: To establish and maintain policies and procedures pertaining to the movement and restraint of inmates who jeopardize the safety, security, and good order of the Monroe County Jail (MCJ) and/or the Monroe Correctional Facility (MCF).

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) that staff members use only that level of force necessary to overcome resistance or gain compliance in accordance with **Article 35 of the New York State Penal Law, MBGO-33 Use of Force** and the **Subject Management Resistance Report (MB-119), and JBGO-20 Quick Entry Team**. All sworn staff members will be trained in the proper application of restraints in the academy as well as during periodic in-service training sessions.

I. Definitions

A. **Restraint:** As it is used in this Order, restraint refers to the use of any apparatus which interferes with the free movement of an inmate's arms and/or legs or which totally immobilizes an inmate and renders the inmate unable to remove. It does not however, refer to the restraint during transports outside of the Jail/Correctional Facility or from place to place within the Jail/Correctional Facility.

B. **Mechanical Restraint:** Refers to all metal restraints and includes handcuffs, waist chains, leg shackles, flexi-cuffs, and the prisoner restraint chair.

II. General Provisions

A. The use of restraints will be related to the purposes for which they are intended. This includes ensuring the safety of staff, civilians, or inmates, or to prevent property damage.

B. Staff will ensure that restrained inmates are free from any unnecessary conditions which may risk their health and/or safety.

C. Restraints will not be used for the purpose of discipline, punishment, or to inflict pain, injury, discomfort, or disability.

D. Inmates will not be restrained in any unnatural position or in such a way as to cut off circulation to their extremities. Inmates will not be restrained in ways which create positional tension or hyperextension to their extremities.

E. The duty Lieutenant, or in his/her absence, the duty Sergeant/shift supervisor will reserve overall authority in determining the degree of restraining measure, application, and removal in each situation. In situations where there is no platoon Lieutenant or Captain on duty at the time, he/she will be notified as soon as is practical after the incident.

III. Inmate Movement/Restraint Locations

A. When an inmate's continued presence creates a substantial risk of escape, creates extreme disruption, poses a risk of injury to their self, to staff, or to others, or creates a risk to property, that inmate will be subject to relocation from any area of the Jail/Correctional Facility as determined by the duty Sergeant/shift supervisor.

B. The duty nurse may have an inmate removed from a housing area or other place in the Jail/Correctional Facility for medical purposes. An inmate relocated for medical reasons will be moved to a housing area deemed appropriate by the duty nurse after consultation with the duty Sergeant/shift supervisor.

C. If a determination is made to relocate an inmate for any reason as outlined in this Order, he/she will be videotaped when possible. Inmates will be relocated, and if necessary, restrained in a corridor cell, a Special Housing Unit cell, Reception Unit cell, or a Central Booking observation cell as determined by the duty Sergeant/shift supervisor. In all cases, staff will attempt to utilize the closest feasible housing area in order to minimize the distance traveled when transporting an inmate within the Jail/Correctional Facility.

D. At MCF, male inmates who are relocated for any reason as outlined in this order will be moved, and if necessary, restrained in a cell in the 200 housing unit. As a secondary alternative only, a corridor cell within a housing unit of the same gender may be utilized to house or restrain male inmates. Female inmates who are relocated for any reason as outlined in this order will be moved, and if necessary, restrained in a corridor cell located in a housing unit of the same gender or on one (1) of the two (2) floors of the 200 housing unit if one (1) of the floors is designated as females only.

IV. Mechanical Restraints

A. Mechanical restraints (handcuffs or leg shackles) may be used in any incident requiring the immediate immobilization of an inmate in order to neutralize or prevent escalation of the incident. These incidents may include (but not be limited to) incidents which cause damage to property, cause injury to self, staff, or others, or creates a substantial risk of escape.

B. Upon application of mechanical restraints, staff will immediately notify the duty Lieutenant, Sergeant, and nurse.

* C. Upon notification, the duty nurse will respond and check the mechanical restraints and check the physical condition and the behavior of the inmate. The housing area supervisor will document the information in the JMS log. The Duty Lieutenant, Sergeant, and Nurse will consult and determine if restraint is necessary and warranted. **Mechanical restraints will not be in place longer than thirty (30) minutes unless approved by the Duty Lieutenant due to exigent circumstances.** This time limit is not applicable to the use of the prisoner restraint chair. In the absence of the Duty Nurse, the Duty Lieutenant or Duty Sergeant/Shift Supervisor will assume the duties and responsibilities performed by the duty nurse defined in this Order.

D. All incidents requiring the use of mechanical restraints will be videotaped when possible. However, the initial incident where mechanical restraints are applied may be spontaneous, making videotaping impossible. If it is determined by the Duty Lieutenant or the Duty Sergeant that the Restraint Chair will replace the Mechanical Restraints due to circumstances outlined in Section IV (C), all actions taken will be videotaped in accordance with this procedure.

V. Restraint Chair Placement

A. Use of the restraint chair is a reportable incident (JB-136 Incident Report) and will be reported to the NYS Commission of Corrections within 24 hours.

B. The restraint chair will be moved to the location/housing area in which it is to be used.

C. Prior to the inmate being placed in the restraint chair, the inmate must be properly restrained. This will be accomplished through the use of handcuffs and/or leg shackles (mechanical restraints) or escort techniques. Once the inmate has been secured in the restraint chair, all mechanical restraints will be removed.

D. All belts and restraining devices will be checked and adjusted as needed. All restraints will be checked every fifteen (15) minutes and documented on **(JB-006) Inmate Restraint Inspection Report Form.**

E. If the inmate is to be relocated once secured in the restraint chair, the wheels can be engaged to provide ease in moving the chair. Upon reaching the desired location, the wheels are to be disengaged.

Note: All restraints/straps will be applied in a manner as to maintain proper security and control but not in a manner which may be unnecessarily harmful or painful to the inmate.

VI. Application of Soft Restraints (Forensic Unit/Hospital Details)

A. Soft restraints will be inspected by staff before each use. The restraints will be examined for fatigue, cuts, or any other type of damage. In addition, all lock buckles, hasps, loops, and rivets will be inspected ensuring each is firmly in place and operational.

B. When an inmate needs to be restrained for the safety, security, and good order of the facility while at the Forensic Unit or at the hospital (not routine active supervision), a four (4) point restraint system will be used. The inmate will be placed on the bed on their back and will be restrained to the bed.

Note: During routine hospital details when active supervision is being conducted (i.e. inmate not being disruptive/disorderly), the inmate will be restrained in accordance with **JBGO-057 Hospital Security Procedures** and **MBGO-005 Use of Restraining Devices.** For Pregnant female inmates who are in active labor or who are in recovery from giving birth refer to **JBGO-013 Prisoner Transport Treatment.**

C. When soft restraints are applied (outside of routine active supervision, i.e. a disorderly inmate) a **JB-006 Inmate Restraint Inspection Report Form** will be started immediately by the duty Sergeant documenting the date, time of application, and the condition and behavior of the inmate. In addition, all applicable Incident Reports will be completed.

D. Upon application of soft restraints, the duty Sergeant/shift supervisor will check the restraint(s) ensuring that all lock buckles are secure and that the belts are properly secured.

E. In cases where a restrained inmate continues to act out or behave in such a way that they may cause self-injury to their head, neck, or back, staff will attempt to prevent self-injury/harm by placing additional mattresses, pillows, and/or blankets under the inmates head, neck, and back and will immediately notify their supervisor.

VII. Restrained Inmates

A. Restrained inmates must be provided regularly scheduled meals and must be permitted to use the bathroom when necessary. The housing area supervisor will document these activities in the JMS log. To the most reasonable extent possible, each time a restrained inmate is released (or partially released) from restraints for meals or to use the bathroom, they will be videotaped.

B. The maximum period of time that an inmate is continually restrained in the restraint chair should not exceed two (2) hours. However, restraint may be continued when warranted, but only after examination of the restrained inmate by medical and mental health staff. Generally, two (2) consecutive checks by the duty Sergeant/shift supervisor where the inmate is calm and not acting out will be considered grounds for release from restraints.

C. The duty Lieutenant will notify the Superintendent when the restraint of an inmate continues for a period of twelve (12) hours and in no case will restraints be used for more than twelve (12) hours. Upon removal of the restraints, the completed **Inmate Restraint Inspection Form (JB-006)** will be forwarded to Jail Administration.

VIII. Staff Responsibilities

A. The duty Sergeant/shift supervisor will inspect the all restraints and interview the inmate periodically and determine if further restraint is necessary. Upon completion of each inspection/interview the duty Sergeant/shift supervisor will document the physical condition and behavior of the inmate on the **Inmate Restraint Inspection Form (JB-006)**.

B. In accordance with **9NYCRR, Part 7003**, housing area staff will maintain constant supervision of restrained inmates and notify the duty nurse and duty Sergeant immediately of any changes in the inmates physical and/or mental condition. Staff will document the condition and behavior of restrained inmates on the Inmate Restraint Inspection Form at fifteen (15) minute intervals.

C. The duty nurse will inspect the restraints at the time of application and document the physical condition and behavior of the inmate on the Inmate Restraint Inspection Form. The duty nurse will continue to inspect the restraints hourly and document a specific descriptive statement relative to the physical and/or mental condition and behavior of the inmate.

D. Should the duty nurse determine restraints are unduly aggravating an inmates illness or injury, the duty nurse may issue a partial restraint order or an order of complete restraint removal. In such cases, the duty nurse dictating such order will complete and submit an Incident Report to the Superintendent explaining, in detail, the specific facts and reasons for such order.

E. In situations where prior consultation with the duty nurse and/or mental health staff is not practical, the duty Lieutenant may authorize the immediate use of restraints. Restraint will not continue in excess of one (1) hour without consulting the duty nurse.

IX. Inmate/Patient Restraint Procedures

A. As previously mentioned in this Order, all staff assigned to inmate hospital details will conduct security procedures in accordance with **JBGO-57 Hospital Security Procedures** and **MBGO-22 Prisoner Custody, Transport & Treatment.** Prior to departing the Jail/Correctional Facility for the hospital, the staff member will bring the hospital bag and the **Hospital Referral Form.**

B. At all times, staff performing a hospital detail will ensure that the inmate is restrained to the hospital bed. This will be done by securing one (1) of the inmates limbs to the bed using soft restraints

X. Reportable Incidents

The use of restraints is a reportable incident pursuant to **9NYCRR, Part 7022** and **JBGO-52 Reportable Incidents** and will be reported to the Commission of Corrections within twenty-four (24) hours of the incident.

A. Incidents in which subject management techniques are used on an inmate, and result in the application of restraints to that inmate, will be reported to the Commission of Corrections. This **does not** include inmates that have not had subject management techniques used on them but have been involved in an incident where inmate movement/relocation/infraction is necessary.

B. Any incident which results in an inmate receiving medical treatment will be documented and properly reported.

C. The use of mechanical restraints during transports either outside the of Jail/Correctional Facility or within the secured area of the Jail/Correctional Facility is not a reportable incident.

XI. Storage/Cleaning and Equipment Checks

A. All restraint equipment at MCJ and MCF will be securely stored. All restraint equipment will be checked, accounted for, and logged at the beginning and at the end of each shift

B. Restraint equipment found excessively worn or damaged will be reported to the duty Sergeant/shift supervisor immediately and will be noted in the JMS log.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O 'Flynn

* Indicates significant changes from previous Order.

INMATE RESTRAINT INSPECTION REPORT

Pursuant to **JBGO-42 Inmate Movement/Restraint Procedure**, Constant Supervision must be provided to inmates placed in soft restraints. In **Part I** of this report, security staff must describe the inmates behavior and physical condition at fifteen (15) minute intervals. In **Part II**, medical staff must document their observations (at least hourly) of the inmates condition.

The following inmate was placed in restraints, as documented in this report and any applicable attachments.

Inmate Name: _____ MoRIS (JMS) # _____

Inmate Location: _____

Date/Time of Restraint: _____ Date/Time of Removal:

Part I - SECURITY INSPECTION OF RESTRAINED INMATE

Date:	Time:	Inmate Behavior & Physical Condition:	Staff Name & IBM #:

Part II - MEDICAL STAFF RESTRAINT INSPECTIONS

Staff:	Date:	Time:
Comments:		

****

Staff:	Date:	Time:
Comments:		

****

Staff:	Date:	Time:
Comments:		

****

Staff:	Date:	Time:
Comments:		

****

Staff:	Date:	Time:
Comments:		

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE July 06, 2015	EFFECTIVE DATE July 07, 2015	NO. JBGO-044-15
SUBJECT: GENERAL ORDER Communications		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NYSSA 99; FCC REGULATIONS – PART 90 CALEA 73.5.18, 73.5.19			RESCINDS JBGO-044-13

Purpose: To familiarize members or any staff member authorized to use an issued Sheriff's radio with the established procedures for communications among staff members governing the use of mobile and portable two-way radios.

Policy: Radio communications will be conducted clearly, concisely and in a professional manner at all times. The central control room operator will conduct the dispatching, monitoring and response to all Jail facility calls for service. It will be the shift commander's responsibility to ensure the guidelines of this general order are followed. Radio operations will be conducted in accordance with the directives set forth in this order as well as all Federal Communications Commissions (FCC) regulations.

I. **Standard Channel Configuration:**

A. Portable Channels

Refer to Attachment

* B. The Major of Administration will appoint at least one (1) designated radio communications officer who is authorized to facilitate radio repairs, program radios, issue radio equipment and maintain a static radio inventory of issued equipment.

II. **Channel Selection**

A. The County dispatch channel (MC-DISP displayed on the radios) will be used for:

1. All Emergency Communications Department (ECD) dispatched calls.
2. Request for back-up or emergency assistance (ambulance, etc.).
3. Advising the dispatcher of a priority self-initiated assignment.

B. The County administrative channels (MC-EAST or MC-WEST displayed on the radios) will be used for:

1. Jail Bureau prisoner transports.
2. Administrative assignments outside of the facility structures.
3. Jail Bureau details outside of the facility structures.

C. There is a Jail Primary and Jail Secondary channel designated for use at each of the Jail facilities. The primary channels are supported by a repeater system and provide complete radio coverage throughout the respective facility and immediate perimeter. The secondary channels are for short-range communication and may not extend to far-reaching areas of the facilities. These primary and secondary channels shall be utilized for all radio communication within the Jail facility structures. In the event that the Primary Jail channels become inoperable, the Secondary short range channel will be utilized until repairs can be made to bring the Primary channel infrastructure back on line.

III. Radio Procedure

A. Staff members will monitor his/her radio at all times when on duty. The central control room operator will notify a Jail supervisor or command officer if a deputy fails to respond to a radio transmission within a reasonable period of time.

B. Radio use must be limited to appropriate transmissions and any lengthy conversations must be conducted via telephone. Jail supervisors will note violations and take appropriate corrective action.

C. The recreational or unauthorized use of an agency issued radio by a member of the Sheriff's Office is strictly prohibited.

D. The following radio codes shall be utilized to request assistance on Jail frequencies in facility post assignments. These codes are not recognized by an ECD/911 center dispatcher and should **NEVER** be used while on police channels:

1.	Code 1	– Inmate Fights & Disturbances
2.	Code 1 STAFF INVOLVED	– Officer Needs Help Situations
3.	Code BLUE	– Medical Emergencies
4.	Code RED	– Fire Emergencies
5.	ALL CLEAR	– Situation under Control – Response Terminated

Note: A channel marker alert tone will be activated at the Radio Console whenever the primary radio channel is secured for an emergency response. Once activated, **only emergency radio transmissions are authorized.** The same alert tone is also used on Police channels and the same rules apply. **Only** Emergency transmissions are allowed during the Alert Tone or Channel Marker sound.

E. The radio's emergency distress signal feature shall only be activated when a member is in dire need of assistance and normal communication is not possible. The distress activation will signal a visual and audible emergency alarm on the control room console displaying the radio's ID (member's name or radio assignment) and a general location within the facility as displayed by the radio receiver that picked up the emergency button transmission. Upon receipt of a distress signal, the central control room operator shall take immediate action to verify the alarm condition and activate a coded response (ie. Code One or Code Blue) if appropriate. If the distress button is accidentally activated, reply "All Set" when the dispatcher or control room operator asks for your status. The decision to hold the air after an "All Set" for secondary verification can be made at the platoon level if needed.

F. Members who have personally assigned vehicles/numbers will use their assigned call number to communicate with the ECD/911 dispatcher when on duty or responding to a Jail emergency while off duty (**Refer to MBGO #62**). When a member is **off duty** and needs to communicate with the ECD/911 via portable radio, he/she will use their IBM number. This number identifies the caller as being an off duty member of the Sheriff's Office.

G. The Major of Administration or designee will direct 'radio roll calls' periodically to ensure individual portable radios and communication infrastructures are in good working order.

IV. Portable Radios

A. Members issued a portable radio will receive a charger unit, two (2) batteries, and a leather radio case. If the member is assigned to a plain-clothes position or holds the rank of Lieutenant or above, a Porta-Clip will also be issued. The Major of Administration may approve additional use of the Porta-Clip on a case-by-case basis for special assignments.

B. Members will report for duty with their issued radio. It will be the member's responsibility to ensure that the battery is fully charged before their tour of duty.

C. Speaker microphone will be attached to the epaulet of the uniform with the spiral microphone cord running up the left or right **front** side of the body. The speaker microphone cord will **not** be run behind the back and secured from behind to the epaulet to ensure officer safety.

D. Members assigned to an administrative or plain-clothes assignment are not required to use the speaker microphone. However, when the microphone is not used, the protective cover plate must be securely in place over the exposed metal tabs on the side of the radio. (Contact the Radio Comm. Officer to obtain a plastic cover if you do not have one.)

E. All uniformed personnel below the rank of lieutenant are required to use the issued leather case.

F. Members will not leave their charger unit and battery at their work site, unless they have an office. Members may secure their portable radio without the battery in a locked locker at their work site and recharge the battery at home; however staff may take the entire unit to and from work.

G. Members will store their portable radio, charger unit and battery in a location that will ensure security and guard against the possibility of misuse or theft. Members shall not leave their radio and battery in their vehicle as to not expose their radio battery to extreme cold or heat as this will affect the condition of the battery and its ability to charge or hold a charge.

H. Any use of the member's agency issued portable radio during off-duty part-time employment or for personal use is strictly prohibited.

I. When a portable radio, battery or charger is in need of repair, members will notify their immediate supervisor who will contact the designated communications officer. A **Jail Radio Request' Form (JB-140)** will be completed and forwarded through the supervisory chain to the Major of Administration. Members will submit a Special Report detailing the circumstances whenever equipment is damaged. If it is determined that the damage to any of the equipment is the result of misuse, abuse (as determined by the repair facility) or failure to comply with the requirements of this General Order, it may result in disciplinary action against the member.

J. There will be no repairs, channel adjustments, or alterations made to the portable radio unit by anyone other than the designated communications officer.

K. In the event that a member's portable radio is stolen, lost or misplaced, the member shall notify their immediate supervisor as soon as possible and file a police report. The supervisor shall immediately notify the Major of Administration. The member will submit a Special Report detailing the circumstances surrounding the incident with a copy of the police report as soon as practical through the supervisory chain to the Major of Administration. ECD must be notified of the lost or stolen radio.

L. The designated communications officer will maintain a limited quantity of loaner radios, which will be used in the event that a radio malfunctions and immediate repair is not possible. These units are not meant to be used in situations where a member merely forgets his/her radio. The loaner radio must be issued and signed out by the designated Radio Communication Officer, and must be returned upon completion of the issued radio repair. The member's issued radio will not be returned until the loaner equipment is returned.

M. All radio transmissions must be business related and professional at all times. **Obscene, derogatory, racial, demeaning or sexual remarks are prohibited.**

N. Voice radio information is confidential and cannot be released to private investigators, attorneys (except ADA) or other individuals, unless for official police use or pursuant to Freedom of Information Act requests. All requests will be approved by Sheriff's Counsel.

VI. Details Outside Security

A. Deputies assigned to details outside security (hospital security, sentenced inmate work details, prisoner transports) will contact the Emergency Communications Department (911 ECD) to initiate, update and close out job cards. Deputies will utilize/monitor the MC East or MC West Channel during the detail/transport and utilize this channel in the event of an emergency necessitating a security response.

Note: Use of Administrative Channels will be based on the destination of the transport. MC-West=West of the Genesee River, MC-East=East of the Genesee River.

B. During the course of each detail, deputies will carry their assigned portable radio and monitor the detail Channel.

C. Prisoner Transports

1. At the beginning of each prisoner transport, a transporting deputy will contact the ECD dispatcher via two way radio notifying ECD of the jail prisoner transport.

2. The deputy will provide the dispatcher with the departure location, intended destination, number and gender of prisoners and starting mileage. The dispatcher will acknowledge the request with a starting time and automatically start a job card.

3. Upon arrival at the destination, a transporting deputy will radio the dispatcher that they have arrived at the specified location and will be on or off the air dependent upon the circumstances. The deputy will also provide the dispatcher with the ending mileage and location.

4. When the destination activity is complete and the detail is ready to return to the facility, a transporting deputy will radio the dispatcher that they are returning to the specified location.

5. The deputy will provide the dispatcher with the departure location, intended destination, number and gender of prisoners and starting mileage.

6. Upon return to the facility, the transporting deputy will radio the dispatcher that they have arrived at the facility, provide the dispatcher with the ending mileage and clear the job card with a CODE 41.

7. If at any time, a destination changes, the dispatcher must be advised of the change. An ECD job card will be maintained throughout the detail from the time the transport team departs either jail facility until they return or code out the job.

D. Hospital Detail

1. Hospital detail bags will be tagged with a 4-digit detail number to identify each detail on police radio channels.

2. At the start of the detail the deputy assigned, using the tagged detail number will contact the ECD dispatcher by phone notifying ECD that a jail prisoner guard detail has commenced and request a Special Attention job card.

3. The deputy will provide the dispatcher with the detail number, specific location of the detail, name and gender and MORIS ID number of the prisoner, the deputy's name and IBM number, telephone numbers to call into the detail and to contact hospital security.

4. The dispatcher will assign a CR number for the detail. This job card and CR number will remain open for the duration of the detail and must be recorded in the detail log book.

5. Each relieving deputy using the designated detail number will contact the ECD dispatcher by telephone and advise they are coming onto the shift and give the dispatcher their name and IBM number.

6. When the prisoner is discharged and returning to the facility, the deputy closing out the detail will contact the dispatcher by telephone and report the detail complete and clear the job with a CODE 40.

E. Supervisor Responsibility

Supervisors will monitor deputies assigned to outside security details by making periodic checks to ensure officer safety. These checks may be made by telephone, voice radio or site visits when appropriate. Site visits will require the supervisor review logbook notations from the previous supervisor round.

VII. Responsibility and Accountability

* A. All Jail radio channels and the Central Control main phone lines at both facilities will be recorded. Alternate phone lines, which will not be recorded, will be available for internal staff use.

* B. All incoming outside calls to the Jail Control Rooms will be recorded.

* C. All calls to 911 for emergency response purposes will be made using the recorded phone lines.

D. All broadcasts of calls and assignments from a supervisor, or ECD dispatcher, shall be considered an order. Brief, clarifying questions may be asked by the member and any apparent discrepancy in a call received will be directed to the immediate supervisor.

E. Complaints of inappropriate transmissions, or complaints against ECD, shall be documented on a Special Report and submitted through the chain of command to the Major of Administration. The Major of Administration will initiate a complaint through the Staff Services Bureau.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

* Indicates change from previous order.

PORTABLE RADIO JAIL ZONES – JANUARY 2015

Ch.#	JAIL ZONE
1	MCJ-PRI
2	MCJ-SEC
3	MCF-PRI
4	MCF-SEC
5	J-OPS-1
6	COURTS
7	CRT-OPS
8	MC-DISP
9	MC-WEST
10	MC-EAST
11	DETAIL1
12	DETAIL2
13	SCENE
14	TAC-CTY
15	TAC-EST
16	TAC-WST

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	September 4, 2009	September 4, 2009	45-J-09
SUBJECT: GENERAL ORDER Tool Accountability		DISTRIBUTION Jail Bureau Personnel	AMENDS NEW
REFERENCE:			RESCINDS

Purpose: To establish and maintain a policy and procedure that will allow for the accountability and safe use of all tools used in the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to ensure the accountability and safe use of all tools and restricted products including their appropriate storage, inventory, and supervision at both MCJ and MCF.

I. Rules

Housing area supervisors and maintenance/physical plant supervisors will ensure that:

A. Tools and dangerous objects are stored in a secure area, inaccessible to inmates, and consistent with fire and safety codes.

B. Accountability of tools and dangerous objects is maintained at all times and all tool inventories are logged into the JMS computer system or appropriate log book if necessary.

C. Only minimal amounts of tools are kept on-hand.

II. Tool Security and Storage

Members and employees will:

A. Store all tools on a shadow board in such a manner that their presence or absence can be readily determined.

B. Store tools that cannot be adapted to a shadow board in locked tool boxes or in secured areas.

C. Store tools in an area that is double locked, (i.e. an area that has a door lock and a drawer or tool box lock).

III. Tool Rooms/Inventories

Supervisors will ensure:

A. Members and employees conduct a daily tool inventory and record the results in the JMS computer system or appropriate log book if necessary.

B. Where applicable - assigned members/employees will inventory tool boxes daily.

C. Current tool inventories are posted in each tool storage area.

D. There is a **"Sign-Out" Log Book** on each tool cart. Entries will be made in the log book detailing who took the cart, when it was taken, where it went, and what tools were used for what job/repair.

E. When a tool or item is broken and needs repair or replacement, the item, as well as a **Special Report/MB-003** is forwarded to the command officer in charge and a log note reflecting such is placed in the JMS computer system.

IV. Shadow Boards

Housing area supervisors (where applicable) and maintenance/physical plant supervisors will ensure that:

A. Shadow board silhouettes closely mirror the outline of each tool to ensure quick and accurate inspection of the shadow board.

B. Only one (1) tool is hung over each shadow outline.

C. Shadow boards are immediately updated when tools are added or deleted.

V. Private/Outside Contractors, Private/Outside Maintenance Personnel, Service Representatives

A. All work/service is scheduled with the maintenance unit supervisor or his/her designee.

B. No **unscheduled** service or repair work will be permitted.

C. All outside contractors or service representatives are signed-in by Central Control staff and are issued a "Service Rep" badge using current agency directives.

Note: When service contracts are awarded a background investigation/screening is done on the individual(s). Only those with a favorable background investigation/screening are allowed entry into security.

D. All tools contained in each tool box or gang box from multiple prime contractors and sub-contractors will be **secured** in the designated **restricted** area per the command officer in charge. If a project requires access to any inmate occupied areas then department members will inspect and inventory tools, tool containers, and related equipment prior to them entering and exiting that area and will complete the **Monroe County Jail/Monroe Correctional Facility Tool Inventory Control Log Form/JB-005** and will adhere to the rules outlined in **Section I** of this Order.

E. A member or employee will escort and remain with the private contractor(s) while they are in security.

F. Members will ensure private contractors:

1. Are confined to work in authorized areas.

2. Comply with security and safety precautions.

3. Take only the minimum amount of tools necessary for the job/repair into security.

VI. Kitchen/Food Service Tools

A. Kitchen employees, members, and contractors will store knives and cutting implements in either:

1. Cabinets with a shadow board and locking device located in the food service area; or

2. In locked tool boxes maintained in a secured control room.

B. Members and employees assigned to the kitchen will account for knives and implements using the **Kitchen Knife Security Log Form/JB-035A, Kitchen Utensil Security Report Form/JB-035B**, and the **Kitchen Equipment Checklist/JB-035C** and log all such equipment in the JMS computer system.

Note: Any secured utensil or tool which is not routinely used but is used as needed will be checked for any defects, the use of any such utensil or tool will be communicated to all other members and employees working in the kitchen, and upon completion, those utensils/tools will be cleaned, checked for defects, and secured.

C. The kitchen supervisor in conjunction with security personnel assigned to the kitchen will maintain a master inventory of **ALL** tools used within the kitchen area.

D. The kitchen supervisor in conjunction with security personnel will ensure that all knives and cutting tools are equipped with cables attached to the handles. The cables will be secured to the knives/cutting tools through **both** the handle and the blade.

E. The kitchen supervisor in conjunction with security personnel will ensure that all knives and cutting tools are secured to preparation tables while in use.

F. Inmates using knives and cutting tools will be directly observed by staff in accordance with current agency directives and as outlined in **JBGO 47 - Security and Supervision.**

VII. Lost or Missing Tools/Utensils or Lost/Missing Potentially Dangerous Objects

Any member or employee who discovers that a tool, a utensil, or a sharp/dangerous object is lost, stolen, or missing will:

A. Notify their immediate supervisor.

B. Complete an **Incident Report/JB-136.**

C. Make a computer log entry reflecting such.

VIII. Quality Assurance

A. The Superintendent or his/her designee will ensure that all safety/health inspections are conducted as required.

B. The Staff Services Standards and Compliance Unit will conduct inspections as outlined in **MBGO 51 - Standards and Compliance Unit.**

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER	DATE OF ISSUE	EFFECTIVE DATE	NO.
JAIL BUREAU	January 6, 2011	January 7, 2011	46-11
SUBJECT: GENERAL ORDER INMATE GRIEVANCE PROGRAM		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NYSSA 143			RESCINDS 46-J-2001

Purpose: To establish and maintain a standardized procedure for formal review of inmate complaints within the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF). All staff will receive training and orientation to the facility grievance program during the basic corrections academy, as well as periodic roll call and in service training sessions.

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to provide inmates with an effective and impartial procedure for the timely resolution of inmate complaints within MCJ and MCF. Further, every effort shall be made by MCSO staff to resolve inmate complaints in an informal manner. Inmate communication/grievance procedures shall be conducted in accordance with Part 7032 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7032).

Definitions: In accordance with 9NYCRR Part 7032 the following definitions shall apply:

Grievance: A written inmate complaint concerning either written or unwritten policies, procedures, practices, rules, programs or the action or inaction of any person within either MCJ or MCF. **Dispositions and sanctions resulting from disciplinary hearings and administrative segregation housing decisions shall not be the subject of a grievance. In addition, issues that are outside the authority of the Superintendent to control, or complaints pertaining to an inmate other than the inmate actually filing the grievance are not grievable.**

Grievant: An inmate who has filed a grievance in accordance with this directive.

I. **Inmate Problem Resolution**

A. Housing area supervisors will attempt to solve inmate problems and/or complaints within a reasonable amount of time. Should a housing area supervisor/floor corporal be confronted with an inmate problem or complaint that he/she cannot resolve, they will obtain and deliver a **JB #235, Internal Communication Form,** to the inmate. Internal Communication Forms will be utilized to provide timely resolutions and immediate response from staff without the intervention of command staff. Housing area staff will conduct the following responsibilities accordingly:

1. Advise the inmate to write a detailed description of the problem or complaint to a duty sergeant or other appropriate authority i.e. commissary, jail records, jail chaplain etc. utilizing the Internal Communication Form.

2. Ensure the inmate receives proper assistance in preparing the form, if requested.

3. Forward the Internal Communication Form to the designated authority for review and response.

B. Inmates may also utilize Internal Communication Forms to communicate with other Jail/Correctional Facility staff to resolve complaints or problems or to request services from Jail/Correctional Facility staff.

C. Staff will provide the inmate with a written response within an appropriate time frame utilizing the space provided on the bottom portion of the Internal Communication Form.

D. All completed communication forms will be forwarded to Jail Administration to be photocopied and then forwarded to the inmate.

E. Inmates will receive the completed copy of the written response in a reasonable time period.

F. The completed original Internal Communication Form will be placed in the inmate's file in Jail Administration. A copy will be sent to the inmate, and to any other involved staff members (i.e. Inmate Property, medical, etc.)

* **Note: Inmates may request a Grievance Form at anytime in lieu of addressing his/her complaint through the informal process outlined in Section I of this order.**

II. Grievance Coordinator's Responsibilities

A. The Superintendent will designate a staff member to act as a grievance coordinator for the Jail/Correctional Facility.

B. The grievance coordinator shall act as a liaison between the grievant, the Superintendent and the Commission of Correction in all matters pertaining to the Jail/Correctional Facility Inmate Grievance Program.

III. Inmate Grievances

A. An inmate must file a grievance **within five days of the date of the act or occurrence** giving rise to the grievance.

* B. Inmates remaining dissatisfied with the written response received as delineated in Section I of this order may request to file an Inmate Grievance by requesting a **New York State Commission of Corrections Form Part I & Part II**, submitted to the grievance coordinator in Jail Administration.

* C. Upon notification of an inmate's request, the grievance coordinator will provide the inmate with an Inmate Grievance Form. If a grievant is non-english speaking, illiterate or if the complexities of the issue(s) make it unlikely that the inmate will be able to adequately understand the substance of the grievance, upon the inmate's request, the grievance coordinator will assist in the preparation of any stage of the grievance process. A grievant may seek the assistance of other inmates with the approval of the Superintendent.

D. Jail/Correctional Facility Staff will not subject inmates to harassment for filing a grievance.

E. Inmates who harass other inmates for filing a grievance may be subject to disciplinary action in accordance with the Jail/Correctional Facility Inmate Handbook.

F. The grievance coordinator will assign a grievance officer to investigate the grievance to the fullest extent possible. The investigation shall include, but not be limited to the following:

1. A description of the facts and issues underlying the circumstances of the grievance.

2. Summaries of all interviews held with the grievant and with all parties involved in the grievance.

3. Copies of pertinent documents and relevant information.

G. The grievance officer will provide the inmate with a written answer within **five business days of receipt** of the grievance form. If an answer cannot be provided within a reasonable amount of time, the grievance coordinator will advise the inmate as to when an answer will be provided. Notification will be documented and maintained in the appropriate grievance file maintained in Jail Administration.

H. Upon completion of the grievance coordinator's investigation, the grievance officer will document his/her determination to include the facts and reasons underlying the decision in the space provided on the Inmate Grievance Form. The grievance coordinator will sign, date and forward the response to the grievant.

I. If the grievant indicates dissatisfaction with the grievance officer's decision, the grievant must, upon receipt of the grievance form, complete Section III of the form within **two business days.** The inmate will then sign the Inmate Grievance Form in the space provided and forward it to the Superintendent.

J. The Superintendent will review the inmate's appeal and findings of the grievance officer and indicate the reasons(s) for agreement or disagreement within **five business days.** The grievance form indicating the Superintendent's determination will then be returned to the grievant.

K. Should the Superintendent find merit in a grievance, he/she will provide appropriate solutions in writing to the grievant and others similarly situated.

L. If the grievant is dissatisfied with the Superintendent's determination, the grievant may appeal the determination to the State of Commission of Correction within **three business days upon receipt of the written grievance.**

M. The grievance coordinator will mail the appeal in addition to the investigation report and any other relevant documents to the Commission's Citizens Policy and Complaint Review Council (CPCRC) within **three business days after receipt** of the inmate's notice of appeal.

N. The grievance coordinator will provide the grievant with a receipt indicating the date the appeal was submitted to the CPCRC.

O. The CPCRC shall provide a written determination of the appeal in accordance with established standards of law. Copies of which shall be sent to the Superintendent, grievance coordinator and grievant. If a determination is in favor of the grievant, the Superintendent, or his designee, will coordinate with the chairperson of the CPCRC to implement an appropriate agreed upon remedy. .

P. The Superintendent shall submit verification of compliance with the CPCRC's determination as directed by the Council. Verification will be filed with the grievance.

Q. If a grievant is released or transferred from the jail facility prior to the resolution of a grievance, the Superintendent shall:

1. Cause a determination to be made on such grievance.

2. Submit the grievance to the CPCRC if the Superintendent should determine to deny the grievance.

IV. Record Keeping

A centralized record of all grievances submitted within the Jail/Correctional Facility will be maintained in Jail Administration by the grievance coordinator. The record of information shall include, but not be limited to the following:

A. Inmate's name and ID#.

B. Date grievance received.

C. Identification number of grievance.

D. Nature of grievance.

E. Name of staff conducting investigation.

F. Date of grievance investigation.

G. Summary of investigation report.

H. Grievance coordinator determination and date.

I. Date of appeal to the Superintendent and determination and date.

J. Date of appeal to Citizen's Policy and Complaint Review Council.

K. Citizen's Policy and Complaint Review Council's determination, date and copy of verification of compliance, if necessary.

L. Specific action by Jail/Correctional Facility and date.

M. Changes in facility policies, procedures, rules, practices or programs, if any, as a result of a grievance.

V. Annual Review

Jail supervisory staff, and the grievance coordinator, will conduct an annual review and revision of the inmate grievance program if necessary. The annual review shall ensure policies and procedures remain consistent with changes in the Jail/Correctional Facility operations pursuant to Part 7032 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7032).

By Order of the Sheriff,

Patrick M. O'Flynn

* Indicates a change from a previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

General Order Jail Bureau	Date of Issue August 12, 2015	Effective Date August 14, 2015	No. JBGO-047-15
Subject: General Order Security and Supervision		Distribution Jail Bureau Personnel	Amends
REFERENCE: Section 7003.3 (j) (3) & (4) of the New York State Commission of Corrections Minimum Standards, NYSSA 38, 70, 118, 119			Rescinds JBGO-47-12

Purpose: To establish policies and procedures designed to ensure and maintain facility safety, security, and supervision for inmates housed within the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF).

Policy: It is the policy of the Monroe County Sheriff's Office to provide security and supervision in accordance with **Part 7003 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7003).**

I. Definitions

A. **Supervisory Visit:** The personal visual observation of each individual inmate by staff members responsible for the care and custody of the inmate(s) so as to monitor their presence and proper conduct. A personal, visual inspection of each individual inmate housing unit and the area immediately surrounding such housing unit by staff members responsible for the care and custody of inmates to ensure the safety, security, and good order of the facility.

B. **General Supervision:** The accessibility to inmates of staff members responsible for the care and custody of such inmates to include conducting of supervisory visits at 30-minute intervals. General supervision will be maintained in all facility housing areas when all inmates are confined to his/her individual housing units.

C. **Active Supervision:** The accessibility to inmates of staff members responsible for the care and custody of such inmates to include:

1. The uninterrupted ability to communicate orally with and respond to each inmate unaided by any electronic or other amplifying device.
2. The conducting of supervisory visits at 30-minute intervals.
3. The ability of staff to immediately respond to emergency situations.
4. The continuous occupation of a security post in any housing area in which more than 20 inmates are housed.

D. **Constant Supervision:** Will mean the uninterrupted personal visual observation of inmates by staff members responsible for the care and custody of such inmates without the aid of any electrical or mechanical surveillance devices. Staff members will provide continuous and direct supervision by permanently occupying an established post in close proximity to the inmates under supervision which will provide staff with:

1. A continuous clear view of all inmates under such supervision.

2. The ability to immediately and directly intervene in response to situations or behaviors observed which threaten the health or safety of inmates or the good order of the facility.

II. **Reporting to Shift/Assigned Areas of Duty**

A. Staff members will report to roll call in accordance with **Attendance, Tardiness and Absenteeism (MBGO-27).**

B. Staff members will not be permitted to bring any personal carry bags into security, such as brief cases, personal folders, purses, duffel bags, back packs or any other bag carrying personal items.

C. Staff assigned to MCJ and MCF will be permitted to carry in a personal food storage bag for the purpose of bringing in food for the shift meal break. These bags may be stored in available refrigerators or other secure areas throughout the facility. Members will be permitted to take these bags containing personal food items to their assigned post (including housing posts) for storage and consumption. Under no circumstances will personal food be given to an inmate.

D. Staff members reporting to their area of assignment will, prior to assuming responsibilities, complete the following:

1. Obtain and inspect all necessary keys for the assigned area.

2. Inspect all supplies, equipment, locks, gates, bars, security screens, security windows, and other securing devices. Any equipment found missing, damaged, or altered in any way will be reported to the duty Sergeant/shift supervisor immediately.

3. Conduct a debriefing regarding the previous shift, tour the housing area, to include an **inmate physical headcount**, with the staff member being relieved. The staff member completing his/her regularly scheduled shift will place the results of the inmate physical headcount in the log.

4. As soon as possible, review all written and/or computerized records maintained in the area of assignment. Upon review, list all assigned equipment, and the condition of the housing area in the housing area log. All reviews, whether in a bound ledger or a computerized log, will contain the date and the employee's name and IBM #.

III. Facility Staff Inspections

A. Superintendent's Inspection

The Superintendent or his designee shall complete a security/sanitation inspection of all areas of the Jail or Correctional Facility monthly. The Superintendent may appoint a team consisting of Supervisors from other units to conduct the inspection. The monthly report will be submitted to Jail Administration and reviewed with the Contract Medical Provider.

B. Captain's Inspection

1. The Captains will ensure that the Command Officer tours are conducted and documented on each shift (in accordance with Lieutenants Post Order).

2. The Captains shall conduct an annual review of the shift inspection process with the Superintendent and Majors.

C. Lieutenant's Inspection

1. Lieutenants assigned to each platoon will conduct "Command Officer Tours" in both facilities and document such tours in JMS. When only one Lieutenant is on duty, that Lieutenant must tour both facilities unless exigent circumstances are present to prevent a tour at both facilities. If exigent circumstances exist, the on-duty Lieutenant will contact the Sergeants at the facility telephonically to check on the safety and security of the facility.

2 Lieutenants will ensure that Sergeant Rounds are conducted and documented on each shift in all housing, common and program areas.

D. Sergeant's Inspection

1. Sergeants must address any discrepancies or rules and regulation violations with the Corporal or Deputy to ensure consistent enforcement throughout the Jail Bureau.

2. Sergeants will conduct supervisory visits at least once during each shift with the supervisor or deputy assigned to the post, in all inmate housing areas and work areas. Sergeants will interact with inmates and staff during each tour/inspection to assess quality of care and level of supervision. Particular attention will be given to needed repairs, potential hazards and the safety and security of the Jail/Correctional Facility and its occupants.

3. Complete a comprehensive log notation detailing each tour in the floor activity electronic log.

4. Review all inmates in segregation and ensure administrative or disciplinary paperwork is current.

E. Corporal's Inspection

Corporals will conduct a daily visual inspection and supervisory visits of their assigned area throughout their shift. A notation shall be placed in the area logbook identifying any discrepancies and/or the condition of the area and its occupants.

- Consistent with facility operations, and as standard practices, the Shift Supervisors of assigned areas shall perform unannounced checks to identify and deter sexual abuse and sexual harassment. This policy will be implemented for both day and night shifts. Unless related to a legitimate operational function of the facility, staff will not alert other staff members of a supervisory round being conducted.

- All supervisors conducting supervisory tours will utilize the drop down tab labeled "Supervisor Tour, Unannounced" when submitting a computer log notation for the tour. If a supervisor notifies housing staff immediately prior to a tour being initiated or a tour is not unannounced, supervisory staff will document the tour as such using the drop down tab labeled "Supervisor Tour Announced."

IV. Logbook and Computerized Logging Procedures

A. New logbooks will be opened as needed by assigned staff members, who will identify on the inside front cover of the logbook, the date and time the logbook was opened, the location of the logbook and the signature/IBM # of the staff member opening the logbook.

B. All written records pertaining to facility housing supervision will be recorded in black ink in a bound ledger of consecutively numbered pages. Tours made by supervisory staff will be recorded in red ink. Records will include, but not be limited to, the following:

1. The name of the housing area in which the supervision is being maintained.

2. The date and time of the supervision.

3. The type of supervision being conducted; this must be logged at the start and conclusion of each shift - whether it is **General Supervision, Active Supervision**, or **Constant Supervision**. Anytime the level of supervision changes, a log entry must be made documenting that change.

4. The condition of the area being supervised.

5. The name/IBM # of the staff member conducting the supervision.

C. Operations and Activity Logs

1. All Black Creek and JMS systems will be disabled before staff leaves his/her terminal.

   a. At no time will any user operate Black Creek or JMS systems under another staff member's sign on.

   b. Interlock override is strictly for emergency purposes only and is not to be used as regular operating procedure to expedite the opening of a door.

2. All housing areas will maintain floor activity log entries that will contain information relevant to the security, care, and custody of inmates assigned to each housing area. Entries on JMS will be specific and include, but not be limited to, routine and emergency information, the type of supervision being conducted (reference **Section IV, subsection B** of this order), staff action(s), reportable incidents, and staff to staff communications.

3. All log entries are to be brief and accurate.

4. If JMS is down, bound paper logbooks will be instituted. All entries will be preceded by the date and time, and concluded with the staff member's signature/IBM #. Entries will not be altered or deleted for any reason either in JMS or hand written notations. Staff may only correct a handwritten entry by drawing a single straight line through the section containing the error, and will place their initials and IBM # adjacent to the correction. In accordance with **9NYCRR Part 7003.3**, if alterations to entries must be made of a computerized log entry, it will require staff to make an additional entry. Entries on a computerized log will not be deleted.

5. The duty Sergeant/shift supervisor will review the housing area log and tour all **housing/work areas at least once during each shift daily**, and note the review/tour in the housing area log.

D. Operations Status Board - Floor Status

Housing area floor status will also be maintained on JMS and will be used to account for all inmates exiting housing areas for any reason. The Floor Status will be changed to reflect the destination of each inmate exiting the housing area. Upon return to the housing area, an inmate's Floor Status will be changed to "IN" or other appropriate status.

E. Supervisory Tour Logbooks

Supervisory tour logbooks will be maintained in all housing areas. Supervisory visits conducted in the course of providing active or general supervision will be entered in the housing area tour logbook at the time such visits (tours) are conducted. Tour logbooks will not be kept on JMS, and will be contained in a bound ledger.

F. All logbooks, computerized logs, and Black Creek systems will be secured when not in use.

G. Staff will close out all completed logbooks by identifying after the last entry in the logbook, the date and time the logbook was completed and the signature/IBM # of the staff member closing the logbook. Completed logbooks will be retained in the housing area, in a secure location, for at least three (3) weeks before being forwarded to Jail Administration for storage in accordance with **Facility Record Retention System (JBGO-25)**.

V. Inmate Supervision

Supervisory visits will be conducted to maintain the safety, security, and good order of both MCJ and MCF. Staff conducting supervisory visits will exercise proper vigilance while performing their duty, paying special attention to the presence of contraband, building maintenance problems, inmate's well being, attitudes, and overall housekeeping. Supervisory visits will include, but are not limited to, the security inspection of bathrooms, interview rooms, and storage closets.

- It shall be the policy of the Monroe County Sheriff's Office to enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine supervisory visits. Staff of the opposite gender shall announce their presence when entering an inmate housing unit.

- The announcement does not apply to exigent circumstances (ex. Responding to a code).

All inmates will be restricted to their cell/bunk between 2200 hours and 0700 hours. Staff will not authorize inmates to leave their cell/bunk during the aforementioned time frame except in the case of an emergency, inmate work programs/assignments, release, or evacuation. In dormitory style housing areas, staff may authorize an inmate to use the restroom facilities or receive prescribed medication(s).

A. Supervisory Visits will include conducting of supervisory visits throughout all housing areas at both the Monroe County Jail and the Monroe Correctional Facility.

1. Active supervision will be maintained from 0700 hours to 2200 hours. General supervision will be maintained between 2200 hours and 0700 hours. All shifts will utilize the time recording system (key punch or annunciator when applicable) to record each supervisory visit in addition to placing an entry in the bound tour logbook. Supervisory visits (tours) will be conducted at 30-minute intervals.

2. The following areas will conduct supervisory tours at 15-minute intervals, during all above time frames: Central Booking, Reception, Reception Annex, the Special Housing Unit, the Medical/Mental Health cellblock and the 200 Unit at MCF. As aforementioned, all shifts will utilize the time recording system (key punch or annunciator when applicable) to record each supervisory visit in addition to placing an entry in the bound tour logbook.

3. Sergeants and shift supervisors will review the tour/supervisory visit entries in the bound tour logbook for each area while conducting supervisory tours. Any discrepancies will be addressed immediately.

4. Electronic key punch and annunciator watch tour records will be reviewed by command staff. Platoon Lieutenants will review records from each housing area at a minimum of once per week. Any discrepancies will be addressed immediately.

B. The Superintendent or designee (i.e. highest ranking staff member on duty) and/or the Contract Medical Provider may determine that an inmate requires additional supervision based on the inmate's condition, illness, or injury. Additional supervision may include:

1. More frequent supervisory visits.

2. Active supervision when only general supervision is required.

3. Constant supervision.

C. Whenever circumstances require authorized staff to make short term supervision enhancements, a subsequent authorization to continue the increased supervision by the Superintendent and/or facility physician, as well as the final authorization of the Superintendent, will be recorded in the inmate's medical file and the housing staff will be notified accordingly.

D. If an inmate is placed on constant supervision it will be documented on an **Incident Report (JB-136)** and the shift supervisor will be notified.

E. Determinations or orders given requiring additional supervision in accordance with this section, as well as those outlined in **Mental Health Protocols (JBGO-31)** pertaining to constant supervision, will be documented in the housing area logbook and will include, but not be limited to the following:

1. The name(s) of the person(s) ordering additional supervision.
2. The specific facts and reasons underlying the determination.
3. The date(s) and time(s) the supervision is to begin and end.
4. The name/IBM # of staff member conducting the supervision.
5. The staff member's observations of the inmate's condition or behavior.
6. The date(s) and time(s) the supervision was actually initiated and terminated.

F. Active supervision will be maintained for inmates participating in activities outside facility housing areas, however, the Chief Administrative Officer may determine that supervision, other than active supervision, is required where appropriate, to include, but not be limited to the following:

1. Constant supervision.
2. Supervision by:
   a. Facility staff members primarily responsible for duties other than the care and custody of prisoners (i.e. food services staff).
   b. Other persons providing services within the facility, including persons conducting facility programs (i.e. rehabilitation staff).
3. Inmates participating in temporary release programs as provided in **New York State Correction Law** need not be supervised when such inmates are outside the confines of the facility.
4. The Chief Administrative Officer will determine the type and manner of supervision to be provided to trustees while such trustees are outside their facility housing areas. Active supervision will be the rule, with general supervision maintained, at a minimum.

VI. Inmate Population/Emergency Counts

A. Inmate population head-counts will consist of **physical body counts and will be conducted at each shift change in the transitional period from 0645 to 0700 hours, 1445 to 1500 hours, and 2245 to 2300 hours.** Staff members conducting a physical headcount will restrict all inmates to their cell/bunk until the count is completed and verified. Inmates who are not physically present in the housing area at the time of the headcount will be accounted for and verified by location in the housing area activity log. **Discrepancies regarding physical headcount(s) will be reported to the Duty Sergeant, immediately. Jail Records and the Chief Administrative Officer will also be notified when there is a discrepancy during the count.**

B. The staff member completing each regularly scheduled shift and the staff member beginning each regularly scheduled shift will conduct inmate population counts at all scheduled shift changes and will account for all inmates assigned to the housing area. Staff members completing each regularly scheduled shift will enter the results of all physical head-counts in the housing area activity log in the JMS computer system under the drop down **HEADCOUNT (UNIT)**, which will include the following:

1. The facility area in which the count was conducted in the "**Flr**" field.

2. The actual date and time of the count in the "**Activity Dt/Tm**" field.

3. The total number of inmates accounted for in the "**Count**" field.

4. The number of inmates accounted for and location breakdown by cellblock or area defined in the Operations Status Board in the "**Notes**" field.

5. The last names/IBM # of each staff member conducting the count in the "**Description**" field.

C. **In addition to the shift change counts, a staff member assigned to each housing area will conduct an inmate population count at 1800 hours daily.** This count will be documented according to the informational requirements outlined above in **Section V, subsection B** of this order.

D. The staff member beginning each regularly scheduled shift will report the results of each physical inmate population head-count to the housing area supervisor. Housing supervisors will verify that all physical head-counts are properly logged and recorded in the housing area logs.

E. The Jail Records Office is designated by the Superintendent to verify and report Inmate Population Counts by compiling a **Daily Population Shift Headcount Report** and forwarding these to the Chief Administrative Officer or designee for signature utilizing the following procedure:

1. Under the Operations Logging Activities menu, in the JMS computer system, retrieve all **HEADCOUNT (UNIT)** floor activity notes entered by housing unit staff during each scheduled physical head count.

2. Verify each physical head count utilizing the Operations Facility Count screen. The count for each area in the **"Supv Count"** field will be entered in addition to entering the last name and IBM # in the **"Supervisor Comments"** field for each member conducting the count.

3. Jail Records staff will initiate an investigation immediately when any discrepancies are discovered during the count verification process.

F. Staff will conduct an emergency population count any time it is necessary to verify the identity and location of an inmate(s), civilian(s), and/or staff. In addition, emergency counts will be conducted any time inmates have been evacuated from a housing area due to an emergency situation within the Jail/Correctional Facility, in accordance with **Evacuation Procedures (EMGO-117)**.

G. Staff members supervising work details within or outside MCJ or MCF will conduct population counts at irregular intervals throughout the work detail. Any physical headcount discrepancy will require the supervising staff member to notify the duty Sergeant/shift supervisor immediately.

VII. Inmate Movement and Control

A. Inmate movement within MCJ and MCF will be governed by the classification status of the inmate being moved. All inmate movement will be controlled and supervised by staff.

B. Minimum security inmates residing at MCF will be permitted to move by themselves within the facility hallway to attend programs or activities. Assigned "hallway staff" will ensure that inmates walk through hallways in a quiet and orderly manner. Inmates involved in any disturbance or incident within MCF will require staff to escort that inmate to and from any program or activity.

C. Inmates will be handcuffed behind the back and escorted by at least two staff members during any relocation within the facility that involves a violation of Jail/Correctional facility rules and regulations that involves physical injury to a staff member, civilian, or inmate. In addition, this rule will also include inmates who **attempt** to cause physical injury toward a staff member, civilian, or inmate, or any attempt of escape or other serious violation of Jail/Correctional facility rules and regulations. Any further inmate restraint and/or control will be conducted in accordance with **Inmate Movement/Restraint Procedure (JBGO-42), Quick Entry Team (JBGO-20)**, and **Use of Restraining Devices (MBGO-05).**

VIII. Key Control

A. All security key sets will be maintained, stored, and secured in Central Control and/or Jail Administration. Central Control staff will be responsible for accountability of all security key sets. Key sets that cannot be accounted for will be reported to the duty sergeant/shift supervisor immediately.

B Staff members requesting a security key set from Central Control must surrender their issued key card or their department issued identification card to Central Control staff. Central Control staff will place the key card/department identification card on the key sets assigned hook. In addition, Central Control staff will log the name of the staff member and the time the key set was issued on the **JB-23, Key Control Sheet**, which is maintained in Central Control, identifying:

1. The key set designation, which is located on a circular disk attached to the key set.
2. The receiving staff member's name.
3. The time the keys were issued.

C. Key Cards are color coded as follows:

1. Green-1st Platoon
2. Gold-2nd Platoon
3. Purple-3rd platoon

4. Salmon-Visits

5. Light Blue-Transport

6. White-Administration and all others

D. Key sets that remain within the assigned housing areas will be exchanged between staff members within the housing area. The oncoming staff member will surrender their key card/ID to the off going staff member whose keys he/she takes possession of. The off going staff member will take that key card/ID back to Central Control where the Central Control staff members will place the oncoming staff members key card/ID on the key hook returning the off going staff member their key card/ID.

E. If a staff member does not have their key card or department issued ID, they will report to the duty sergeant. The duty sergeant will authorize the release of a key set to the staff member by Central Control staff. This authorization will be documented in a log note in JMS for Central Control by the duty sergeant.

F. Outgoing staff members who do not transfer their key sets to an oncoming staff member will return their keys to Central Control in order to receive their key card.

G. When a staff member leaves the facility for a short period of time they will drop off their key set to Central Control where Central Control staff will place the keys on the hook and over the staff members' key card until the member returns.

H. When a staff member changes shifts or is assigned to a specialized assignment, the Director of Rehabilitation will be provided a list of staff members who were affected by the moves and updated key cards will be issued. If a staff member has not been re-issued an up to date key card, it is their responsibility to notify their immediate supervisor so a new one can be issued.

I. Swipe cards/key fobs are utilized throughout various parts of the Monroe County Jail and are issued to all sworn staff members and designated civilian personnel assigned to the Monroe County Jail. These cards/key fobs are uniquely coded and serve as an identifier for that specific individual.

Swipe cards/key fobs will be turned in upon resignation, termination, or at the order of command staff. Said cards/key fobs will be surrendered to the highest ranking command officer on duty and forwarded to Jail Administration.

Note: Lost or stolen swipe cards/key fobs must be reported to a supervisor immediately so that the credentials can be deactivated.

J. Staff will not allow inmates to possess security keys/swipe cards/key fobs for any reason whatsoever. Security staff will maintain assigned keys/cards/key fobs on their person at all times throughout their tour of duty.

K. Security keys will not be taken outside of the secured area of the Jail/Correctional facility without the approval of a duty sergeant or command officer.

L. Emergency key sets for emergency evacuation purposes will be maintained, stored, and secured within Central Control and will not be issued to staff members without prior approval from an on duty command officer (lieutenant or captain). Emergency key sets which access doors leading to outer limits of the secured confines of either MCJ or MCF will only be issued to a command officer or jail maintenance staff with the authorization of a command officer.

M. Staff will inspect key sets/swipe cards/key fobs and ensure that they are in proper working order. Any key(s)/card(s)/key fobs found damaged, missing, or altered in any way will be reported to the duty Sergeant/shift supervisor immediately.

N. All keys and key sets will be inventoried and accounted for on a master key inventory bi-annually by a staff member designated by the Administrative Lieutenant. The completed key inventory will be submitted to the Administrative Lieutenant.

O. Staff requesting a replacement key, swipe card or key fob will complete and forward a **Replacement Form (MB-069)** to Jail Administration, for review and authorization. A lost key, swipe card or key fob will require a **Special Report (MB-003)** signed by a lieutenant, along with a **Key Replacement Form (MB-069)**.

IX. Firearms Control

A. Firearms, ammunition, unauthorized weapons of any kind, or unauthorized handcuff keys are strictly prohibited from being introduced into either MCJ or MCF. All firearms and ammunition will be controlled in accordance with **9NYCRR Part 7003** and **Weapon Locker Control (JBGO-11)**. A certified firearms instructor will conduct an inspection of all MCJ/MCF firearms and ammunition semi-annually. A written record of such inspections will be maintained and will include:

1. The name of the person conducting the inspection.
2. The date of inspection.
3. The type of and quantity of firearms or ammunitions.
4. Any other information relative to the condition of the firearms or ammunition.

B. Upon assignment to a detail that requires a firearms qualified staff member to carry a firearm, the member will be issued a firearm by the Street Level Sergeant or Duty Sergeant. Firearms and ammunition will be issued to staff in accordance with **Weapon Locker Control (JBGO-11)**.

C. In accordance with **9NYCRR Part 7003.8**, facility firearms and/or ammunition will be issued only upon the determination of the Chief Administrative Officer. Such determination will be in writing and will include the following:

1. Specific facts and reasons underlying the determination.
2. Date and time of issuance and return of any firearms or ammunition.
3. Type and serial number of firearms or ammunition issued.
4. Name of the staff member issued the firearms or ammunition.

D. Firearms or ammunition will be issued only to staff members trained in the use of such equipment by a certified firearms instructor.

E. Only departmentally approved and issued weapons and service ammunition may be carried while on duty, in accordance with **Firearms/Deadly Physical Force (MBGO-15)**.

F. The storage, inspection, issuance, and administration of chemical agents will be in accordance with the provisions of **Aerosol Subject Restraint (JBGO-49), Less- Lethal Weapons (MBGO-12)**, and **9NYCRR Part 7063**.

X. Gifts and Gratuities

Staff will not be permitted to trade or barter with any inmate housed within MCJ or MCF. In addition, staff will not be permitted to receive or to give any item whatsoever, or buy from or sell anything to any inmate. Staff will not extend to an inmate any favor of diet, clothing, or any other item not common to all inmates.

XI. Portable Radio(s), Handcuffs, and Oleoresin Capsicum (OC)

Staff will ensure that they keep all issued equipment on their person at all times. In accordance with **Uniforms and Equipment (MBGO-26)**, staff members assigned to the Jail Bureau will be responsible for their assigned portable radios, handcuffs, OC, and any other equipment as it was originally issued. As stated in **Section I, subsection B** of this order, members and employees will be responsible for lost, stolen, misplaced, altered, or damaged items. In addition, if such loss is attributed to employee neglect or carelessness, such members and employees may be subject to disciplinary action. Any equipment that needs to be replaced for any reason due to damage, excessive wear, loss, or theft will be documented on a **Special Report** with the necessary replacement form pursuant to **MBGO-26** and immediately reported to a supervisor. A copy of said report will be forwarded to Jail Administration.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O' Flynn

* Indicates a significant change from the previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE October 25, 2012	EFFECTIVE DATE October 25, 2012	NO. 48-J-87
SUBJECT: GENERAL ORDER Hospital Referral Form		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS

Effective Immediately, JBGO 48-J-87 "Hospital Referral Form" is rescinded and should no longer be utilized.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

General Order	Date of Issue	Effective Date	No.
JAIL BUREAU	November 26, 2012	November 27, 2012	49-12
SUBJECT: GENERAL ORDER AEROSOL SUBJECT RESTRAINT		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7063 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7063). NYSSA 40,77,79			Rescinds 49-11

Purpose: To provide members of the Monroe County Sheriff's Office with guidance and direction for the safe and appropriate use of aerosol subject restraint (ASR) within a correctional setting.

Policy: The Monroe County Sheriff's Office shall institute and maintain procedures governing the use of ASR which complies with Part 7063 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York., (9NYCRR 7063). As such, the use of ASR shall be controlled and reasonably applied only when necessary to protect the safety, security, and good order of the Jail/Correctional Facility.

I. Selection, Storage, and Maintenance of Authorized ASR

A. The Sheriff or his designee shall determine and authorize all ASR stored and used within the Jail/Correctional Facility.

B. The only Aerosol Subject Restraint (ASR) which shall be stored and used in MCJ or MCF will be oleoresin capsicum (OC).

* C. All OC stored within the MCJ and MCF shall be maintained in a safe and secure manner and may be stored in booking control, the QET/SRT room or central control.

D. The Quartermaster maintains a current inventory of OC secured and stored in the Quartermaster area.

* E. Inspections of all OC stored in the MCJ and MCF will be conducted every six months by designated Jail Bureau staff members trained in the use of OC. In addition, each Jail Bureau member trained in the use of OC will inspect their own issued OC canister for defects, leakage, and expiration on a semi-annual basis.

F. Jail Bureau staff members who detect any defect, leak, or expiration are to exchange their OC Canister with the Quartermaster and report their new expiration date to a Jail Bureau OC Instructor.

G. All OC that has exceeded manufacturer expiration dates by one year, shall be stored separately from current stock and subsequently destroyed. Such equipment shall be disposed of in compliance with accepted practices though the Quartermaster's Office. The Quartermaster shall be responsible for the replacement of inactive or out-of-date OC stock.

II. Authorization and Procedures for the use of OC within Jail/Correctional Facility

A. OC shall be authorized for and administered only by Jail Bureau members who have successfully completed requisite training in the use of OC.

B. For planned uses of force or when time permits, facility staff authorizing the use of OC shall notify the Jail/Correctional Facility medical provider with the name(s) of the inmate(s) for whom such use is intended.

Note: Staff members trained in the use of OC may employ OC during exigent circumstances, situations that threaten the safety and security of the facility, or when situations do not permit time for notification of a supervisor or duty nurse.

C. The Jail/Correctional Facility medical staff trained in the medical consequences of the use of OC shall make reasonable efforts to inform the staff member using OC whether such administration may aggravate any existing injuries, illnesses or other physical conditions of any person who may be exposed. No OC shall be used if a determination is made that such use may aggravate existing injuries, illnesses or other physical conditions upon exposure of OC, unless such use is reasonable to prevent death, serious injury or a serious threat to the safety and security of the Jail/Correctional Facility.

1. Jail Bureau members shall consider the safety hazards OC can produce when used under certain conditions for certain periods of time in enclosed areas, as well as the distinctive characteristics of OC and how these characteristics will effect the situation for which they are considered for use.

2. Whenever possible, recommended deployment of OC should be from a distance of four to six feet away from the inmate. Disbursement will normally be applied in short bursts.

3 Whenever possible, Jail Bureau staff will make reasonable efforts to evacuate any person for whom OC is not intended.

4. Whenever possible, before using OC, Jail Bureau staff will announce the intended use of OC to affected inmate(s).

D. A written record of all incidents of OC use, except when OC is used for training purposes, shall be maintained. The written records will follow current policy as directed in **Multi-Bureau General Order #33 - Use of Force and the Subject Management Resistance Report, Jail Bureau General Order #52 - Reportable Incidents, and Jail Bureau General Order #58 - Incident Report.**

E. The Jail/Correctional Facility will report incidents of OC use to the New York State Commission of Correction in accordance with 9NYCRR Part 7063 and the requirements outlined in the **NYSCOC Reportable Incident Guidelines for County Correctional Facilities**. Such record shall include but not limited to:

1. Date and time of use.

2. Location of the incident within the facility.

3. The facts and circumstances surrounding use of OC.

4. The name of the staff member authorizing the use of OC.

5. The name(s) of any person(s) on whom OC was used.

6. The name(s) of any facility staff involved in the use of OC.

7. The brand name of the OC used, and approximate amount of OC used.

8. The approximate length of time each person was exposed to the OC from the use of OC to initiation of decontamination process.

9. The name and professional title of facility medical staff providing medical advice, assistance, and any treatment, as well as any adverse physical reactions of any person(s) to the use of OC.

III. Follow up Procedures when OC is used within a Jail/Correctional Facility

A. Contract medical provider staff will examine and treat all persons exposed to OC as soon as possible following the administration of such OC.

B. At no time shall any person be confined in a contaminated area after the incident is under control and safe removal from the area is possible.

C. Appropriate treatment/decontamination procedures for persons and areas shall be completed as soon as possible after the use of OC. When OC is used, the procedures listed below will be observed:

1. The affected person(s) shall be removed from the decontaminated area.

2. The affected inmate(s) will flush their faces with water and mild soap (i.e. ivory soap).

3. Contaminated clothing may be laundered as usual.

4. If necessary, the area should be decontaminated by ventilating with open windows and doors and fans.

D. All reporting and documentation requirements specified in Section II, Subdivision D will be complied with as soon as possible following the use of OC in the Jail/Correctional Facility in accordance with **9NYCRR Part 7022 and JBGO #52 - Reportable Incidents.**

IV. Training in the use of OC

A. OC shall be authorized and administered only by Jail Bureau members who have successfully completed requisite training in the use of OC.

B. Jail Bureau members will be required to attend an in-service training on an annual basis to ensure continued proficiency in the use of OC and Article 35. This annual in-service training will be in accordance with approved guidelines from the DCJS.

C. The Jail/Correctional Facility contract medical provider will ensure all medical staff are properly trained in the treatment of persons exposed to OC.

D. The Staff Services Bureau Training Unit shall maintain a current list of all staff members trained in the use of OC.

V. Jail Bureau Responsibilities when Court Security uses OC

A. OC used on an individual who is being remanded to the custody of the Sheriff will require Court Security staff to notify the Prisoner Transport Unit that the individual had been exposed to OC. The Prisoner Transport Unit will have the responsibility to relocate the prisoner to the jail contact medical provider for appropriate treatment.

* B. When Court Security uses OC against an inmate, Prisoner Transport staff will ensure appropriate treatment is provided as delineated in **Section III**. In addition, Prisoner Transport staff will report the use of OC to the State Commission of Correction in accordance with Reportable Incident Guidelines, as required by **9NYCRR Part 7022.**

By Order of the Sheriff,

Patrick M O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE April 10, 2014	EFFECTIVE DATE April 11, 2014	NO. 050-14
SUBJECT: GENERAL ORDER Funeral/Deathbed Visits		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PART 7051 OF TITLE 9 OF THE COMPILATION OF CODES, RULES & REGULATIONS OF THE STATE OF NEW YORK (9NYCRR PART 7051).			RESCINDS 50-J-08

Purpose: To implement, describe and maintain policies and procedures relative to inmate attendance at funerals or deathbed visits in accordance with Part 7051 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7051).

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to provide inmates incarcerated within either the Monroe County Jail (MCJ) or Monroe Correctional Facility (MCF) the opportunity to visit family members when death is imminent and/or when death has occurred.

I. Definitions:

Funeral Visit- Shall mean attendance at one or more of the following at the discretion of the Superintendent:

A. The Wake.

B. The church or other appropriate memorial service held at the gravesite or any other location.

C. The interment.

II. Legal Requirements and Eligibility

At the discretion of the Superintendent, an inmate will be permitted to attend the funeral of his/her father, mother, guardian or former guardian, child, brother, sister husband/wife, grandparent, grandchild, ancestral uncle or ancestral aunt, or to visit such individual during his/her illness if death is imminent.

III. Assessment and Processing of Visit Requests

A. When jail bureau members and employees receive information regarding the death or imminent death of a family member of any inmate incarcerated within either MCJ or MCF the duty sergeant/lieutenant shall be immediately notified.

B. The Duty Sergeant or Lieutenant will verify the death or imminent death of any person believed to be an immediate family member of any inmate incarcerated within MCJ or MCF. The Duty Sergeant or Lieutenant, upon verification of death or imminent death of an inmate's immediate family member as outlined in this order, shall complete and submit **(JB-069) Part I & II, Request for Funeral/Hospital Deathbed Visit, and forward the form to the Superintendent for review.**

C. When information is received regarding the death or imminent death of a family member of any inmate the Duty Sergeant/Lieutenant will:

1. Verify the information and complete and submit **(JB-069) Part I & II, Request for Funeral/Hospital Deathbed Visit, and forward the form to the Superintendent for review.**

2. Notify the Superintendent in accordance with current procedures when the verification of the death or imminent death of a family member is complete and the circumstances are such that immediate notification and review by the Superintendent is warranted. However, if the information is such that review can be made on the next business day the Sergeant/Lieutenant shall forward the request to the Superintendent's office.

D. Inmates incarcerated within either MCJ or the MCF, upon receipt of notification of death or imminent death of a family member, may request a funeral/deathbed visit by notifying the housing area supervisor who will:

1. Immediately notify the Duty Sergeant/ Lieutenant who will notify the appropriate clergy of the death or imminent death.

2. Relay all relevant information to the Duty Sergeant/Lieutenant and place a detailed entry in the housing area logbook summarizing the information. In addition, heightened inmate supervision may be implemented by the Duty Sergeant/ Lieutenant in accordance with **Suicide Prevention/Mental Hygiene (JBGO 031).**

IV. Superintendent's Review

A. The Superintendent will review all requests for funeral/deathbed visits and determine the approval or denial of the request considering the following as appropriate:

1. Criminal offense for which the inmate has been incarcerated and the circumstances surrounding the offense.

2. Criminal history of the inmate, including history of escape or attempted escape(s).

3. Whether the inmate's presence at the visit may constitute a threat to the inmate or any other person who may be present at the visit due to:

a. The involvement of the inmate's family in the offense committed by the inmate.

b. Other persons who may attend the funeral or deathbed visit.

4. Mental stability of the inmate, including the inmate's mental health history and the potential effect of the visit on the inmate.

5. Medical condition of the inmate.

6. Distance of transport and method of escort required.

7. Any other specific information relevant to the inmate or situation.

B. Upon review, the Superintendent shall approve or deny the funeral/deathbed visit. The determination will be made as soon as possible given the circumstances surrounding the funeral or deathbed visit.

C. The Superintendent will return the Request for Funeral/Hospital Deathbed Visit Form to the Duty Sergeant or Lieutenant indicating approval or denial as soon as possible. Approved visits will require the Duty Sergeant or Lieutenant to coordinate arrangements with the hospital or funeral home. The inmate and/or requestor will be notified so as not to compromise security arrangements. Should the request be denied, the Superintendent will notify the inmate and/or requester in writing of the facts and circumstances surrounding the denial. The inmate or requester will be given the opportunity to respond to the Superintendent concerning the determination within 24 hours.

D. At the discretion of the Superintendent, inmates may be permitted to visit both the deathbed and funeral of family members, as defined in this directive.

V. Security and Supervision

A. Inmates attending funeral or deathbed visits will remain under constant supervision at all times. The Superintendent will specify in writing any additional security measures and/or special instructions on the Request for Funeral/Deathbed Visit Form. Special instructions may include, but not be limited to the following:

1. The gender and number of security staff members assigned to the visit.

2. Restraint equipment utilized during the visit.

3. Time of the visit.

4. Additional security procedures which may be necessary due to medical or mental health conditions.

B. Transporting staff will thoroughly brief the inmate regarding forbidden and allowed conduct during the visit. Inmates will not be permitted to obtain food, beverages or any gifts or gratuities, including money, from anyone while on a funeral/deathbed visit. In addition, security staff will not accept any item from anyone for an inmate while on a funeral/deathbed visit.

C. Security staff will escort the inmate to and from the funeral/deathbed visit only and will not deviate from the transport itinerary without the approval of the shift commander.

D. At least one security staff member accompanying an inmate on a funeral/deathbed visit will be of the same gender as the inmate.

E. Inmates may be permitted to wear their personal clothing during funeral/deathbed visits.

F. When security considerations permit, searches of the inmate and/or the use of restraint equipment will be maintained in a manner which minimizes any public attention.

VI. Duration of Funeral/Deathbed Visits

A. Inmates attending a funeral/deathbed visit shall be permitted to visit family members for a minimum of 30 minutes, excluding time taken to transport the inmate to and from the visit. At the discretion of the Superintendent or designee, more time may be permitted.

B. Determinations made by the duty nurse, attending physician or any other health services staff member that a deathbed visit would jeopardize the health of the ill family member or the inmate or staff member(s), may result in visits being modified or revoked as recommended or required.

C. Security staff will maintain the authority to terminate a funeral/deathbed visit any time prior to the 30 minute requirement if, in their opinion, a 30 minute visit threatens the safety or welfare of the inmate, staff or any member of the public.

VII. Reportable Incidents

If a reportable incident occurs while an inmate is absent from the facility to attend a funeral or deathbed visit, staff will report such incident to the commission of corrections pursuant to the requirements of Part 7022 of the minimum standards.

VIII. Record Keeping

A written record of all requested funeral and deathbed visits shall be forwarded to and maintained through Jail Administration.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 04, 2017	EFFECTIVE DATE January 05, 2017	NO. 051-17
SUBJECT: ***Religious Services and Activities***		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: **NYS Minimum Standards for Jails, Sect. 7024**			RESCINDS JBGO-051-00 JBGO-051-09

Purpose: To institute and maintain a procedure within the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF) which encourages inmates to express and practice their religious beliefs during incarceration in accordance with **Part 7024 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7024).

Policy: All inmates will be permitted to take part in scheduled religious activities of the religion designated by them at their time of admission to the jail facility.

Definition: Religious Advisors/Clergy as defined in the minimum standards section 7024.3 are any person(s) other than a prisoner designated by the pastor of a church to represent that church, and whose ecclesiastical credentials have been approved by the Chief Administrative Officer of the Jail Bureau or his designee.

I. Religious Advisors/Clergy

A. Designated Religious Advisors are permitted to conduct congregate religious services. Any time a Religious Advisor is unavailable to conduct a religious service there will be no service, unless the Chaplain's Office conducts the service.

* B. Religious Advisors may be permitted to conduct private, confidential consultations with their inmate parishioners, as long as the consultations are not disruptive of the facility routine. One on one, private consultations requires that Clergy/Religious Advisor obtain a security clearance prior to being granted a visit. All Clergy/Religious Advisor's private, one on one visits, will be conducted in the visiting area of each facility, during regular visiting hours, unless otherwise approved for emergency reasons by the commanding officer on duty.

II. Congregate Activities

A. Each jail facility will provide a supervised area where inmates may congregate for religious worship. The Chaplain's Office will be responsible for all program coordination.

B. Any religious denomination requesting special religious service accommodations must first submit any such requests to the Chaplain's Office for review and approval. Should special accommodations have any impact on security operations; the Chaplain's Office will seek approval from the Major or Superintendent of the jail bureau.

C. Inmates confined in Administrative or Punitive segregation will be allowed to take part in congregate religious services unless such attendance would promote a disruption or jeopardize the safety, security or good order of the facility.

D. Should an inmate be restricted from congregate religious services, religious advisors may visit them privately in the inmate's place of confinement, or in an area designated by facility staff. Private religious counseling may be denied if the inmate poses a threat to the religious advisor and/or facility staff.

III. Establishing Eligibility to Conduct Religious Services

A. The Chaplain's Office will advise all church groups, choirs, and religious advisors of the facility entrance policies and procedures.

B. Eligibility will be determined by obtaining the name, address, and date of birth of church members desiring to enter the facility.

1. A criminal history check will be conducted by Criminal Records of the Monroe County Sheriff's Office, and the Rochester Police Department. Any active warrants, prior arrests and/or past criminal convictions may be cause to restrict facility access.

2. Persons with a previous criminal record will require review and approval by the jail Major of Operations before admittance is allowed into the facility.

C. The Chaplain's Office will be responsible for notifying the leader of any religious congregation regarding the restriction of any congregation member(s) to the jail facility.

* D. The Chaplain's Office will document in the professional visitation section of the Jail Information Management System (JMS) those volunteers who are cleared to enter the facility for religious services, programs, bible studies and one on one consultation.

* E. Annually, the Chaplain's Office will be responsible for providing the duty Sergeant and central control staff with information regarding scheduled church services.

IV. Procedures for Religious Advisors Entering the Jail Facility

A. All Religious Advisors will be requested to complete a Clearance Application with the Chaplain's Office prior to their initial visit to the jail facility. If an individual identifies him/herself as a religious advisor, clergy person, or a church religious volunteer requesting access into either the MCJ or MCF, and is not on the approved clergy list, the following action is to be taken.

1. **Jail Bureau members and employees are not to turn religious advisors, clergy, or religious volunteers away.**

2. The Duty Lieutenant (or Sergeant if a lieutenant is not available) will be notified and respond if there is a question regarding entry of a religious advisor, clergy, or religious volunteer. The Duty Lieutenant will permit access into security provided the religious advisor, clergy, or religious volunteer has valid identification. This access is on a one-time basis only and they are to be instructed to contact the Chaplain's Office on the next business day in order to complete a Clearance Application. This process is necessary for religious advisors, clergy, or religious volunteers to be placed on the approved clergy list.

* B. Upon approval of the application by the Chaplain's Office, the name of the clergy member will be placed in the Professional Visitor Data Base in JMS.

* C. On subsequent visits, Clergy and congregation members will identify themselves at central control with a valid driver's license (photo), and inform the staff they are currently registered in the Professional Visitor's Data Base in JMS.

V. Procedures for Volunteers Entering the Jail Facility

A. A participating church may register a total of thirty (30) members of its congregation, e.g., Clergy, choir. This list will be revised and updated as needed. Additions and/or deletions must be submitted to the Chaplain's Office at least five (5) working days prior to the day of scheduled service.

B. No more than fifteen (15) persons from the Clergy list may participate in one single weekly religious service.

C. The MCSO requires every person under the age of eighteen (18) years who desires to enter the jail/correctional facility to be accompanied by a parent/legal guardian or have written notarized permission from their parent/legal guardian that can be verified. Persons less than sixteen (16) years of age are restricted from program participation, although special provisions may be made for certain situations, e.g., a special choir. In these instances a written letter of approval must be submitted to the Chaplain's office from the custodial parent at least ten (10) working days prior to the day of planned participation.

D. The Chaplain's Office will inform volunteers that it's crucial to be on time, in order for services to start and conclude with the established facility schedule.

VI. Notification to Security Staff

A. The Chaplain's Office will maintain a current roster of all participating churches and/or religious groups, with the names of the individual members belonging to each group. A copy of this roster will be maintained in the Professional Visitors section in JMS.

B. Central control staff, along with security Sergeants and Lieutenants, will be advised at least 36 hours prior to any request for a special religious program.

C. Central control staff, Sergeants and/or Lieutenants will not admit any person who has not been cleared properly, nor any extra persons other than those previously approved for a particular service.

D. Under special conditions, the Superintendent/Chief Administrative Officer may waive the time notification guidelines.

VII. Celebration of Religious Holidays or Festivals

A. Inmates will be permitted to celebrate Religious Holidays or Festivals of the religion they chose during processing. Such activities must be within reason, and place no excessive or disproportionate demands on facility expenditures or operations as authorized by Section 7024.1(D) of the Minimum Standards for County Jails.

B. Advance planning, preparation and coordination for Special Religious services or Celebrations of Holy Days such as Ash Wednesday, Good Friday, Easter, Ramadan, etc., is required and will be the responsibility of the Chaplain's Office.

VIII. Religious Diets

* All requests for religious diets will be reviewed by the Chaplain's Office. Inmates are provided with a regular diet that is designed to meet most reasonable religious dietary laws. .

* A. Religious Diets are intended to accommodate inmates whose religious dietary needs cannot be met by the regular diet. The menu is designed in accordance with Section 7009.2, with special menus for recognized religious holidays in accordance with Section 7009.4. The menus have been nutritionally analyzed and certified as exceeding minimum daily requirements. A copy of the nutritional analysis is available from the food service administrator.

i. The regular diet served to the general population has been approved by the Muslim Chaplain as meeting the dietary needs of Muslim inmates.

ii. Requests for religious diets as related to other religions should be submitted to the Chaplain's Office for review.

B. Changes - Changes to the planned religious diet may not be made, except when seasonal availability of specific fresh produce items dictates that temporary substitutions be made. Under such circumstances, the Food Service Administrator with concurrence from the Superintendent or designee, may make temporary nutritional equal substitutions for fresh seasonal produce that do not violate any religious dietary laws. The Chaplain shall be consulted if religious questions arise.

C. Nutritional Requirements - Religious diet menus meet the nutritional recommended daily allowance (RDAs). An inmate who requests a Religious Diet may not also select other food from the regular menu. An inmate who does obtain items not on the religious diet menu shall do so with the understanding that they may contain items that does not meet that individual's religious dietary laws. When and inmate applies for a religious diet the Chaplain shall advise the inmate that failure to adhere to the Religious Diet menu may result in the inmate's removal from the program.

D. Plates and Utensils – Ordinarily, religious diet meals shall be served with reusable plates and utensils, which are identified for religious diet use. Disposable plates and utensils may be used when an inmate's application ~~for common fare~~ indicates a religious requirement for such disposable ware.

IX. Application for and Removal from Religious Diet

A. An inmate may request to participate in the religious diet program by submitting a request to the Chaplain via internal communication forms. Approval shall be based on the inmate's declaration that he or she wishes to eat from the religious diet for specific religious reasons. The Chaplain is the official approving an individual participation in the Religious Diet program, and shall provide the Food Service Administrator in writing with the names of inmates, the religious diet requested, and their housing area locations. Staff may not disparage inmates' religion or religious views or attempt to dissuade an inmate from participating in the program.

B. When an inmate is approved to receive a religious diet, the Chaplain, in consultation with the Food Service Administrator, shall develop an accountability means for the inmate's participation.

C. The inmate shall ordinarily begin receiving a religious diet within two days after the Food Service Administrator receives written authorization from the Chaplain.

D. Temporary placement on a medically prescribed diet or placement in a special housing unit does not affect an inmate's participation in the program. An inmate approved for a religious diet shall be provided religious diet meal while placed in a special housing unit, (e.g. SHU, Medical Cell Block, and Corridor Cell.

E. An inmate who wishes to withdraw from the program shall notify the Chaplain of that intent, and the Chaplain, as soon as practical, shall notify the Food Service Administrator in writing that the inmate has been removed from the program. The inmate will then receive meals from the regular diet.

F. If an inmate misses religious diet meals or accepts a regular tray, the Chaplain may remove the inmate from the program. The decision to remove an inmate rests with the Chaplain.

G. An inmate removed or voluntarily withdrawn from the religious diet program may request readmission to the program in writing to the Chaplain. The decision to reinstate an inmate rests with the Chaplain.

X. Annual Ceremonial Meals

By October 10th each year, the Chaplain shall provide the Food Service Administrator a schedule of the ceremonial meals for the following calendar year, including the date, religious group, estimated number of participants, and any required special food purchases. Each ceremonial meal plan should be finalized approximately four weeks prior to the event.

XI. Procedures for Religious Fasts and Seasonal Observances

The religious diet program provides the only religious diet. Inmates' participation in religious fasts and /or abstaining from particular foods during certain religious reasons will be accommodated through the religious diet program.

A. Ramadan

1. During Ramadan, Muslim inmates' who participate in the fast should receive the approved religious diet dinner after sun down and consume it in the designated area.

2. Participating inmates will be provided a bag breakfast for the breakfast meal prior to dawn. Bag breakfasts should contain non-perishable items, such as ultra-high pasteurized milk, fresh fruit, peanut butter, dry cereal, etc.

B. Passover

1. During the eight days of Passover, Jewish inmates who submit a request in writing to the Chaplain's Office will be offered alternative entrees that will be certified by a recognized Orthodox Standard, such as "U", "K", or "CRC" of Kosher meals or poultry.

C. Religious Fast

1. Each participant in a religious fast shall be required to sign a form which contains two statements, relieving the institution of liability as follows:

a) That the inmate is fully aware that during participation in the fast he or she is exactly exceeding the 14 hour limit between meal times ordinarily required by policy, and

b) That the inmate is aware that, since he or she is fasting, he or she will not necessarily be getting the number of calories the normal menus provide.

XII. Religious Articles

A. Inmates may possess religious articles as long as the articles do not pose a threat to the safety, security, or good order of the facility.

B. All religious articles must be approved by the Chaplain's Office before they are released to an inmate. Inmates may receive religious articles under the following circumstances:

1. Inmates will be permitted to possess only one (1) religious necklace, which will consist of metal, string, or small beads.

2. Inmates will be permitted to possess a metal necklace with a small metal medallion as long as the total value of the necklace and medallion combined is less than or equal to fifty (50) dollars.

* 3. Inmates may receive approved Religious Head Coverings through the Property Office. Inmates may wear their religious head coverings to and from religious service, and in their housing areas only.

* 4. Inmates may receive an approved prayer rug by submitting a request for such rug to the Property Office via **JB-235, Internal Communication Form**. The Chaplain's Office upon review and approval of the request will provide prayer rugs.

C. Inmates found with excessive amounts of religious articles other than those previously approved, must surrender those articles to the inmate property storage area.

XIII. Change of Religion

A. Inmates wishing to change their religious affiliation may do so by notifying the Chaplain's Office in writing of their request. This change will be permitted only once during an inmate's incarceration.

B. Inmates will not pressure other inmates to change their religious affiliation by force or fear.

XIV. Marriage during Confinement and Legal Requirements

Any inmate may get married providing there are no legal restrictions to the marriage. Legal restrictions are categorized as the following:

1. Jail Sentence

In accordance with **Section 79A of the New York Civil Rights Law**, the Chaplain's Office will advise the local county clerk issuing marriage licenses of any inmate wishing to be married.

2. Age

In accordance with Section 15 subdivision 2 of the Domestic Relations Law, all persons (inmates) making an application for a marriage license must be eighteen (18) years of age or older. Inmates under age of 18 must submit a written letter of consent from both parents, and one parent if the whereabouts of the other parent has been unknown for a period of one year. If the inmate is without a parent, they must get the signature of their legal guardian.

3. Prior Marriages

It is the responsibility of the inmate and the intended spouse to make sure that all prior marriages have been legally dissolved. The Superintendent/Chief Administrative Officer will not permit any marriage until a valid marriage license has been obtained by the inmate and their intended spouse.

XV. Marriage Procedure

A. Inmates will write to the Chaplain's Office expressing their intent to marry. The Chaplain's Office will be responsible for processing the request, interviewing the inmate, ensuring that the inmate obtains a valid marriage license, and all administrative requirements have been fulfilled.

B. During the marriage interview, the Chaplain's Office will explain to the inmate that the primary responsibility for all arrangements and securing of necessary documents rests solely with the inmate and the inmate's intended spouse. During the marriage interview the following will also occur:

1. The Chaplain's Office will examine the inmate's history and their pre-sentence report, paying attention to any information that may present legal restriction.

2. The Chaplain's Office will explain that the interview is a mandatory procedure for processing marriage requests and participation is imperative. The Chaplain's Office will explain the marriage process.

3. The inmate will be permitted to meet with the clergy member of their choice for counseling and/or developing plans for the marriage ceremony. This meeting will be conducted in the visiting area.

C. Applying for the Marriage License

1. The Chaplain's Office will coordinate a time for a representative from the City Clerks Office to visit the jail. The inmate will appear before the representative to apply for a marriage license at the time specified, only after the intended spouse has made applications at the City Clerk's Office.

2. After reviewing the applications of both parties, it is the responsibility of the City Clerk to determine whether a marriage can be contracted by law. Once a marriage license is approved and obtained, it is only valid for sixty (60) days from the date of issuance. There must be an interval of at least twenty-four (24) hours between the date the marriage license is issued and the date of the marriage ceremony, as directed in Domestic Relations Law 13b. The Chaplain's Office will advise the inmate and intended spouse to allow for ample time before setting a definitive date, in order to receive proper clearance from the Superintendent/Chief Administrator and to notify security staff.

D. Solemnization of the Marriage

1. The marriage must be solemnized by an individual authorized under the New York State Domestic Relations Law to perform a marriage in the State of New York. The inmate or his/her fiancée are responsible for obtaining the services of a person authorized to perform marriages in the State of New York.

2. The inmate and the intended spouse are permitted to select two individuals to serve as witnesses. The marriage ceremony will be limited to security staff, participating partners, the Clergy official, and two witnesses. Additional people must be approved by the Superintendent/Chief Administrative Officer.

3. The marriage license fee and other expenses incurred for the solemnization of the marriage will be the responsibility of the inmate and intended spouse only.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M O' Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE December 13, 2010	EFFECTIVE DATE December 14, 2010	NO. 52-10
SUBJECT: GENERAL ORDER REPORTABLE INCIDENTS		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NYSSA 67, 114, 115, 157			RESCINDS 52-J-2008

Purpose: To establish a formal mechanism by which incidents of a serious or potentially problematic nature that occur in the Monroe County Jail (MCJ) or Monroe Correctional Facility (MCF) are reported to the NYS Commission of Correction (NYSCOC), as required by law.

Policy: All reportable incidents will be communicated to the NYSCOC within the timeframes and in accordance with the **Reportable Incident Guidelines** promulgated by the NYSCOC for this purpose.

* **I. Reportable Incident Guidelines for County Correctional Facilities**

A. A link to the NYSCOC Reportable Incident Guidelines will be posted on the MCSO Intranet through the file path: ***Manuals--Assorted Manual--SCOC Reportable Incident Guidelines***. Additionally, the aforementioned information and/or forms may be obtained by accessing the **NYSCOC web site: www.scoc.state.ny.us.**

B. The following general categories of incidents will be reported to the Commission in accordance with the requirements and procedures specified in the **Reportable Incident Guidelines,** either immediately, within six (6) hours or within twenty-four (24) hours of occurrence or discovery.

1. Major Disturbances, Escapes, Inmate Group Actions, Personnel Group Actions, Hostage Situations, Firearm Discharges, Natural/Civil Emergencies and Major Maintenance/Service Disruption shall be reported **immediately**.

2. Deaths shall be reported within **six (6) hours** of pronouncement of death in form and manner prescribed by the Commission's Medical Review Board.

3. All other reportable incidents; Assaults, Sexual Assaults, Contagious Illnesses, Contraband, Minor Disturbances, Individual Inmate Disturbances, Fires, Self Inflicted Injuries, Accidental Injuries and Attempted Suicides shall be reported via applicable forms within **twenty-four (24) hours** of occurrence or discovery, if such incidents **meet the NYSCOC Reportable Incident Guidelines' "Reporting Requirements".**

a. Jail Administration will be notified immediately of the following incidents; Major Disturbances, Escapes and Attempted Escapes, Absconding, All Deaths, Inmate Group Actions, Personnel Group Actions, Hostage Situations, Firearm Discharges, Natural/Civil Emergencies and Major Maintenance/Service Disruptions.

b. Criminal Investigations Section and the Internal Affairs Unit will be notified of the following incidents. All deaths, attempted suicides, which may include questionable injuries to inmates resulting in hospitalization, assaults on members, employees, civilians or inmates by inmates, escapes and attempted escapes, firearm discharges, and contraband or other evidence confiscated that may constitute a crime.

II. Reporting Incidents Other Than Inmate Deaths

A. The ranking supervisor will insure that any reportable incident, other than an inmate death is called in to the NYSCOC office, regardless of the time of day, or day of the week, pursuant to the above mentioned requirements. The Duty Sergeant will complete the Form SCOC-011 (Revised 04/99) containing the necessary information requested during the initial telephone/fax contact.

B. The Lieutenant and/or Captain will review all reportable incidents prior to telephonic or facsimile transmission. Telephone is 518-485-2466. Fax is 518-485-2467.

C. Required follow-up reports will be prepared as specified in the Guidelines. These reports will be submitted in writing to the Commission as soon as practical, but no later than **thirty (30) days** following the initial telephone/fax report.

D. If additional facts of a critical nature are uncovered about the incident after follow-up reports have been submitted, the Superintendent or designee will forward this information in writing to the Commission as soon as practical, but no later than **fourteen (14) days** following discovery.

III. Reporting Inmate Deaths

A. The ranking supervisor will report the death of any inmate listed on the facility count to the following:

1. Internal Affairs Unit, Criminal Investigations Section and Jail Administration are to be notified **immediately**.

2. The Medical Examiner's Office within **one (1) hour** of pronouncement of death.

3. The NYSCOC by telephone/fax within **six (6) hours** of pronouncement of death, regardless of the time of day, or day of the week, in a form and manner prescribed by the Commission's Medical Review Board, as described in the **Reportable Incident Guidelines**.

* B. The next of kin will be notified by the Superintendent or his designee within **three (3) hours** after pronouncement of death. If this is not possible, the Superintendent or his designee will document, in writing, all attempts to make notification and complete the notification as soon as possible.

C. Within **three (3) days** after pronouncement of death, the Superintendent or designee will forward a copy of the deceased's entire correctional medical record to the Commission. Such copy will be certified as being a true copy by the authority responsible for maintaining the record.

D. Within **ten (10) days** after pronouncement of death, the Jail Physician will forward a follow-up report in writing to the Commission. This report will include information required in the Guidelines, any other information specified by the Commission, as well as the following:

1. A narrative medical history of the deceased, covering the ninety (90) days prior to death.

2. The deceased's primary medical record and/or psychiatric diagnosis and the therapy provided, if any, as a result of such diagnosis.

3. A narrative description of the terminal event occurring immediately prior to the pronouncement of death.

E. If additional critical facts are uncovered after the submission of follow-up reports, the Superintendent or designee will forward this information to the Commission as soon as practical, but no later than **fourteen (14) days** following discovery.

IV. Maintenance and Review of Reportable Incident Information

A. Copies of all completed reports and supplementary information pertaining to reportable incidents will be maintained on file in Jail Administration.

B. The Superintendent and designated staff will review on a regular basis, all reports resulting from the review and/or investigation of reportable incidents in accordance with current procedures.

By Order of the Sheriff,

Patrick M. O' Flynn

Patrick M. O' Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE November 28, 2012	EFFECTIVE DATE November 29, 2012	NO. 53-12
SUBJECT: GENERAL ORDER Sanitation		DISTRIBUTION Jail Bureau	AMENDS
Reference: NYSSA 118, 119 Part 7015 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (9NYCRR Part 7015)			RESCINDS 53-J-08

Purpose: To establish and maintain procedures to ensure sanitary conditions within the Jail/Correctional Facility of the Monroe County Sheriff's Office (MCSO).

Policy: It is the policy of the MCSO to ensure that all areas within the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF) are provided with proper equipment in order to create and maintain a sanitary environment. This is in compliance with Part 7015 of Title 9 of the **Official Compilation of Codes, Rules and Regulations of the State of New York** (9NYCRR Part 7015).

I. **General Provisions**

A. Sanitation equipment, food service equipment and utensils will be maintained and stored in a safe, secure and sanitary matter at all times. All equipment and utensils necessary to maintain a sanitary condition in the Jail/Correctional Facility will be replaced as needed.

B. Inmates intentionally damaging jail or correctional facility property will be held fully responsible and may be required to reimburse the County of Monroe for damages incurred pursuant to **Inmate Disciplinary Procedures (JBGO-07)** and **9nycrr Part 7006.** In addition, inmates may be infracted in accordance with Jail/Correctional Facility Rules and Regulations, subjected to loss of "good time" and/or other disciplinary sanctions.

II. **Sanitation Equipment**

A. The Quartermaster's Office will maintain a sufficient supply of sanitation equipment to include, but not to be limited to the following:

1. Mops, mop buckets and wringers.
2. Broom heads and handles.
3. Dust pans.
4. Garbage liners and containers.
5. Scrub brushes, sponges and paper towels.

6. Spray bottles and nozzles.

7. Cleaning solutions, disinfectants and floor waxing products.

B. Sanitation equipment will be supplied by the Quartermaster's Office to all housing/booking/reception area's and will be stored and secured in a storage closet within each area. Sanitation equipment will be replaced as necessary upon request in accordance with this directive.

* C. Each week, the Quartermaster will deliver sanitation/cleaning supplies to the housing areas within the Jail. These supplies will be provided **as needed** (see paragraph B). For the replacement of durable goods such as mop buckets, a Special Report is to be submitted to the Quartermaster and the item(s) will be exchanged one for one. Floor care items such as wax, stripper and buffing pads are ordered and maintained by the 2nd Platoon Jail Sergeant. Staff may draw those items accordingly. The Quartermaster will replenish those inventories as requested by the 2nd Platoon Jail Sergeant.

Sanitation/Cleaning supplies will be delivered each week to MCF for distribution **as needed** by the Deputy responsible for supply activities.

D. Staff will inspect all new equipment and ensure that all metal or removable attachments which if in the possession of an inmate constitutes contraband, is removed from the equipment and from the secure limits of the Jail/Correctional Facility.

III. General Facility Sanitation

A. Housing area staff will ensure housing areas and all surrounding areas are maintained in a sanitary condition. Staff will conduct daily inspections of all inmate living and common areas within their assigned area. Daily inspections are to be recorded and documented in the area log.

B. Staff will require inmates to clean their individual living space daily and will supply inmates with necessary sanitation equipment to maintain an acceptable living space. Inmates, who fail to maintain an acceptable living space in accordance with the Inmate Handbook, may be subject to Jail/Correctional Facility disciplinary sanctions in accordance with **Inmate Disciplinary Procedures (JBGO-7)** and **9NYCRR 7006.**

C. Inmates will be permitted to store their commissary items within their living quarters, however, the Superintendent or his designee may limit any item(s) that may create an unsanitary environment. Inmates **will not** be permitted to store any food items prepared by the food service agency within their living quarters.

D. Staff will utilize and supply approved trusties with the proper sanitation equipment to facilitate an overall sanitary environment. Approved trusties **will not** be permitted to work unsupervised in any area of the Jail/Correctional Facility.

* E. Approved housing area trusties will clean under active supervision after every meal which will include but not be limited to the following tasks:

1. Sweep and mop the floors

2. Disinfect all eating areas, toilets, sinks and showers.

3. Empty remains of eating trays into garbage receptacles and secure all food trays on carts.

4. Empty garbage cans and replace with garbage liners.

F. All garbage will be collected twice daily and removed from the facility via the freight elevator and loading dock. Only approved trusties that have outside clearance will be utilized by security staff for trash removal. Constant Supervision will be maintained when utilizing trusty's outside the facility.

G Staff will assign and supervise approved trusties to clean facility bars, walls, screens and windows at a minimum of once every month but may do so more frequently as necessary. Cleaning details when outside the housing unit such as on the catwalk will require staff supervising the inmates to maintain constant supervision of each inmate during the cleaning detail.

IV. Food Service Sanitation

A. The MCSO maintains a service agreement with a contracted food service agency specified by the Office of the Sheriff to provide meals to inmates housed within Jail/Correctional Facility. The contracted food service agency is required to maintain a sanitary food service area at all times. In addition, MCSO staff will ensure equipment and utensils used to prepare food, conform to standards of sanitation set by the New York State Department of Health. All equipment and utensils will be installed and maintained to satisfy the following standards:

1. Cleaning of such equipment, utensils and all adjacent areas.

2. Conforms to all applicable State and local building, plumbing, electrical and fire protection regulations.

3. Made of smooth textured material designed to be easily cleaned and durable. The contact surfaces of the equipment will be accessible for cleaning, non-toxic, corrosion resistant and relatively non-absorbent.

B. The contracted food service agency will ensure that the following sanitation procedures are conducted within the food preparation area at all times.

1. Equipment and utensils will be cleaned thoroughly with detergent prior to each use in preparing, holding or serving food.

2. Surfaces of equipment which do not come in contact with food will be cleaned daily at intervals sufficient to ensure that such surfaces are free from accumulated dust, dirt, food particles and other debris.

3. All utensils, food contact and cooking surfaces used in preparation, storage or serving of food and/or beverages will be thoroughly cleaned after each use.

4. After surfaces of equipment and utensils have been cleaned and until they are used, a reasonable effort will be taken to prevent exposure to contamination.

5. Food service supervisors will ensure all refrigerated food storage areas are maintained within the prescribed temperature zones in accordance with the State Department of Health.

6. Employees of the contracted food service agency and trusties assigned to the kitchen will maintain a high level of cleanliness and conform to personal hygienic practices while assigned to the food service area. All persons assigned to the food

service area will employ basic hygienic practices to include, but not be limited to washing their hands, wearing gloves and hairnets before preparing food or coming in contact with the food preparation at all times.

C. Sanitation and food service equipment will be inspected and inventoried at the beginning and end of each shift daily. Food service supervisors will document sanitation and food service equipment in the appropriate log(s).

V. Insect and Rodent Control

A. Pesticide will be defined in accordance with **9NYCRR 7015.5** as any substance or mixture of substances used for preventing, destroying, repelling or mitigating any pest.

B. The MCSO maintains a service agreement with a contracted insect and rodent control agency specified by the Office of the Sheriff. The insect and rodent control agency will employ procedures designed to eliminate or minimize insect or rodent infestation, which will include but not be limited to the following:

1. Proper screening.

2. Elimination or control of breeding places.

3. Use of safe and effective pesticides.

C. A staff member will be assigned to escort the person(s) applying the pesticides throughout appropriate areas of each facility. In addition, the staff member will document the specific areas serviced in the Jail Maintenance log.

D. Pesticides used or the applicator used in either facility will be maintained in a safe and secure manner, used as directed by the manufacturer and registered by the **New York State Department of Environmental Conservation (NYSDEC).** All pesticides used within the Jail/Correctional Facility will be applied in accordance with the requirements established by the **NYSDEC.**

VI. BIO-WASTE HANDLING AND STORAGE

A. Bio-Waste containment supplies are available through the Quartermaster for all departmental operations. **Personnel shall handle bio-waste in accordance with accepted industrial hygiene practices and as may be prescribed by NYS Department of Labor, Department of Health, OSHA or PESH regulations and policies as applicable.**

B. Bio-Waste containment shall be stored in a designated storage area with controlled access. **A NYSDEC Certified collections company will collect bio-waste from MCJ on a scheduled basis. MCF bio-waste is taken to the Monroe County Medical Examiner's Office for proper disposal.**

C. **Bio-Waste Storage rooms will not be used for any other purpose.** All Bio-Waste material will be placed into appropriately marked, red Bio-Hazard bags. All bags will be sealed and then placed into the marked bio-waste containers.

* 1. At MCJ, the Bio-Waste storage room is located on the City Mezzanine and the collection and removal of such will be completed by the contract medical provider on a schedule maintained by the contract medical provider.

* 2. At MCF, the Bio-Waste storage room is located between the 011-012 doors and

maintained in two red secured lockers. Collection and removal of bio-hazard items will be completed by the contract medical provider.

VII. Local Health Department Sanitation Inspection

The chief administrative officer will take appropriate steps to ensure that the local or State health department schedules and conducts annual inspections of the facilities. The annual inspection will ensure compliance with the requirements of **9NYCRR Part 7015** and the New York State Sanitary Code. Results of this inspection will be documented in writing, together with a summary of the action taken to address any deficiencies, and will be maintained on file in Jail Administration.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE MARCH 10, 2016	EFFECTIVE DATE MARCH 11, 2016	NO. 054-16
SUBJECT: GENERAL ORDER Criminal Investigations of Incidents Occurring in Jail Facilities		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: NYSSA 35, 90 CALEA 73.5.21			RESCINDS 54-J-08

Purpose: To establish policy and procedure for Monroe County Sheriffs Office personnel assigned to the Jail Bureau, when reporting actual or suspected criminal acts or information relating to an actual or suspected criminal act within Jail Bureau facilities or when assigned to details outside of facilities.

Policy Jail Bureau members and employees who uncover information they believe may be helpful to a criminal investigation are required to notify their first line supervisor immediately. The supervisor will follow the Jail Bureau chain of command to Jail Administration. Jail Administration will then notify and provide a report to the Criminal Investigation Section Captain and/or Internal Affairs Unit if applicable. Jail Bureau members and employees who, while off duty, uncover information they believe may be helpful to a criminal investigation will notify their immediate supervisor, in accordance with Section V Reports 5.3, of the rules and regulations of the Monroe County Sheriffs Office.

General Provision:

Jail Bureau members and employees will not contact any outside law enforcement agency with information regarding jail bureau incidents unless directed to do so by Jail Administration or the Criminal Investigation Section Captain. This policy does not preclude established reporting procedures within the Jail Bureau command or the notification to the Internal Affairs Unit in accordance with **MBGO-021 Internal Affairs Unit.**

I. **Referral Procedures**

A. When a crime has been committed or believed to have been committed within a Jail Bureau facility, information relating to the incident or alleged incident will be documented on a **JB-136 Incident Report** and forwarded through the Jail Bureau chain of command to Jail Administration. The Operations Major in Jail Administration will review and refer the incident or alleged incident to the Criminal Investigation Section Captain and/or the Internal Affairs Unit.

* B. Command staff will immediately be notified of any allegation of sexual abuse or sexual harassment for referral for investigation by the Monroe County Sheriff's Office. Refer to **MBGO-068 Staff Conduct with Persons in Custody.**

C. The Operations Major in Jail Administration will review and refer the following incidents to the Criminal Investigations Section and/or the Internal Affairs Unit:

1. All deaths

2. Attempted suicides, or questionable injuries to inmates resulting in an inmate's hospitalization.

3. Assaults on members, employees, civilians, or inmates by inmates.

4. Escapes and attempted escapes.

5. Any other type of occurrence which threatens the safety, security, or good order of Jail Bureau facilities.

C. Jail Bureau members will refrain from questioning subjects or possible subjects of an investigation when a crime or possible crime may have been committed. In addition, subjects will not be questioned if an investigator has been assigned by either the CIS or the Internal Affairs Unit.

Note: This does not apply to administrative actions such as investigations of a Subject Management Resistance Investigation.

D. In the event that the CIS and/or Internal Affairs relinquishes investigative jurisdiction Jail Administration shall continue the investigation. This investigation would be for the purpose of determining if Sheriff's office rules and regulations for members/employees and inmates, of a noncriminal nature, have been violated and warrant filing of non-criminal charges or infractions.

E. The suspect(s) will be isolated and/or separated until interviewed by CIS and/or the Internal Affairs Unit.

Note: Any investigations completed by jail security will be used for in house disciplinary purposes only.

F. When an incident occurs that requires immediate attention, the on-duty command officer will be responsible to notify the Jail Bureau chain of command, CIS and/or the internal Affairs Unit. The on-duty command officer will also insure that follow-up reports and all other pertinent documentation are submitted in regard to the incident.

II. Crime Scenes or Reportable Incident Scenes

A. Contraband or other evidence of a crime found in the process of searching a prisoner or in a shakedown inspection or in any other circumstance shall be processed and confiscated in the following manner:

* 1. A supervisor may request a Jail technician to process found contraband, evidence or a crime scene occurring within MCJ or MCF in accordance with **JBGO-063 Jail Technician Unit and MBGO-024 Technical Services Unit.**

2. When handling "evidence" members shall change gloves whenever different specimens of evidence with apparent bodily fluids are collected to prevent possible cross contamination. Staff involved with evidence recovery along with supervisors on scene, are to ensure that evidence chain of custody is followed.

3. Upon finding any item, members/employees will immediately notify their supervisor. Photos or videotape of the contraband, evidence and/or crime scene shall immediately be taken, logged and secured as evidence. If a Jail Technician is utilized, photographs shall be copied from the Technician's file and placed in the administrative drive. Refer to **JBGO-063 Jail Technician Unit**. Staff will submit an incident report to include the location where the item(s) were found and other pertinent information surrounding the find.

4. The scene of an assault, other major felonies including an escape attempt or death of an inmate or staff shall immediately be secured. No one shall be allowed in the area except initial responders required mitigating a situation. A Deputy shall be assigned to maintain a log record of persons entering and leaving the crime scene to include the times arriving and leaving and whether or not anything was removed from the area.

5. Any item(s) removed or confiscated will be marked and processed as directed in **MBGO-016 Property Recovery, Custody and Security** and **MBGO-024 Technical Services Unit.**

By Order of the Sheriff,

Patrick M. O' Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 17, 2011	EFFECTIVE DATE January 18, 2011	NO. 55-11
SUBJECT: GENERAL ORDER Programs for Self Improvement		DISTRIBUTION Jail Bureau Personnel	AMENDS
Reference: NYSSA 113			RESCINDS 55-J-08

Purpose: To ensure that each inmate who applies for a program is evaluated on the basis of his/her ability to meet that program's established criteria. Inmates with disabilities are provided with the opportunity for employment based on their capabilities and with the approval of the facility contract medical provider.

Policy: Sentenced inmates committed to the Monroe County Jail/Monroe Correctional Facility may participate in programs designed to prepare them to re-enter the community.

I. Work Release Program

* **A.** Work release is a program which allows qualifying sentenced inmates a means of continuing with their long-term employment which had been in place prior to their incarceration. This program provides an opportunity for the inmate to leave the Jail/Correctional Facility daily for continued employment purposes only.

* **B.** Inmates are expected to work in an in-house trustee position for the first one-half of their sentence. They will work in a trustee position outside of the facility during the second half of their sentence. They may apply for work release during the last six to eight weeks of their sentence. The following factors are considered when making a determination on a work release application:

1. Facility behavior history, as well as work record within the Jail/Correctional Facility.

2. Participation in the appropriate rehabilitative programs and display of the proper attitude; demonstrating a positive adjustment to the Jail/Correctional Facility environment.

3. Each case is decided based on a variety of criteria including, but not limited to, the nature of the offense, length and nature of past criminal record, personal and employment history, attitude, and drug and alcohol involvement.

4. Any deviation from this selection process must be approved by the Superintendent.

C. Inmates with the following types of crimes listed on their record shall be considered as poor risks for work release: sex offenses, history of assaults and assaultive behavior (particularly where weapons are involved), escapees or runaways (absconders), AWOL's from the military, and inmates with warrants or detainers that are pending. This list is not all-inclusive and review of 1-4 in category B above is imperative to determine if an inmate meets all of the criteria for the work release program.

D. Each inmate accepted for work release will be required to sign a formal work release agreement. This agreement will contain the specific conditions of the individual's work release plan. The inmate's signature on the agreement will indicate knowledge of the specific conditions and willingness to comply with them. The Sheriff or his designee may revoke, suspend or otherwise modify the plans of any inmate at any time for just cause. The inmate may appeal the decision to the Sheriff or his designee.

* E. When an inmate is approved for work release, costs other than those normally incurred in the incarceration of an inmate in the facility must be borne by the participant.

* F. Work release participants may be employed only in the County of Monroe. The Sheriff or his designee may approve employment outside the County of Monroe at their discretion.

II. Work Release Operating Committee:

A. A designated staff member, along with the rehabilitation counselor assigned to the applicant, will conduct an investigation and file a report. The counselor will include recommendations, which are submitted to the work release operating committee. Before any prisoner is approved for work release, a study of the probation material (pre-sentence investigation report from the County Probation Department) is made to ascertain the prisoner's social and legal history and other pertinent information.

B. The work release operating committee reviews all applications for the work release program that have been submitted to the Superintendent. The members of the committee are the Director of Rehabilitation, Jail Administration, the supervising rehabilitation counselor, and a representative of the Monroe County Probation Department. Upon receipt of a complete work release investigation, the committee examines the application, probation report, counselor's investigation, and all other available information.

C. The committee then submits the investigation in writing to the Superintendent along with specific recommendations as to the applicant's suitability for work release. The Sheriff has designated that the Superintendent will approve or disapprove applications, giving consideration to the recommendation of the committee.

* III. Work Release Earnings and Expenses:

A. All inmate earnings will be forwarded to the rehabilitation supervisor's office at the Monroe Correctional Facility (MCF).

B. Each inmate who participates in the work release program will be required to pay for food, lodging and clothing at a fixed percentage rate of net earnings.

C. Each inmate who participates in a work release program will be required to pay for their expenses for traveling to and from work and the meals they consume outside of the facility.

D. When ordered by competent authority or authorized by the work releasee in writing a designated portion of earnings may be turned over to the inmate's dependents to provide for their support.

E. Inmates are required to pay restitution, fines and legal fees as directed by the Courts.

F. A work release account shall be maintained by the Rehabilitation Supervisor's Office at the MCF for each work releasee. All earnings and disbursements will be made for the work releasee from this account. The account will be non-interest bearing. Unexpended

earnings will be retained in the individual's account and returned to the inmate upon release from the facility.

IV. Work Release Staff Procedures:

A. Work Release Money.

1. All money transactions are handled by the Rehabilitation Supervisor's Office at the MCF.

2. Work release inmates are strictly prohibited from working unscheduled overtime that is not approved in advance through the Rehabilitation Supervisor's Office.

3. The following applies when a work releasee returns with his/her paycheck:

   a. Only checks will be accepted (NO CASH).

   b. The work releasee must endorse the check and receive a receipt.

   c. The staff person receiving the work releasee's paycheck will place the check in the individual's personally identified envelope along with pertinent information (i.e. name, id number, housing location) and the staff person's signature recorded on the front of the envelope in the appropriate space.

   d. This envelope is kept in the locked file cabinet in the Sergeants Office at MCF.

   e. Each of these envelopes will be retrieved weekly by the Work Release Account Custodian.

4. Work releasee daily expense money and any other money that is returned by the releasee is handled in the following manner:

   a. The aforementioned envelope is provided weekly/daily for each work releasee and contains funds for weekly/daily expenses.

   b. Weekly expense money is kept in the Sergeants Office. A receipt is signed by the Sergeant who is then responsible to secure the envelope(s) in a locked file cabinet in the Sergeant's Office at MCF.

   c. The work releasee signs for the money received. The staff member giving the releasee the money, countersigns the in/out form envelope each time the releasee receives funds.

   d. The Sergeant records on the in/out form any funds returned by the releasee upon re-entry to the facility. The funds are placed in the envelope and retrieved by the Work Release Account Custodian.

5. All work release money must be kept in a locked file cabinet in the Sergeants Office at MCF and shall be accessible only by Jail Supervisory Staff and the Work Release Account Custodian.

* **B. Work Release Discharge Procedures:**

1. All information regarding the departure and arrival time for work release inmates, is found on the work release "in and out schedule" issued weekly by the Rehabilitation Supervisor's Office.

2. All work release inmates are to be awakened in adequate time to prepare for their workday. If the work release inmate is to be provided a lunch, a staff member will insure that it is provided before departure. The Rehabilitation Supervisor's Office will insure that the kitchen manager is notified of each work release inmate who will be taking a lunch.

3. Jail Supervisory Staff will issue the appropriate funds to the releasee.

4. Jail Supervisory Staff releasing work release inmates, will record the time of release and his/her IBM number under the appropriate day on the work release in/out schedule. The reverse will occur when the releasee returns to the Facility. Entries will also be recorded in the housing area logbook.

5. If a work release inmate is detained in the jail on a scheduled work day for any reason, the releasee will be allowed to call his/her employer, as soon as possible, to make proper notification of absence. In the event that the work release inmate is incapable of placing the call, the housing area supervisor will make proper notification of absence to the employer of the releasee. The Rehabilitation Supervisor's Office must be notified of any releasee detained by 0900 hours and appropriate notation will be placed in the housing area logbook.

C. Work Release Inmate Intake Procedures:

1. Work release inmates will return to the facility as directed. Receiving staff will process in each releasee in accordance with existing procedures and conduct an appropriate search as outlined in JBGO #28.

2. Unscheduled O.T. for the release **is not permitted.**

3. The kitchen will provide meals for each work release inmate as required. The meals will be delivered to the housing area with the regular meals for the area. The work release inmate meals will be stored, heated (as directed) and served to the releasee when the releasee has been processed back into the facility.

4. If a work release inmate fails to return to the facility as scheduled, the provisions of Emergency General Order 113, Emergency Plan Escapes, will be followed.

* **V. Responsibility Of Rehabilitation Staff To Security Staff:**

The rehabilitation staff will be held responsible for providing the security staff with up-to-date information on each work release inmate. They will complete and distribute appropriate forms and rosters to insure the work release program meets its goals and objectives. The security staff must be made aware of any program changes or changes to an individual inmate's work release plan.

VI. Furlough Policy:

The Monroe County Jail/Correctional Facility at the Superintendent's discretion and approval may grant a furlough to a locally sentenced inmate in an extreme case. There is no regular Furlough Program in either facility.

VII. Outside Work Program Policy and Procedure

A. To ensure that statutory requirements are met, the labor or services of an inmate shall not be used in any manner that conflicts with Federal or State Constitution, or Federal, State, or Local Statues, laws or regulations. Further, the labor or services of an inmate shall not in any way benefit a private individual, firm, company, corporation, association or any similar organization. All sentenced inmates, regardless of sex, race, religion and national origin, will be provided equal opportunity to participate in work assignments outside the facility(s).

B. Inmates wishing to participate in the outside work program are thoroughly screened to remove prospective participants who manifest violent tendencies. No violent felony offenders will be accepted. Criteria required for participation in the outside work program is the same as the work release program.

C. The work release operating committee shall evaluate all available data pertaining to each inmate under consideration for outside work status. They must also submit a written report to the Superintendent or his designee recommending approval or disapproval of each candidate. The basis of the committee's decision must be stated.

D. Prospective inmate participants must demonstrate that they are dependable workers, and are not security risks. Other criteria must be met in a general profile that would indicate that an inmate would be a worthwhile selection for the program.

IIX. Outside Work Program – General Duties:

A. The outside work program consists of sentenced inmates performing cleanup and other jobs in the Monroe County Parks as well as other designated areas as prescribed and approved by Jail Administration.

B. Outside trustee assignments consist of work and cleanup details in the area of the facility(s) and other locations as prescribed by staff members assigned to supervise.

C. Inmates participating in these programs are supervised by Deputy Sheriff Jailors whose responsibilities include direct inmate supervision, scheduling, record keeping, coordinating, evaluating inmate work performance and report writing, along with related duties.

D. Each inmate participating in the outside work program is subject to a performance evaluation which is completed by the Deputy Sheriff Jailor.

E. Inmates that participate in special work assignments will be issued suitable protective clothing and equipment (i.e. coat, hat, boots, gloves, goggles, and mask) as necessary.

IX. Chemical Dependency Treatment Program

A. The Monroe Correctional Facility operates a recognized chemical dependency treatment program. Most of the inmates are housed in a separate area and participate in chemical dependency education, group counseling, Alcoholics Anonymous, and Narcotics Anonymous meetings. Other activities include relapse prevention, MICA (Mentally Ill

Chemical Abusers), cultural issues, aftercare planning/agency transitional groups, and recovery step groups.

B. Locally sentenced inmates enter the program by referrals internally from security staff, rehabilitation staff, and chemical dependency counselors. They can also be referred to the chemical dependency program by external agencies, such as probation, the courts, and other community agencies. Locally sentenced inmates may also enter the program by submitting an **Inmate Internal Communication Form (JB-235)** form to security staff, their rehabilitation counselor, the rehabilitation supervisor's office, or the director of the chemical dependency program. If they meet the criteria, they must exhibit a willingness to be involved in the chemical dependency treatment and must participate, if they want to continue in the program.

C. Upon entering the program inmates are assigned a specific chemical dependency counselor who develops a service plan to guide their activities and plan for post release follow-up. The counselors also track the inmates' progress in order to integrate other programs at the facility such as educational and the GED programs, the tailor shop, the outside work program (supervised parks) and the work/education release program.

D. Inmates are involved in their aftercare planning which promotes follow-up at community agencies which also encompasses other support activities.

E. Inmates who are Parole Violators that are approved for the HIP Program through the Division of Parole and Jail Administration also receive treatment in the chemical dependency program.

X. General Rehabilitation

A variety of programs and groups are offered depending upon the identified needs of the inmate. The following list of programs and groups are offered which is not all inclusive: High School Equivalency Classes, Parenting Classes, Anger Management, The Impact of Crime on Victims, Cultural Awareness, Responsibility and Consequences of Behavior, and A.A. and N.A. meetings.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE December 16, 2008	EFFECTIVE DATE December 16, 2008	NO. 56-J-2008
SUBJECT: GENERAL ORDER INMATE(S) HUNGER STRIKE		DISTRIBUTION	AMENDS
REFERENCE:			RESCINDS 56-J-2000

Purpose: To outline policy and procedures to be followed when an inmate refuses meals in the Monroe County Jail/Correctional Facility.

Policy: It is the policy of the Monroe County Sheriff's Office to ensure that the food service provider will provide adequate, healthful, balanced meals for the inmates. Religious and medical diets will be provided in accordance with existing procedures. All inmates are encouraged to protect their health by eating the meals provided and by following the advice of Medical staff when medical diets are necessary. The Sheriff recognizes a limited right of inmate(s) to make decisions affecting their body as long as the inmate(s) is considered competent by proper medical authorities to make a competent decision, and provided the decisions do not affect the safe operation of the Jail/Correctional Facility. The Sheriff will seek direction from the court when an inmate is judged to be incompetent by proper medical authority.

I. General Provisions

A. Inmates may refuse to eat a particular meal or an item on a given menu because of a personal preference. When an inmate refuses a meal in total, the housing area Corporal or Deputy should question the inmate to determine the reason for the refusal to eat. The inmate may be ill or have a problem the Corporal or Deputy should address. The Corporal or Deputy will note the information available in the housing area activity log (electronic or paper as required), and inform the duty Sergeant and Medical of the information as soon as possible.

B. When it is determined that an inmate is going to refuse to eat meals provided and Jail staff observes the inmate has refrained from eating, the duty Sergeant and Medical will be notified. The duty Sergeant and Medical will then authorize the monitoring of the inmate via the **Report of Refusal to Eat Form (JB-78).**

C. Inmates announcing they are on a hunger strike or who are observed by staff to be on a hunger strike will be placed in Medical Segregation. Jail Command and Medical will coordinate the placing of the inmate in Medical Segregation. An inmate on a hunger strike should be placed in segregation under medical observation to ensure that observation and monitoring of food consumption is accurate.

1. Jail staff shall remove any commissary items of a food or candy nature and any food items stored from meals from their cell. Purchased food and candy items from the commissary will be inventoried and sent to the Prisoner Property Storage Area. All food items stored from meals will be discarded. Inmates will not be allowed to purchase commissary items of a food or candy nature until they have ceased being on a hunger strike. All commissary slips submitted by the inmate will be monitored by housing area Jail staff and commissary staff.

2. Inmates on a hunger strike will receive counseling a Religious Advisor. (i.e. Jail Ministry Services.)

3. Inmates shall not be denied legal services or regular visits.

4. When inmates on a hunger strike are on their exercise period, closer observation shall be maintained to determine if any food or candy items are consumed. In the event that food or candy items are consumed or received during the exercise period or at any other time, it must be documented on an incident report and in the floor activity log.

5. An inmates exercise period may be denied, revoked, or limited when it is determined that such exercise period would cause a threat to the safety, security, or health of the inmate(s) or other inmates in accordance with the Commission of Corrections Minimum Standards **9NYCRR Part 7028, Exercise.** Any determination to deny, revoke, or limit an inmates exercise period shall be made by the Superintendent in writing, and shall state the specific facts and reasons underlying the determination. A copy of this determination shall be given to the inmate(s).

6. Jail staff assigned to housing areas will attempt to determine if other inmates are supplying food or commissary items to the inmate refusing to eat. Whenever food or commissary items are found in the inmates cell, a description of the items will be reported and the items confiscated. Perishable items will be disposed of. Items disposed of will be reported along with the reason for disposal.

7. The Food Service Provider will prepare a regular meal or special diet determined by the Contract Medical Provider. The meal will be weighed and the weight recorded by the kitchen security staff. The meal tray will be sealed with plastic wrap and delivered to the Corporal or Deputy assigned to the housing area. The Corporal or Deputy will deliver the meal tray to the inmate and monitor consumption. Following the meal the Corporal or Deputy will hand deliver the meal tray to the kitchen security staff or employee to be weighed and recorded. These recordings are necessary to verify whether food items were removed or consumed from the meal tray by the inmate. If there is a change in weight the kitchen security staff will document the change on JB-78 Report of Refusal to Eat and on a Special Report verifying if the inmate consumed any items or has just removed an item from the meal tray. These reports will be forwarded through the chain of command to Jail Administration in accordance with current procedures. This procedure shall remain in effect until the inmate(s) ceases the hunger strike.

8. Jail staff must ensure the meal is made available to the inmate. The verbal offer of a meal by Jail staff is not acceptable.

D. When an inmate refuses to consume food or fluids for a continuous period of **48 hours** the duty Sergeant will refer to the Commission of Corrections **Reportable Incident Guidelines for County Correctional Facilities and JBGO 52, Reportable Incidents.** The refusal to consume food or fluids for a continuous period of **48 hours** by an inmate is a reportable incident pursuant to **9NYCRR Part 7022, Reportable Incidents.**

E. The Contract Medical Provider and Jail Administration will be notified by a platoon supervisor as soon as an inmate indicates the refusal of meals. After **48 hours**, the Medical Provider will perform the following procedures.

1. Measure and record the inmate's weight and height.
2. Take and record vital signs.
3. Arrange a Psychological and/or Psychiatric examination.
4. Arrange a general medical evaluation.
5. Perform complete blood work and urinalysis as indicated by the medical evaluation.

a) Medical shall physically evaluate and document the condition of the inmate a minimum of once every 24 hours while the inmate is on a hunger strike. The procedures identified above shall be repeated as medically indicated.

b) If the inmate's weight falls below 20 percent of ideal body weight Medical will then record the weight of the inmate once per week.

c) When valid medical reasons exist, Medical may modify, discontinue, or expand any of the medical procedures described above.

d) When the doctor considers it necessary in order to provide adequate treatment, an inmate on a hunger strike will be transferred to a hospital. The inmate shall remain in the hospital under close observation until such time as he/she is released by competent medical authority.

6. All medical treatment given, treatment offered, and the weight of food offered and consumed or not consumed, will be recorded in health records. Refusal of medical services shall also be documented in health records.

7. The Medical Provider's Health Service Administrator will notify the Superintendent or his designee of any changes in the medical condition of inmates on a hunger strike.

8. **Inmates on a hunger strike will remain in Medical Segregation until medically cleared by the Contract Medical Provider.**

II. Refusal to Accept Medical Treatment

A. The Contract Medical Provider's Physician will counsel the inmate about the risks the inmate will face if a hunger strike is continued for any length of time and the inmate refuses medical treatment. All efforts made to counsel and encourage the inmate to accept medical treatment will be documented in the inmate(s) health record.

B. When, it appears to the Medical Contract Provider's Physician that the situation is deteriorating to the extent that intervention may be required, the matter is to be discussed with the Sheriff, his staff and appropriate legal advisers including the Sheriff's Counsel, District Attorney and the inmate's Attorney, the Court of Jurisdiction and if appropriate a hospital representative.

C. After reasonable efforts, the Contract Medical Provider's Physician will refer the inmate to a hospital for evaluation and treatment.

D. The Contract Medical Provider will provide daily reports to the Superintendent or his designee regarding the inmates medical condition and treatment.

III. Judicial Notification

The Sheriff or his designee shall notify the court having jurisdiction over an inmate on hunger strike, with an explanation of the background of and the reasons expressed by the inmate for the strike, the treatment, the outcome of the hunger strike and the type of treatment administered.

IV. Release from Hunger Strike Treatment

Only the Contract Medical Provider Physician may release an inmate from hunger strike treatment. This order will be documented in the health record of the inmate and the Superintendent's Office and the kitchen supervisor and/or kitchen security staff will be notified in writing.

By Order of the Sheriff,

Patrick M. O'Flynn

Report of Refusal to Eat

Inmate's Name: _____

On the following days and times the above named inmate refused to eat:

The medical staff has been notified to keep a check on the health of the inmate in question.

Week Commencing: (Date) _____/____/_____

Date Notified:_____ Person Notified: _____

In the column to the left of each meal, indicate with an "R" for refusing a tray, "P" for a partially eaten tray or an "E" for having eaten the entire tray. Sign where indicated.

Day		Breakfast - Deputy		Lunch - Deputy		Dinner - Deputy
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

The following below is to be used by the Kitchen Security Staff for charting the meal tray weights leaving and returning to the kitchen for the inmate refusing to eat.

	Breakfast				Lunch				Dinner			
Day	Weight out	Dep.	Weight in	Dep.	Weight out	Dep.	Weight in	Dep.	Weight out	Dep.	Weight in	Dep.
Mon.												
Tues.												
Wed.												
Thurs.												
Fri.												
Sat.												
Sun.												

Comments: _____

_____

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE October 23, 2013	EFFECTIVE DATE October 24, 2013	NO. 057-13
SUBJECT: GENERAL ORDER Hospital Security Procedures		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS 57-09

Purpose: To establish procedures for the security of inmates who require hospitalization.

Policy: The following procedures will be strictly adhered to when dealing with the treatment of hospitalized inmates.

I. Admission to a Medical Facility

* A. When notified by competent authority that an inmate is to be admitted to a hospital, Jail Records or the Jail Duty Sergeant will contact the hospital to advise them that the inmate is in the custody of the Sheriff's Office and that the inmate will be guarded under the supervision of Deputies. Jail Records or the Jail Duty Sergeant will complete an **Admission to Medical Facility Notification Form (JB-060)** documenting notifications made to the hospital admissions and business offices.

* B. Jail Records or the Jail Duty Sergeant will advise the hospital security office by faxing an **Admission and Discharge Fax Notification to Hospital Security Office Form (JB-083)** at the start of the admission documenting initial phone contact with security and to notify the hospital security office of an armed detail on hospital grounds.

* C. Jail Records will be responsible for these notifications during normal office hours. When the office is closed, the duty sergeant will be responsible. All completed forms will be maintained in Jail Records file folder.

II. Transporting of inmates

* A. Sheriff's personnel transporting inmates to or from a hospital will comply with current directives regarding prisoner transport and treatment in accordance with **MBGO 022 Prisoner Custody Transport Treatment, JBGO 013 Prisoner Transport and JBGO 044 Communications.**

B. Deputies transporting inmates from the jail to a hospital will obtain a Hospital Referral Form from the jail medical department prior to departure.

* C. Transporting Jail Deputies will sign-out a hospital bag from Booking Control at MCJ or the Quick Entry Team (QET) Staging Room at MCF prior to going to the hospital. The bag will contain restraint equipment. All equipment will be inspected prior to leaving for detail. The bag will also have guideline materials which include a copy of this order, **JBGO 057 Hospital Security Procedures, MBGO 005 Use of Restraining Devices, JBGO 002 Inmate Visitation, JBGO 044 Communications,** Incident Reports and Special Reports.

III. Responsibilities of Deputies

A. Deputies assigned to a hospital detail/transport will ensure that the inmate:

1. Does not escape or become a security risk.

2. Does not receive or otherwise obtain and instrument or weapon which may aid in an escape or cause harm to others or to himself/herself.

3. Does not receive contraband or non-prescribed drugs of any kind.

4. Is not subjected to threats or harm from any other source.

B. Security Measures

1. Upon reporting for duty, the relief Deputy will question the preceding Deputy regarding any unusual actions or any special order pertaining to the inmate.

2. Determine that the patient is the correct inmate.

3. Conduct a general search of the room and inmate.

4. Ensure that heavy or dangerous articles do not come within reach of the inmate.

5. Scrutinize any request from the inmate that would cause a security risk. All legitimate requests will be relayed to the hospital staff for action.

6. Observe the actions of any person who enters the room and be familiar with hospital staff involved with the inmate.

C. Special considerations regarding security:

1. Jail Deputies assigned to hospital security duties will sign-out a firearm and carry and possess the firearm unless otherwise directed.

2. Whenever an inmate is sent to the hospital for treatment or admission, soft restraints will replace mechanical restraints. A hospital bag containing the restraints must be brought and used for every transport **(MBGO 005 use of Retraining Devices).**

* 3. The inmate will be continuously confined in their assigned hospital room. The only movement outside that room will be based on competent medical direction for the treatment of the inmate-patient.

* 4. If the inmate is moved for **any** reason, (this includes any medical test, x-ray, medical procedure, physical therapy, etc.), the deputy will verify authorized medical personnel are involved, notify the Jail Duty Sergeant of destination and reason for such, and remain with the inmate-patient at all times.

5. When the inmate is returned to his/her room, a general search will be made to ensure continued safety and security.

6. Under no circumstances will a deputy leave an inmate unattended, except when medically necessary (i.e. surgery). **Reference MBGO 005 Use of Restraining Devices.**

7. Any unusual occurrence affecting the inmate's security or well-being will be reported immediately to the Deputy's supervisor.

8. Female inmates will be guarded by a female deputy and male inmates will be guarded by a male deputy unless special circumstances exist and permission is granted by a supervisor.

IV. Responsibility of Supervisors

Supervisors will monitor deputies assigned to outside security details by making periodic checks to ensure officer safety. These checks may be made by telephone, voice radio, or site visits when appropriate. Site visits will require the supervisor review logbook notations from the previous supervisor round.

V. General Procedures

A. Deputies will be in full uniform unless otherwise directed.

B. Parking for personal vehicles is the responsibility of the employee.

C. Hospitals do not provide meals to deputies. Deputies must provide their own food.

D. Deputies will notify hospital security staff immediately of any problems with the inmate. The deputies will advise the security office of the nature of the problem, the location of the problem, and the type of assistance required.

E. In most cases, during emergency situations, hospital security officers will assist deputies when required. This assistance, however, may be limited by restrictions placed on the hospital security officer by his/her department.

F. Deputies will not sit in hospital corridors or take chairs into hospital corridors.

G. Deputies will cooperate with hospital staff, to the extent possible, without jeopardizing the safety and security of the inmate.

H. When guarding an inmate in a semi-private room with anther hospital patient, deputies will not interfere with the regular hospital patient or his/her visitors, unless there is a threat to the safety and/or security of the deputy or to the inmate. If a problem does occur, hospital authorities and the hospital security office must be notified. All problems will be reported to the deputy's supervisor.

I. Accommodations for lunch relief for the deputy assigned to the hospital will be made by the Jail Duty Sergeant.

J. Deputies who need to be excused from duty for any reason (sickness, court, family emergency, etc.), will not leave their assignment until properly relieved. Accommodations for such relief will be made through their supervisor.

VI. Discharge from a Medical Facility

A. When an inmate is discharged from the hospital, the deputy assigned to the detail will call the Jail Duty Sergeant and arrange for the inmate to be picked up for transport back to the jail.

* B. When an inmate is released from custody while in the hospital, the Jail Records Office, or the Jail Sergeant, will notify the deputy assigned to the detail, the hospital, and the hospital security office regarding the date and time of the release from custody and the fact that the Sheriff's Office assumes no further responsibility for the inmate. Upon discharge, hospital security staff will again be notified, and a copy of the completed **Admission and Discharge Fax Notification to Hospital Security Office Form (JB-083)** will be faxed to the hospital security office.

C. The Jail Sergeant is responsible for notifying on duty and pre-scheduled deputies of any detail cancellations/changes.

VII. Inmate (Patient) Privileges and Restrictions

* A. Inmate Visitation

* 1. Inmate admitted to hospitals will be afforded the same visiting privileges as they would be allowed in the jail. Deputies guarding inmates will comply with current policy and procedures, including identification requirements, regarding visitation as outlined in **JBGO-002.**

* 2. Visitors wishing to visit an inmate housed at a hospital must schedule all visits through the visiting area supervisor. The supervisor will then notify staff assigned to the detail of the date and time of the visit, as well as the name(s) of the visitor(s).

* 3. In the event of a medical emergency or other special circumstance (i.e. labor and delivery, surgery, etc.), visitation may be approved at the discretion of the Command Officer on duty.

* 4. Prior to the initial hospital visit, all visitors must present proof of identification at Visits Reception for verification by staff. Once verified, staff will record the visitor's name, address, date of birth and visitor code on the JMS Visitor's Record.

* 5. Staff will conduct a thorough visual search in addition to a search with a hand held metal detector. Staff will also request visitors to open their mouth and lift their tongue and turn their pockets inside-out to search for any possible contraband. **Should visitors not comply with Jail Correctional Facility searching procedures, visitors will be denied access to the hospital room and the scheduled visit will be terminated.**

B. The following restrictions apply to inmates admitted to the hospital:

1. Only limited physical contact will be allowed between visitors and the inmate.

2. The deputy will remain in the room at all times during a visit and maintain visual contact with the inmate and any visitor in the room. This also applies to semi-private rooms when another patient has visitors.

3. No food item of any kind will be given to an inmate other than the diet prescribed by the hospital.

4. Regular commissary orders can be filled from the Jail Commissary and only upon the concurrence of the treating physician.

5. Money, or any other items from visitors, will not be accepted by the inmate, deputy or hospital personnel. Allowable items must be left for the inmate at the Jail Property Office **(reference JBGO 018 Inmate Property Storage Area and JBGO 039 Commissary Accounts Maintenance.)**

6. Inmates will not be allowed to have a telephone in their room or make any telephone calls unless authorized by a Command Officer.

* 7. Inmates will be allowed television service if it is already activated in the hospital room, or if a family or friend is willing to incur the expense.

* 8. Deputies are not allowed to pay for television or telephone service.

By Order of the Sheriff,

Patrick M. O'Flynn

* Indicates change from previous order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE March 19, 2009	EFFECTIVE DATE March 19, 2009	NO. *58-J-09
SUBJECT: GENERAL ORDER Incident Report		DISTRIBUTION Jail Personnel	AMENDS
REFERENCE:			RESCINDS MBGO 11-99

Purpose: To establish policy and procedures for the use and completion of the **Incident Report (JB-136)** for Jail Bureau members.

Policy: The Incident Report will be used by the Jail Bureau to record and document any circumstances surrounding incidents of a non-criminal nature.

I. General

The Incident Report will be used for the following types of situations, (reference **JBGO-52 Reportable Incidents, JBGO-43 Incident Command System for Jail Operations,** and **JBGO-31 Mental Health Protocols**):

A. Fires.

B. Deaths.

C. Suicides and suicide attempts.

D. Motor vehicle accidents involving Department vehicles (i.e. a Jail Transport car) or damage sustained to Department vehicles sustained in any other way.

Note: This is in addition to any other reports which may be required by other law enforcement or police agencies. (i.e. Report of Motor Vehicle Accident Report Form/MV-104, Fleet Damage Report.)

E. All jail-related incidents and situations involving staff/civilian/inmate injuries, inmate infractions, or any of the following:

- Fights.
- Hostage situations.
- Escape/escape attempts.
- Contraband.
- Disturbances.
- Maintenance/Service problems or disruptions.
- Property damage.

F. Incidents which require ambulance or fire department response or whenever **Incident Command** is used.

G. Whenever an inmate is placed on Constant Supervision.

H. **Any situation that the Deputy or supervisor feels requires complete documentation.**

Note: In any instance where criminal charges may apply, the appropriate agencies will be notified for investigation. Reference **JBGO 54-08 Criminal Investigations of Incidents Occurring in Jail Facilities.**

II. Form Preparation

Page 1 of ___ at the bottom right of the form indicates the total number of pages that are included for the initial report. An **Addendum Report (JB-300)** will be utilized as a continuation page of the Incident Report when needed.

Block 1: **Incident Type**: *Drop down box.* Select which description is most accurate to the incident being reported.

Block 2: **Classification (Supervisory Review)**: If the supervisor agrees with the original classification, this box will contain only the supervisor's signature. If the supervisor disagrees, he/she will strike out the classification in Block 1, enter the proper classification, and initial the re-classification.

Block 3: **CR #** (3a) and **IMS #** (3b): This is the CR number and/or IMS number assigned to the incident. The IMS number will be generated for all reportable incidents according to current procedures. Should the incident also be of a criminal nature, both the CR and IMS numbers will be listed.

Block 4: **Time of Occurrence**: All dates will be entered as double digits (i.e. 02/25/09) and all time will be recorded in military time (i.e. 10:35 pm is entered as 2235).

Block 5: **When Reported**: Month/day/year and the time the incident was reported to a supervisor.

Block 6: **Response Code**: *Drop down box.* Enter appropriate "Code" if a Code was called/used.

Block 7: **Location** (7a): The housing area or jail location where the incident occurred, i.e. 3MW25, 3 North Minors common area, Plaza Mezz Towers connecting hallway, 600 Unit, 4th floor Hall of Justice, etc. **Facility** (7b): *Drop down box.* Select area/facility where the incident occurred.

Block 8: **Persons Involved**: Enter Name, Sex, Race (*drop down box*), Date of Birth (DOB), Jail Housing Location/Assignment, their MCJ ID/MoRIS #, their Classification (drop down box) – i.e. Sentenced, Federal, etc, and Code (*drop down box*) of **each** person involved in the incident. Code refers to the subjects nature of involvement, i.e. was the "victim", was the "major" (main subject/initiated the incident), "minor" (was less involved in incident/not the subject, etc).

Block 9: **Were there injuries resulting from this incident?**: Check any and all boxes that are applicable.

Block 10: **Evaluated (Location)** (10a): *Drop down box.* Mark appropriate location of where the subject (if injured) was medically treated. **When Evaluated** (10b): The date and time medical treatment was provided.

Block 11: **Narrative**: Use this block to describe details of the incident. If the narrative expands on information from a prior block, then place the appropriate number of that block in the shaded margin. Then, adjacent to that number, continue with the information. When ready to start the narrative body of the report, place 11 in the shaded margin and then write the report in the space provided.

Block 12: **MCSO Tech Work (IBM)**: Check the appropriate box that indicates whether a Technician was required/used and their IBM #.

Block 13: **Jail Tech Work (IBM)**: This applies if photograph(s) were taken by jail personnel. If so, check the "Photos by" box and indicate the IBM # of the member who took the photograph(s). If property/evidence was collected, check the appropriate box and indicate the IBM # of the member who collected it.

Block 14: **Reporting Officer** (14a): **Type** reporting officer name and IBM #. The signature of the reporting officer is provided in (14b).

Block 15: **Assisting Staff**: Enter the name(s) and IBM # of any staff member who provided assistance.

Block 16: **Supervisor Notified**: Name of the immediate supervisor that was notified.

Block 17: **Supervisor Approving**: Signature of the approving supervisor, their IBM #, and the date the report was approved/signed.

Block 18: **Platoon Commander Review**: Signature of the approving Platoon Commander, their IBM #, and the date the report was approved/signed.

Block 19: **Security Action Taken**: Is to be used by supervisors to document any and all further action that was taken in regard to the reported incident. Any and all applicable boxes will be checked. Appropriate documentation will be attached as required.

Block 20: **For Administrative Use Only (Administrative Review)**: Signature, rank/title, and IBM # of the Administrative Supervisor reviewing/approving the report and the date.

Block 21: **For Administrative Use Only (Action Taken)**: Referral of the incident for follow-up as applicable. To be completed by the Administrative Supervisor reviewing/approving the report.

III. Distribution/Maintenance and Review of Incident Reports

A. Supervisory personnel will review and approve the report(s) and forward copies to all applicable and prescribed areas.

B. Copies of all completed reports and supplementary information pertaining to reportable incidents will be maintained on file in Jail Administration.

C. The Superintendent and/or designated staff will review, on a regular basis, all reports resulting from the review and/or investigation of reportable incidents in accordance with current procedures.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O'Flynn

* Indicates significant changes from the previous Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE January 16, 2017	EFFECTIVE DATE January 17, 2017	NO. 059-17
SUBJECT: GENERAL ORDER *Youth Development Program (Incarcerated Minors)		DISTRIBUTION Jail Personnel	AMENDS
REFERENCE:			RESCINDS 059-09/059-16

Purpose: To establish housing where minor inmates (those between the ages of 16- 17) who are remanded to the custody of the Monroe County Sheriff's Office (MCSO) will be afforded the opportunity to develop internalized and independent moral and reasoning capabilities needed to behave in a constructive non-violent manner. Staff will take into consideration each minor inmate's development, maturity and special needs while recognizing the uniqueness of this population in comparison to the adult population.

Policy: In order to promote the safe custody, as well as fair and humane care and treatment of minor inmates housed at the Monroe County Jail (MCJ) and the Monroe Correctional Facility (MCF), staff will adhere to a formal and objective classification process that is performed at both intake and at specified intervals thereafter along with a progressive management philosophy. Adherence to this process will:

- Identify the special needs and required levels of security and supervision of minor inmates.
- Ensure minor inmates continue their education during their incarceration.
- Support an understanding that adolescent brains are still developing, and it is normal for youth to test boundaries, act impulsively, and make poor decisions.
- Promote respect by inmates towards each other, security staff, teachers, medical and mental health staff and volunteers.
- Promote respect by security staff towards minor inmates.
- Separate minor inmates for housing purposes as required by existing laws, regulations, and the New York State Commission of Corrections.

I. Initial Screening and Risk Assessment

At the time of booking, each minor inmate will undergo an initial screening and risk assessment which consists of a screening interview, visual assessment, and review of commitment documents. This will be conducted in accordance with procedures outlined in **JBGO-034 City Unarranged and County Prisoner Booking and Release Procedures**. Minor inmate(s) who are Deaf or hard of hearing will have access to the interpretype which will allow for better communications between the inmate and staff (reference **MBGO-093 Communicating with people who are Deaf or Hard of Hearing**).

In addition, every minor will be referred to Mental Health for an initial intake assessment. This referral will be completed by the Booking Nurse during their initial medical and mental health screening in Central Booking.

II. Assignment to Jail/Correctional Facility Minor Housing Areas

Upon completion of the booking and classification process, all minor inmates committed to MCJ will be housed in the designated minor housing area. This will be conducted in accordance with procedures outlined in **JBGO-027 Inmate Classification**.

III. Jail Minor Footwear

A. All minor inmates committed to the Monroe County Jail will be given County issued footwear. Minor inmates' personal footwear will be secured with all other stored property in the Prisoner Property Storage Unit

B. Inmate Property will not accept footwear drop-offs for minors.

C. Upon release from custody, County issued footwear will be surrendered by the inmate and personal footwear will be returned to them. County issued footwear will be washed and re-used provided they are in satisfactory and re-usable condition.

IV. Youth Development Program

A. In order to help promote good behavior in the minor housing areas, the Monroe County Jail will utilize a four-stage program with the minor population. The four (4) stages are as follows;

Stage 1 – Orientation Stage

Stage 2 – Adjustment Stage

Stage 3 – Transition Stage

Stage 4 – Honors Stage

B. This program is designed to incentivize good behavior and compliance with jail rules while taking into consideration the individual special needs of each minor with the understanding that adolescent brains are still developing. In addition, it provides staff with an alternative to the discipline system in their attempts to gain compliance. The determination for advancement includes, but is not limited to, the following; inmates' Infraction Record (reference **JBGO-052 Reportable Incidents** and **JBGO-007 Inmate Disciplinary Procedures**), conduct, behavior, attitude, appearance, attendance/participation in scheduled activities (including school - reference **JBGO-041 Educational Services for Youth**), and completion of a **JB-412 Promotion Petition Form** (**Section VII** of this Order). Each stage provides increasing privileges which are defined in **Section V** of this Order. The purpose of this program is to gain compliance and help educate and rehabilitate minor inmates through positive reinforcement. This program encourages the inmate to "earn" their privileges and be more pro-active while housed in MCJ.

V. Program Stages

A. Stage 1 - Orientation:

1. Minor inmates upon arrival in the unit may be secured in their cell for a period not to exceed 48 hours. The purpose of which is to allow the minor unit deputy time to conduct a formal interview to identify any issues that may require conflict management prior to introduction into the general unit.

2. Allowed a maximum $20.00 weekly commissary purchase. Clothing items do not count toward the twenty dollar limit.

3. Must lock-in for the night at 2000 hours.

4. Must remain in Stage 1 until fifteen (15) merit points have been accumulated.

B. Stage 2 - Adjustment:

1. Allowed a maximum $30.00 weekly commissary purchase. Clothing items do not count toward the thirty dollar limit.

2. Must lock-in for the night at 2030 hours.

3. Must remain in Stage 2 until thirty (30) merit points have been accumulated.

C. Stage 3 - Transition:

1. Allowed a maximum $40.00 weekly commissary purchase. Clothing items do not count toward the forty dollar limit.

2. Must lock-in for the night at 2100 hours.

3. Allowed one 1-hour non-contact visit per week, limited to parent(s) or guardian and/or the immediate family of the inmate being visited. All visits will be in compliance with **JBGO-002 Inmate Visitation.** This is in addition to any scheduled contact visit(s) in the Visitation Area.

4. Must remain in Stage 3 until 45 merit points have been accumulated.

D. Stage 4 - Honors:

1. Allowed a maximum $50.00 commissary purchase on any items including hot plates. Clothing items do not count toward the fifty dollar limit.

2. Must lock-in for the night at 2130 hours.

3. Allowed one 1-hour contact visit per week, limited to the parent(s) or guardian and/or the immediate family of the inmate being visited. All visits will be in compliance with **JBGO-002 Inmate Visitation.** This is in addition to any scheduled contact visit(s) in the Visitation Area.

*VI. Merit Point System

A. Merit points are earned as follows:

1. One point is earned each time the inmate's bunk is made and cell is in order for daily cell inspection.

2. One point is earned for attending school and participating in class each day. (Rochester City School Teachers will have input).

3. One point is earned for participation in a scheduled group activity, for example, attending a group session with the Pathways to Peace volunteers. The minor inmate must participate in the discussion and remain respectful of the volunteers and others.

4. One point is earned after an altercation, verbal or physical, where the minor inmate writes a letter explaining their actions, causes, and thoughts, and then explains how they will prevent such inappropriate actions on their part in the future. An apology to the victim should be included in the letter.

5. One point is earned for a random act of kindness observed by staff or uncovered by staff.

6. Minor unit deputies may have the discretion to award a point for any action or activity they deem acceptable that was performed by a minor inmate.

B. Minor unit deputies may have the discretion to take away one (1) earned point each shift due to actions or activities they deem unacceptable that the minor inmate has done on that shift. If the action requires more than one merit point being removed, a formal infraction must be completed, and the Hearing Corporal will decide on the sanction after a hearing is completed and the minor is adjudicated guilty of a rule violation.

VII. Transition of Stages

A. Advancement (Promotion) to the next stage will be based on the merit system and the ability to move up a level is determined by the inmate's behavior and compliance.

B. Minor Unit Deputies will track each minor inmate's points on a spread sheet. All documentation for each minor inmate will be kept in an inmate file in the unit. Additionally, a display board will be posted in the unit that the minor unit deputies will update routinely with any changes to allow minor inmates to track their own personal progress.

C. Minor inmates in Stages 1-3 must complete the **JB-412 Promotion Petition Form** when they have accumulated sufficient merit points and submit the completed form to the housing area deputy.

1. On the Promotion Petition Form, the inmate will provide their name, current stage, amount of time in the current stage, and a brief narrative detailing why they should advance to the next stage. This form will allow the inmate to give reasons for their promotion, in their own words and from their perspective, while providing a means to practice writing and grammar skills.

2. The bottom portion of the form has a section where staff from all platoons/ ranks (who interacts with that particular inmate/housing area) can provide comments regarding the promotion request and whether the request should be granted or denied.

If the minor inmate has reached the points required (unless there is an extreme situation) they will be promoted up a stage.

***VIII. Youth Development Coalition Team**

A. This team will be comprised of Minor Unit Deputies, a Mental Health Representative from the contract medical provider, a Rehabilitation Counselor, a Rochester City School District Jail Guidance Counselor, a Duty Sergeant, a Duty Lieutenant and a Special Operations Sergeant.

B. The team will develop individual management plans for each minor housed in the minor unit. The plan will identify special needs and any accommodations required for medical, mental health or educational needs. Individualized management plans will be maintained in each minor inmate's respective file in the housing unit in a confidential manner.

C. When a minor inmate is projected to be in custody for longer than one (1) week, the rehabilitation counselor along with other coalition team members will set goals for the minor to achieve weekly while housed in the minor unit. The minor will be aware of all goals.

D. The Youth Development Coalition Team will meet at a minimum once a week to review the progress of each minor assigned to the unit.

E. The Youth Development Coalition Team will meet as soon as practical after a major incident involving a minor to adjust the management plan as needed. All decisions will be explained to the minor inmate.

***IX. Discipline**

A. Inmate disciplinary procedures within the minor unit will be used as a last resort when all other steps have failed. Minor Unit Deputies will use compliance techniques as well as de-escalation techniques prior to resorting to discipline.

B. **JB General Order 007 Inmate Disciplinary Procedures** outlines the disciplinary process for the Monroe County Jail and Correctional Facility. With regard to minor inmates, **Section II B. of JBGO-007** will be adjusted for all minor inmates as follows:

1. A minor inmate who commits a minor rule violation in accordance with the Inmate Handbook or who requires a cooling-off period may be placed on a cell restriction, however, the time period must not exceed one (1) hour and must be in an unlocked cell.

2. A minor who commits a major rules violation in accordance with the Inmate Handbook may be locked in their cell for up to 24 hours. If it is determined said minor will be infracted and restricted to their cell for the safety and security of the facility, a Notification of Confinement or Administrative Segregation request will be completed and forwarded to the Major of Operations for review and approval. Additionally, a Mental Health Professional will see the minor to ensure the behavior is not the result of a mental illness or medical condition. If confinement in the cell exceeds 24 hours, the Platoon Tour Commander will review the cause for continued confinement every twenty-four (24) hours thereafter. If the confinement continues beyond five days, the Special Operations Sergeant will notify the Major of Operations. The Platoon Tour Commander will additionally ensure a Mental Health assessment is conducted to ensure the inmate is not experiencing decompensation.

Note: Minor inmates will only be restricted to their cells if the inmate's presence in general population would pose a danger to the inmate, staff, other inmates, or the public. Additionally, when restricting an inmate to their cell, staff should consider the seriousness of the alleged offense, including whether the offense involved violence, escape, or posed a threat to institutional safety.

3. A minor inmate who has been found guilty of violating the Rules and Regulations of the facility after a disciplinary hearing may be locked in their individual cell in the Minor Housing Unit only as necessary, and only after staff has concluded that other available sanctions are insufficient.

4. When a Hearing Corporal is confronted with an inmate who demonstrates symptoms of mental illness, the Hearing Corporal will obtain input from a Mental Health professional for the purposes of determining the inmate's competence to participate in the disciplinary proceedings. Additionally, the Hearing Corporal will request that Mental Health provide information as to whether the minor inmate's mental illness may have impacted the minor inmate's responsibility for the alleged behavior. When the Hearing Corporal encounters a minor inmate with a known mental illness, Mental Health will be consulted as to whether certain types of sanctions are inappropriate because they would interfere with supports that are part of the inmate's treatment or recovery plan. Mental Health's counsel in these situations shall hold considerable weight when making decisions on guilt, punishment and placement.

5. Once the Hearing Corporal has completed the Hearing and has adjudicated the minor inmate guilty of the alleged violation, the Hearing Corporal may take away merits earned by the inmate, based on the severity of the violation. Additionally, unless the violation occurred in the classroom or during a rehabilitative group and unless security staff can articulate in writing to the Platoon Commander a reason to restrict the minor inmate from group activities, they will not be restricted. If the inmate is restricted from attending school, per **NYS Minimum Standards Section 7070**, notification to school staff is required.

    1. After adjudicating a minor guilty of a violation of the rules and regulations of the Monroe County Jail, the Hearing Corporal can take up to two earned merit points for each minor violation and up to six earned merit points for a major violation. Minor Unit Deputies will monitor the merit points and adjust stages as required.

    2. Minor inmates may earn a reduction in their discipline sanction by continuing to earn merit points while serving a punitive sanction.

6. Minor inmates who are locked in for a punitive sanction after a Hearing, and who exhibit good behavior, can have their punitive sanction reduced. Staff assigned to the minor unit may petition the Superintendent in written format through the Hearing Corporal to reduce punitive sanctions. The Superintendent will have the final decision on a reduction to any sanction.

7. As a matter of practice, no minor inmate will be housed in the Special Housing Unit (SHU). **Under extreme situations,** the Platoon Tour Commander may approve a minor inmate to be housed in the SHU. If a minor inmate is placed in the SHU they will be seen every 24 hours by a Mental Health professional. Notification will be made through the chain of command to the Superintendent.

If confinement continues beyond 24 hours, the Major of Operations must review the continued confinement every 24 hours thereafter, until released from the Special Housing Unit.

8. Additionally, the Youth Developmental Coalition Team will work on a management plan that will balance the special needs of the minor inmate, with the requirement of law to keep the Jail a safe and secure facility, all with the goal of returning the minor to less restrictive conditions as promptly as possible.

***X. Restraint Chair Use**

A. As a matter of practice, the restraint chair will not be used to restrain a minor inmate. In rare circumstances where a minor inmate is out of control and all other methods and de-escalation techniques have failed, the restraint chair may be utilized with authorization from the Platoon Tour Commander. Notification will be made through the chain of command to the Superintendent. The Platoon Captain will write a justification for the use of the restraint chair to the Major of Operations. This report will be submitted within one (1) business day of the authorization to place a minor inmate in the restraint chair.

B. When the restraint chair is authorized for use with a minor inmate, Mental Health will be contacted and a **MH professional will remain present with the inmate during restraint.** All protocols for use of the restraint chair will be followed as directed by **JBGO-042 Inmate Movement and Restraint Procedure (Section V).**

C. Minor inmates secured using the restraint chair will remain in the restraint chair for no longer than 2 hours at any one time. If a determination is made that the minor inmate must remain in the restraint chair past 2 hours, approval must be obtained from the Jail Superintendent.

***XI. Suicide Watch for Minor Inmates**

A. Staff will refer to Jail Bureau General Order **JBGO-031 Mental Health Protocols** when they encounter a minor inmate who has made suicidal statements or who staff believes is at risk of self-harm.

B. Minor inmates who are placed on suicide watch as defined in **JBGO-031** will be provided, **based on their behavior**, books, school work, exercise, daily shower, and any other means to allow the minor inmate to remain active.

***XII. Staff Selection for Minor Unit**

A. Biannually, staff members who have a desire to work in the Minor Unit will have the opportunity to complete an **MB-90 Inter-Departmental Request Form** as per **MBGO-040 Intra-Departmental Request Form** for selection. The selections will be made by command staff with input from the platoon supervisors.

B. Emphasis for this selection will be placed on the staff members' desire and ability to work with this unique population. Staff members who have strong interpersonal communication skills as well as the ability to de-escalate situations are highly desired.Staff members with creativity and understanding that adolescent brains are still developing and that it is normal for youth to test boundaries, act impulsively, and make poor decisions, want to find a way to allow this normal growth within the structure of a correctional facility will be selected.

***XIII. Minor Unit Staff Training**

Staff will be trained to understand the uniqueness of the developing adolescent brain and the de-escalating techniques designed to be used with adolescents. Additionally, staff will be trained in Trauma Informed Care, as well as Mental Health First Aid, and staff will keep well-informed of new methods and techniques that arise. This will allow for better management of this unique jail population.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O' Flynn

* Indicates that this is a new addition to the previous General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER Jail Bureau	DATE OF ISSUE April 16, 2012	EFFECTIVE DATE April 17, 2012	NO. 60-12
SUBJECT: GENERAL ORDER Facility Loading Dock		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE:			RESCINDS

PURPOSE: To establish policy and procedure governing the security and supervision of activity that is occurring within the loading dock areas of the Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF).

POLICY: Monroe County Jail (MCJ) and Monroe Correctional Facility (MCF) Shift Commanders will ensure that all activities occurring in or around the respective facility loading dock areas are supervised and regulated according to the procedures outlined within this directive.

I. Procedure

A. Deliveries arriving at either facility will be verified by Central Control with the respective MCSO Unit Contract Vendor before accepting the delivery.

B The Duty Sergeant will assign an armed deputy to meet and screen delivery carriers upon arrival outside the secure loading dock area as well as to oversee and observe delivery or other activity inside the secure loading dock area.

C. Prior to allowing access to the secure loading dock area, the armed screening deputy will verify the identity of the delivery driver, company and supplier. Any discrepancy with identification will be immediately referred to the Duty Sergeant for investigation and follow up.

D. Prior to allowing access to the secure loading dock area the screening deputy will question the driver and any other vehicle occupant specific to the possession of dangerous (IE. firearms, munitions, knives) or other defined contraband. Declared general contraband items will be secured in the vehicle cab prior to entry being authorized. Declared or discovered contraband that is dangerous in nature or in violation of NYS law will be immediately referred to the Duty Sergeant for investigation and follow up.

E. Designated Deputy Responsibilities

The armed screening deputy will:

a. Inspect the delivery vehicle including but not limited to, exterior and cab of the vehicle. A search mirror is available for undercarriage searches when warranted.

b. When the delivery has been confirmed and the vehicle inspection is completed, notify Central Control that the loading dock gate can be opened.

c. Stand in a safe manner and observe as the vehicle enters the loading dock area. (Note* At no time will a staff member guide or direct the delivery vehicle.)

d. Once the vehicle is safely inside the loading dock notify Central Control to secure the loading dock gate.

e. Use the **Loading Dock Activity Working Log (JB-002)** form to temporarily document information.

f. If the delivery vehicle is left unattended at any time ensure it is secure and the engine is off (close windows, lock doors, compartments and secure equipment).

g. Notify the appropriate contact for acceptance of the delivery.

h. Directly observe the unloading or loading by driver and accompanying passengers.

i. Ensure that the facility sally port doors, loading dock gate and overhead door are secured during the active delivery operation.

F. Upon completion of the detail, and prior to the vehicle being allowed to leave the secure loading dock area, inspect the delivery vehicle and search for inmates hiding in any portion of the vehicle. Search loading dock area to ensure contraband was not left behind.

Note: If contraband is found, the Duty Sergeant will be notified immediately for investigation and follow up.

G. Deputies assigned to the loading dock area will maintain visual observation of all activity at all times.

H. If it becomes necessary to utilize inmate trustees on the loading dock, only those inmates who are authorized for **'Outside Clearance'** will be used. Written policy specific to **Security and Supervision (JBGO 47)** and **Searches of Persons (JBGO 28)** will be followed.

II. Documentation

A. The Loading Dock Activity Log Form will be used to record the following documentation, using the JMS Facility Floor Log, LD Flr and LOADING DOCK Type, record:

1. Date and time of the delivery.

2. Delivery company and vendor name.

3. MCSO or contract unit name on the shipping manifest.

4. Type of loading dock activity (IE. delivery or pick up).

5. Vehicle plate number (State and registration number).

6. Vehicle driver's name and license (State and ID number).

7. Time the delivery was completed and the vehicle left the area.

8. Any remarkable activity or incident during the delivery.

B. Completed Loading Dock Activity Working Logs may be destroyed the following business day after the Duty Sergeant has verified the JMS log entries.

By Order of the Sheriff,

Patrick M. O'Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE FEBRUARY 14, 2018	EFFECTIVE DATE FEBRUARY 15, 2018	NO. 061-18
SUBJECT: GENERAL ORDER Inmate Trusty Selection Process		DISTRIBUTION Jail Personnel	AMENDS
Reference:			RESCINDS 061-16

Purpose: To establish policies and procedures for selecting inmates for trusty positions and outside security clearance positions as well as delineating the level of supervision required for different levels of activities assigned to trusties.

Policy: It is the policy of the Monroe County Sheriff's Office to provide security and supervision in accordance with Part 7003 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRRPart7003).

I. Definitions:

A. **Block Trusty:** An inmate assigned to maintain the cleanliness of the general day area in a cellblock/housing area. Additionally a block trusty will maintain the cleanliness of the shower and sink area of a cellblock or housing area.

B. **Floor Trusty:** An inmate assigned to maintain the cleanliness of a floor or unit outside of inmate living space.

C. **Food Handler Trusty:** An inmate responsible for passing out meals to the general inmate population on their assigned floor.

D. **Laundry Trusty:** An inmate assigned to wash and dry inmate laundry in the designated laundry room.

E. **Barber Trusty:** An inmate assigned to cut hair in the facility and who in the opinion of the Chief Administrative Officer are trained or skilled in the use of barber tools.

F. **Kitchen Trusty:** A sentenced inmate who is assigned to either facility kitchen to work under the supervision of a security staff member as well as a civilian kitchen manager. The Kitchen Trusty will prepare food, cook food, clean trays in general kitchen areas, as well as unloading supplies and deliveries for the kitchen.

G. **Booking Trusty:** A sentenced inmate with outside clearance assigned to work in Central Booking. The Booking Trusty will be assigned to clean cells, general areas as well as staff areas. The Booking Trusty must be cleared as a food handler as well as general trusty duties.

H. **Reception Unit Trusty:** A sentenced inmate with outside clearance assigned to work in the Reception Unit and Reception Annex. The reception trusty will be assigned to clean cells, general areas as well as staff areas. The Reception Trusty must be cleared as a food handler as well as general trusty duties.

I. **Mezzanine Trusty:** An inmate assigned to work on the Mezzanine. The Mezzanine Trusty will be assigned to clean the hallways, general areas as well as staff and medical areas. The Mezzanine Trusty must have outside clearance status in order to complete cleaning on the City Mezzanine side of the MCJ facility.

J. **Visiting Area Trusty:** A sentenced inmate with outside clearance assigned to work in the Visiting Area. The visiting unit trusty will be assigned to clean cells, general areas as well as staff areas.

K. **Outside Clearance Trusty:** A sentenced inmate who under the supervision of a security staff member can be used outside the confines of either facility.

1. Supervised Parks
2. Reception Unit Trusty
3. Booking Trusty
4. Mezzanine Trusty
5. Visiting Area Trusty
6. Greenhouse

II. Inmate Trusty Clearance Requirements

A. The following trusty positions require clearance utilizing **JB-097 Inmate Trusty Selection Application** and the procedures outlined in Section IV of this general order:

1. Floor Trusty
2. Food Handler Trusty
3. Laundry Trusty
4. Barber Trusty
5. Kitchen Trusty
6. QM – (Hallway Trusty MCF)

B. The following Outside Clearance Trusty positions require clearance utilizing **JB-200 Inmate Trusty Application for Outside Clearance Form** and the procedures outlined in Section V of this general order.

1. Supervised Parks
2. Reception Unit Trusty
3. Booking Trusty
4. Mezzanine Trusty
5. Visiting Area Trusty
6. Greenhouse

C. Block Trusty in linear designed housing units may be selected by housing staff and floor supervisors. These trusties are not to be used in place of any inmate trusty position that requires clearance as delineated in this order.

D. **No inmate with Federal Charges will be used in any capacity as a trusty while housed in the Monroe County Jail or Monroe County Correctional Facility.**

E. Cleaning details within a housing unit or on the floor do not require the inmates to be cleared as trustees. Cleaning details when outside the housing unit such as on a catwalk will require staff supervising the inmates to maintain constant observation of each inmate during the cleaning detail.

III. The superintendent will designate a Captain to manage the trusty selection process and approval of all trustees in both facilities. The Captain will designate one Sergeant in each facility to oversee the processing and gathering of all documentation for trusty selection and approval. This Sergeant will maintain a master list of approved trustees for line staff to reference. The Captain will conduct the administrative review of all outside clearance inmates at either facility and make a final written recommendation to the Superintendent for approval or denial. The assigned Captain shall conduct an annual review of the trusty selection process with the Superintendent and the Major of Operations.

IV. Inmate Trusty Selection Process – Non-outside Clearance Trustees

A. Before any inmate is assigned to trusty duties, an **Inmate Trusty Selection Application JB-097** shall be initiated by floor staff. The inmates' name, ID#, Location and Position Recommended will be completed. 2nd and 3rd platoon staff members recommending the inmate will complete section I of JB-097.

B. The **JB-097 Inmate Trusty Selection Application** will be forwarded to the Jail Contract Medical Provider for an assessment. The Contract Medical Provider will either approve or deny an inmate for trusty duties based on medical and mental health assessments after a review of the inmate medical records. If an inmate has limitations that staff needs to be aware of they will be listed in the exceptions section in Section II of JB-097. The Contract Medical Provider will forward all completed Inmate trusty selection applications to the designated Duty Sergeant responsible for oversight and selection of inmate trusty's facility wide.

C. The Duty Sergeant assigned oversight of the trusty selection process will upon receipt of the **JB-097 Inmate Trusty Selection Application,** ensure that Sections I and II have been completed. The Duty Sergeant assigned to oversight of the Trusty Selection Process will conduct a Security Review and Recommendation and complete Section III of JB-097. The Sergeant will at a minimum review the following:

1. Inmates current status – Sentenced, Non-sentenced, Federal
2. Current Bail
3. Security Level/Classification/Chronological notes - Review with Classification Officer/Supervisor
4. Current Charges- Review with Jail Records Deputy/Supervisor

   Note: No Federal Remands will be used as trustees
5. Criminal History

6. Institutional History

7. Certificates or training the inmate has obtained that would assist in the decision making process (i.e. Barbers License or certificate).

8. Any other information available to the sergeant

D. The Duty Sergeant responsible for trusty selections will complete the recommendations section of the Inmate Trusty Selection Application, sign and date the form and forward a copy to the Platoon Operation Lieutenant for final approval and signature. The Duty Sergeant will place a chronological note under the inmate trusty's name denoting the approval and the level of trusty status approved. A copy of the completed Inmate Trusty Selection Application will be forwarded to the inmates housing unit and the master approved trusty list will be updated reflecting the changes.

E. The original completed Inmate trusty **JB-097 Selection Application Form** will be reviewed by the Platoon Captain dated and sent to the inmates file located in Jail Administration.

F. **Under no circumstances will staff utilize an inmate who has not been approved through the process described and delineated above.**

G. Inmate trustees, who are infracted, and relocated from their housing unit, will be immediately fired from their trusty position by the infracting staff member. A special report will be completed by the staff member taking such action, and this special report will be forwarded to the Duty Sergeant responsible for oversight of the trusty selection process. The master list of trustees will be updated by the Duty Sergeant and the original special report will be forwarded to Jail Administration for filing. The Duty Sergeant signing off on the incident will complete a note in the JMS chronological notes section denoting that the inmate was fired from their trusty position, the reason for the firing, and that he/she is no longer to be used. Visiting area staff must be notified that an inmate trusty has been fired to allow for adjustments to permanent visits.

Note: A new application must be submitted if the inmate is recommended for trusty use in the future.

H. The designated Duty Sergeant in charge of oversight of the Inmate Trusty Selection Process will maintain a Master Trusty List that will be maintained on the H:Drive where it is easily accessible to floor and supervisory staff. The Master Trusty List will serve as a guide to staff determining who is cleared and what their level of clearance includes.

Note: Periodic checks of trustees will be completed by Sergeants to ensure trustees being used have been approved and/or submitted.

V. Inmate Trusty Selection Process - Outside Clearance Trustees

A. Before an inmate can be used in an outside clearance capacity staff will complete the Inmate **JB-200 Trusty Application for Outside Clearance Form**. Staff will complete Section I of the form to include the inmates name, current date, specific clearance being applied for, sentence term progress, and complete the narrative portion listing the positives and negatives for the particular inmate. The staff member submitting JB-200 form will place their name in the "submitted by" section and then forward the JB-200 form to the contract medical provider.

B. The Contract Medical Provider will complete Section II of JB-200. The Contract Medical Provider will either approve or deny an inmate for trusty duties based on medical and mental health assessments after a review of the inmate medical records. If an inmate has limitations that staff needs to be aware of they will be listed in the comments of the medical section of JB-200. The Contract Medical Provider will forward all completed Inmate Trusty Selection Applications to the designated Duty Sergeant responsible for oversight and selection of inmate trusty's facility wide.

C. The Duty Sergeant responsible for trusty selections will review the **JB-200 Inmate Trusty Application for Outside Clearance,** to ensure that medical has completed Section II of the form. If the inmate is cleared by medical, the Duty Sergeant will forward JB-200, to the Rehabilitation Department to complete Section III of JB-200. The Rehabilitation Staff will forward all completed Inmate Trusty Applications for Outside Clearance to the designated Duty Sergeant responsible for oversight and selection of inmate trusty's facility wide.

Note: When inmates are housed at MCJ, Section C can be omitted.

D. The Duty Sergeant responsible for oversight of the outside clearance process upon receipt of JB-200 from the Rehabilitation Department will forward JB-200, to the Jail Records Supervisor for completion of Section IV. Jail Records will request a PSI for the inmate. Jail Records will complete the following review and then forward the completed JB-200, to the Duty Sergeant responsible for oversight of the outside clearance process:

1. Primary charge
2. Warrant check
3. Charge review-ensure only held on a local sentence
4. Review additional charges if applicable
5. Check for Orders of Protection
6. Document the percentage of the inmate's sentence that is complete.
7. Any other information available

E. The Duty Sergeant responsible for oversight of the outside clearance process upon receipt of JB-200 from Jail Records will forward JB-200 to the Reception Unit/Classification Supervisor for completion of Section V. The Classification Supervisor will review and document the following and then forward the completed JB-200 form to the Duty Sergeant responsible for oversight of the outside clearance process:

1. Review Chronological Notes
2. Review in custody disciplinary history
3. Review listed non-contacts
4. Review any hazards, special conditions, high risk indicators
5. Review E-Justice RAP Sheet and MoRis

F. The Duty Sergeant responsible for oversight of the outside clearance process upon completion of the Sergeant Review Section of JB-200 will compile and review the following documents for Command and Administrative review and sign off:

1. Inmate census sheet listing current and past charges
2. List of all chronological notes printed
3. E-Justice search
4. Orders of Protection
5. MoRis Rap Sheet
6. PSI Report

G. The Duty Sergeant responsible for oversight of the outside clearance process will forward the entire outside clearance package to the on duty Lieutenant for review, comments and recommendations.

H. The Duty Lieutenant, after reviewing and making a recommendation, will forward the completed outside clearance package to the designated Captain for administrative review. The Captain will recommend, not recommend, deny, or defer. A comment will be added if applicable and after the Captain signs the form the entire outside clearance package will be forwarded to the Superintendent to be approved, denied, or deferred.

I. Regardless of the outcome of the Superintendents decision, the Duty Sergeant responsible for oversight of the outside clearance process will be notified to update the master trusty list and to place a chronological notation in the JMS log under the specific inmates' record.

VI. Inmate Trusty Selection Process - Kitchen Trustees

A. The Kitchen Trusty selection process will be completed following the process delineated in Section IV of this order. The process for selection of the Kitchen Trustees will be generated by the deputies assigned to the housing unit where kitchen trustees are primarily housed. Prior to completing the **JB-097 Inmate Trusty Selection Application** staff will print the local sentence report and create a list of potential candidates for kitchen trusty duties. The following inmates will not be utilized in the kitchen:

1. Inmates not housed in general population
2. Inmates with escape risk status

B. The deputies assigned to the housing unit where kitchen trustees are primarily housed will keep a list of all inmates that are pending review for selection as kitchen trustees. The Reception Unit will check this list prior to creating the transfer list for inmates to be sent to MCF. An adequate list of inmates should be maintained on this list to allow staff to maintain sufficient kitchen trustees at both facilities.

C. Sentenced inmates who refuse to work in the kitchen or refuse any part of the process to obtain clearance for them to work in the kitchen should be infracted for the appropriate rules and regulation violation.

VII. Inmate Trusty Supervision

A. Active supervision will be maintained for all trustees while in the performance of their duties. Staff will be diligent in providing oversight of trusties while maintaining security and supervision.

B. Any trusty assigned to complete trusty duties in an area off their floor will be logged out in JMS on the Operation Status Board by assigned floor staff. Staff members assigned to the area where an inmate trusty is scheduled to work will create a log note in JMS. The log note will denote the inmates name and assignment. An additional log note will be placed in JMS when the inmate is returned to their housing unit. Staff will ensure that while conducting rounds in their housing unit that they are aware of the location of inmate trustees assigned to their unit.

C. Staff members supervising work details with outside clearance inmates at MCJ or MCF will maintain visual observation of all inmates assigned to the detail and will conduct population counts at irregular intervals throughout the work detail. Any physical headcount discrepancies will require the supervising staff member to notify the Duty Sergeant or Shift Supervisor immediately.

By Order of the Sheriff

Todd K. Baxter

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE November 6, 2012	EFFECTIVE DATE November 7, 2012	NO. JBGO 62-12
SUBJECT: GENERAL ORDER Juvenile Detention		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: JJDPA 42 U.S.C SECTION 5601-5785 CPL Section 510.10			RESCINDS

Purpose: To establish policies and procedures relative to ensuring compliance with the Juvenile Justice Delinquency Prevention Act and all applicable laws as they pertain to juveniles under the age of 16 who are committed to the custody of the Sheriff. Additionally, to establish the policies and procedures to follow if any staff member learns that a juvenile was inadvertently placed in the jail or correctional facility, or an individual has lied about their age or identity and is actually a juvenile in the jail or correctional facility.

Policy: It is the policy of the Monroe County Sheriff's Office to comply with the Juvenile Justice Delinquency Prevention Act (JJDPA) 42 U.S.C. sections 5601-5785 and all applicable New York State Laws. New York State Law generally provides that no juvenile (person under the age of 16) may be detained in any adult jail. An exception is provided wherein juvenile delinquents and juvenile offenders may be temporarily held in an adult jail with prior approval of the NYS Office of Children and Family Services (OCFS). Certain juveniles may be committed to the custody of the Sheriff in accordance with Criminal Procedure Law; however, those individuals must be brought to a juvenile detention facility and not to a jail.

Definitions: **Juvenile Offender (JO)** - Any individual under the age of sixteen (16) and older than thirteen (13) years old committed to the custody of the Sheriff. (Penal Law Article 10 sub 18)

Juvenile Delinquent (JD) - A person over thirteen (13) and less than sixteen (16) years of age, who committed an act that would constitute a crime if committed by an adult and is the defendant in an action ordered removed from a criminal court to the family court pursuant to article seven hundred twenty-five of the criminal procedure law.

I. Juvenile Offenders Committed to the Custody of the Sheriff

When a juvenile offender is committed to the custody of the Sheriff in accordance with Section 510.15 of the Criminal Procedure Law, the following procedure will be followed.

A. The Children and Family Services Office will always designate where juveniles will be housed. The New York State Office of Children and Family Services regional office is located at 259 Monroe Avenue, Room 307 Rochester, NY 14607 Telephone: **(585) 238-8201** FAX: (585) 238-8289

B. Only juveniles with a remand or a commitment signed by a judge will be accepted by Monroe County Sherriff's Office Transport Staff into the detention holding room in the Monroe County Hall of Justice.

C. Any juvenile remanded to the custody of the Sheriff will be transported by MCSO Transport Staff or Jail Bureau Staff to the designated office of Children and Family Services Facility.

D. The secure detention facility in Monroe County is the Monroe County Children's Center located at 355 Westfall Road Rochester, NY 14620. Phone number 585-274-7945 or 585-753-5963.

E. MCSO Transport staff will contact the Monroe County Children's Center prior to transporting the juvenile offender to ensure space is available to confine the juvenile offender.

F. Juvenile offenders will be transported as per **Prisoner Transport Treatment (JBGO 13).**

II. Confinement of Juvenile Offenders

The following procedure is to be used regarding confinement of a juvenile offender or juvenile delinquent in the Monroe County Jail.

A. The request for a Juvenile Offenders or Juvenile Delinquents placement in the Monroe County Jail must be made to the Office of Children and Family Services by a county or local agency. Usually this will be the arresting agency. This request can only be made when the county or local agency has determined that there are no secure detention beds available in the State or if weather conditions preclude transporting a youth to an available secure detention bed.

B. The highest ranking officer on duty will be notified through the chain of command of this placement request. The highest ranking officer on duty will ensure that no beds are available through the Office of Children and Family Services. If the determination is made to accept the juvenile offender or juvenile delinquent the Office of Children Services must be contacted daily to determine if any secure detention beds become available.

C. No jail placement of a juvenile can be extended beyond the approved duration without prior permission from the Office of Children and Family Services.

D. The juvenile offender or juvenile delinquent will be housed in the upper level of the 200 unit at MCF. Before the juvenile offender or juvenile delinquent is moved within the facility all hallway movement and traffic must be cleared. The juvenile offender or juvenile delinquent will remain under constant supervision and at no time will the juvenile offender or juvenile delinquent be within sight and sound of incarcerated or arrested adults.

E. In the event of an emergency situation where multiple juvenile offenders or juvenile delinquents need to be housed in the Monroe County Jail, the highest ranking officer will be notified through the chain of command. The highest ranking officer, along with the Reception and Classification Unit, staff will cause the relocation of the inmates in the Street Plaza Housing Unit. At the direction and supervision of the Duty Sergeant, the juvenile offenders or juvenile delinquents will be brought into the Street Plaza Housing Unit by allowing the juvenile offender or juvenile delinquent transfer vehicles into the loading dock sally port. The juvenile offenders or juvenile delinquents will enter the Monroe County Jail through the Street Plaza Sally Port doors S003 and S002. Transportation routes throughout the jail will be designated and all staff will ensure that no juvenile offender or juvenile delinquent comes into contact with any adult or minor inmates within the confines of the Monroe County Jail. Staff assigned

to the Street Plaza Housing Unit, while juvenile offenders or juvenile delinquents are housed per the provisions outlined in this order, will institute direct supervision.

F. The Duty Sergeant upon receiving confirmation that juveniles under the age of sixteen (16) will be housed within the confines of the Monroe County Jail or Monroe County Correctional Facility as per the direction of the Office of Children and Family Services must complete the **New York State Record of Juvenile Detention Form** on the New York State Commission of Corrections (NYSCOC) website. This paperwork will be reviewed by a command officer prior to forwarding it to the NYSCOC.

III. Juvenile Offenders (Underage and Inadvertently) Admitted to the Monroe County Jail

A. The detention of juvenile offenders in the Monroe County Jail is prohibited by State Law. However, there are those few cases when youths misrepresent their age to authorities. By the time their true age is identified, it is possible that they have been committed to the facility for some period of time.

B. In any instance where an individual (committed inmate or un-arraigned person) is in the Monroe County Jail or Monroe County Correctional Facility and information is gathered that would indicate the person is not yet sixteen (16) years of age, staff will:

1. Place the juvenile in a single cell under constant supervision in Central Booking and separate from all other prisoners.

2. Notify the highest ranking officer through the chain of command that a juvenile is currently in custody.

3. Take appropriate action in an attempt to confirm that the individual is in fact under the age of sixteen (16). Staff can confirm the age of an individual in custody by obtaining a birth certificate from the individuals family or legal guardian, reviewing school records or other police agencies records.

4. Upon confirmation that a juvenile is under the age of sixteen (16), the highest ranking officer on duty will coordinate arrangements with the arresting agency to take custody of the individual.

5. An incident report will be completed detailing the circumstances surrounding the juveniles' entrance into the facility as well as how the individuals' actual age was confirmed. The incident report as well as supporting documentation will be forwarded through the chain of command to Jail Administration.

6. The Duty Sergeant upon receiving confirmation that a juvenile under the age of sixteen (16) was confirmed to be in custody must complete the **New York State Record of Juvenile Detention Form** on the New York State Commission of Corrections (NYSCOC) website. This paperwork will be reviewed by a command officer prior to forwarding it to the NYSCOC.

7. All documents related to the incarceration of a juvenile offender who is under the age of sixteen (16) will be sealed with a copy of the NYSCOC report attached to the front of the envelope. All documents will be forwarded to Jail Administration for filing.

IV. Juvenile Offender Hospital or Clinic Appointments

The following procedure will be followed when a juvenile offender committed to the custody of the Sheriff in accordance with section 510.10 of the Criminal Procedure Law who is housed at the Monroe County Children's Center needs to be transported to a hospital or clinic appointment.

A. The Monroe County Children's Center will contact the Monroe County Jail and notify the on duty Lieutenant that a juvenile offender needs to be transported.

B. The on duty Lieutenant will ensure that Jail Bureau staff is assigned to the transport. Jail staff will follow Jail Bureau policy and procedures for hospital details as delineated in **Hospital Security Procedures (JBGO-57)**. Upon completion of the transport or hospital detail the juvenile offender will be transported back to the Monroe County Children's Detention Center.

By Order of the Sheriff

Patrick M. O'Flynn

Patrick M. O Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE JUNE 15, 2017	EFFECTIVE DATE JUNE 16, 2017	NO. JBGO-063-17
SUBJECT: GENERAL ORDER **Jail Technician Unit**		DISTRIBUTION **Jail Bureau**	AMENDS
REFERENCE:			RESCINDS 063-15

Purpose: To establish policy and procedure governing the operation of the Jail Uniform Technician Unit.

Policy: In addition to their regular post assignment, Jail Technicians assigned to the Jail Bureau shall be properly trained and equipped in order to provide support to the technicians assigned to CIS.CIS will be notified in accordance with **(JBGO-054) Criminal Investigation of Incidents Occurring in Jail Facilities.**

I. **Uniformed Field Technicians assigned to the Jail Bureau**

A. The Jail Administrative Lieutenant will oversee the Jail Technician Unit and the respective platoon Sergeant or Lieutenant shall govern the activities of the Jail Bureau Technician(s).

B. The primary responsibility of the Jail Technician is; Collection, Photographing, Preserving, Processing, and Documenting evidence of all routine jail incidents and the preservation of crime scenes in all major felonies.

C. In addition to the above duties, Jail Technicians will be responsible for the following:

1. The proper maintenance and security of all issued specialized equipment.

2. Delivering all evidentiary items requiring further processing or classification, along with the proper written documentation to support it, to the Property Clerk's Office.

3. Provide technical support in the jail to Jail Command on those occasions when a CIS technician is not necessary.

II. **Training**

Staff assigned to the Jail Technician Unit will undergo training to include:

1. Crime Scene Management

2. Camera Familiarization and Operation

3. Evidence Collection

4. Evidence Packaging

5. Drug Identification

6. Drug Field Testing

III. Equipment, Supplies and Storage

A. Each member of the Jail Technician Unit will be assigned a camera and camera case.

B. A room has been designated at the jail for use as a workstation and supply area.

C. A room has been designated at the jail as a drying room for the processing of wet evidence prior to packaging.

IV. Activation

A. Only on-duty members of the Jail Technician Unit will be activated.

B. Activation will be at the discretion of a Duty Sergeant or higher rank.

V. Duties and Responsibilities of Jail Deputies

A. Deputies summoned to a scene where the need for a Jail Technician is required shall;

1. Carefully proceed into the crime/incident scene area to evaluate the nature of the situation. Render aid and determine what assistance is needed.

2. Immediately request a Jail Technician through their Supervisor.

3. Be responsible for protecting and preserving the crime/incident scene until the Jail Technician arrives. This includes securing the scene with crime scene tape if applicable.

B. Relinquish control of the crime/incident scene to the Jail Technician upon arrival, as it relates to the gathering and preservation of evidence.

C. Be Responsible for evidence they handle. Deputies will tag, mark and secure evidence as per Department Policy. The Jail Technician at the crime/incident scene will render assistance necessary to properly secure the evidence. The Jail Technician will include in the written report the name of the deputy, the type of evidence collected and where the evidence was secured.

D. Be familiar with **(MBGO-016) Property Recovery, Custody & Security** as it relates to specific procedures regarding tagging, marking and securing evidence.

E. When it is determined that the services of a Jail Technician are not required, Jail Deputies can take the photographs. Jail Deputies can refer to **(JBGO-017) Photographing Injuries.**

VI. Jail Bureau Technician Crime Scene Duties and Responsibilities

A. All Jail Technicians will be responsible for thorough jail incident examinations in an effort to locate and document physical evidence.

B. The collection and preservation of all evidence in accordance with agency policy and legal guidelines.

C. The documentation of an incident and incident scenes utilizing photographic methods.

1. Properly uploading and preserving evidence in the established folder located in the K-Drive.

2. Proper documentation of all evidence found and submitted on the **(PB-199) Property Custody Report.**

* 3. Complete all applicable sections of the **JB-218 Jail Bureau Technical Services Report** in conjunction with **JB-422 Jail Photo Tech Report.**

VII. Administrative Sergeant Responsibilities

A. The Jail Administrative Sergeant will be responsible for coordinating training and issuance of equipment assigned to the Jail Technicians.

B. To ensure accountability and operational readiness of the Jail Technician Unit, the Jail Administrative Sergeant will be responsible for coordinating monthly inventories and inspections of all Jail Technician Unit equipment. This shall include all equipment issued to Jail Technicians and supplies stored in the Jail Technicians Unit office.

C. Photos shall be copied from the Technician's file by the Administrative Sergeant and placed in the Administrative drive. If Supervisory or Command review is needed, a request will be made to the Administrative Sergeant.

D. Administrative Lieutenant and Administrative Sergeant will be responsible for maintaining all Jail Technician Unit photographs in the K-Drive.

By Order of the Sheriff,

Patrick M. O' Flynn

* Indicates a change from the original published version of this General Order.

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE APRIL 03, 2017	EFFECTIVE DATE APRIL 04, 2017	NO. JBGO-064-17
SUBJECT: GENERAL ORDER Prison Rape Elimination Act (PREA)		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: PRISON RAPE ELIMINATION ACT 0F 2003			RESCINDS

PURPOSE: The purpose of this policy shall be to ensure the Monroe County Sheriff's Office is in compliance with the standards set forth by the United States Department of Justice relative to the Prison Rape Elimination Act (PREA).

POLICY: The Monroe County Sheriff's Office (MCSO) mandates zero tolerance towards all forms of sexual abuse and sexual harassment.

DEFINITIONS: **Sexual Abuse** under PREA guidelines includes;

Sexual abuse of an inmate, by another inmate;

Sexual abuse of an inmate, by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, **by another inmate,** includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse;

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument;
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, **by a staff member, contractor, or volunteer** includes any of the following acts, with or without the consent of the inmate, detainee, or resident;

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
- Contact between the mouth and the penis, vulva, or anus.
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

- Any other intentional contact, either directly or through clothing, of or with the genitals, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse or gratify sexual desire.

- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in the paragraphs of this section.

- Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident.

- Voyeurism by a staff member, contractor, or volunteer.

Voyeurism: An invasion of privacy of an inmate by a staff member, contractor or volunteer, for reasons unrelated to official duties. This includes, but is not limited to, peering at an inmate who is using a toilet in his/her cell to perform bodily functions, requiring an inmate to expose their buttocks, genitals, or breasts, taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Note: Inadvertently witnessing an inmate using the toilet or changing clothing while conducting a supervisor tour is not considered voyeurism.

Sexual Harassment: Includes repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed towards another inmate.

Repeated verbal comments or gestures of a sexual nature from a staff member, contractor, or volunteer towards an inmate including, but not limited to, demeaning references to gender, sexually suggestive or derogatory comments about a person's body or clothing, or obscene language and/or gestures.

Intersex: A person's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male and female. Intersex medical conditions are sometimes referred to as disorders of sex development (i.e. a person having both male and female genitalia).

Transgender: A person whose gender identity (i.e., internal sense of feeling male or female) is different from the persons assigned sex at birth.

Exigent Circumstances: Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

Substantiate: Any evidence to support or prove the truth.

I. Procedures:

A. Prevention Planning

1. PREA Coordinator: The PREA Coordinator for the MCSO shall be designated by the Superintendent. The PREA Coordinator will have sufficient time and authority to develop, implement, and oversee agency efforts to comply with PREA standards in all Jail Bureau facilities

2. PREA Compliance Manager: The Monroe County Jail (MCJ) and the Monroe County Correctional Facility (MCF) will both designate PREA Compliance Managers who will have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

B. Employment Restrictions:

1. The MCSO will not employ any person with a history of substantiated allegations of sexual abuse, or who has engaged in sexual activity facilitated by force, or coercion, or if the victim did not consent or was unable to consent or refuse. The MCSO shall consider any incident of substantiated sexual harassment in determining whether to hire or promote anyone.

2. Any employee of the MCSO who is charged with or accused of a crime must report this to the Sheriff through the chain of command.

3. Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work. All such requests will be forwarded to the Sheriff's Counsel for review.

C. Contractor and Volunteer Restrictions:

1. A criminal background check will be performed on any contractor and volunteer who may have inmate contact. Anyone who has been convicted of sexual abuse shall be prohibited from contact with inmates, unless approved by the Superintendent. The agency shall consider any incident of sexual harassment before enlisting the service of any contractor or volunteer.

2. At the Superintendent's discretion, any contractor or volunteer providing services within the jail facilities that has not had a criminal background check completed, will have constant supervision from qualified security staff whenever contact with inmates is possible.

D. Supervision:

1. The Monroe County Sheriff's Office (MCSO) will maintain an adequate video monitoring system and/or other appropriate technology to supplement its sexual abuse prevention, detection, and response efforts. At least **annually**, the PREA Coordinator will direct an assessment of the feasibility of and need for new or additional monitoring technology.

   a. Any upgrades made to a facility feature and/or monitoring technologies will be made with the consideration of how such upgrades may enhance the agency's ability to protect inmates from sexual abuse.

   b. The Superintendent or designee will be responsible for reviewing incidents which occur involving sexual abuse in the Monroe County Jail (MCJ) and Monroe County Correctional Facility (MCF) and examine areas in the facilities where sexual abuse has occurred to assess physical barriers, adequacy of staffing levels, monitoring technology needs and policy compliance. If problems or needs are identified, corrective action will be taken immediately.

2. Security staff will provide the supervision of inmates necessary to protect them from sexual abuse.

3. Consistent with facility operations, and as standard practice, the Shift Supervisors of assigned areas shall perform unannounced checks to identify and deter sexual abuse and sexual harassment. This policy will be implemented for all platoons.

   a. Unless related to a legitimate operational function of the facility, staff will not alert other staff members of a supervisory round being conducted.

   b. Shift Supervisors will document unannounced tours by logging the "Sup Tour Unannounced" drop down tab of their computer entry in the Jail Management System.

E. Minor Inmates (inmates under the age of 18 years old):

1. In areas outside the housing unit, direct supervision will be provided by security staff when minor inmates may have sight, sound or physical contact with adult inmates.

2. Absent exigent circumstances, minor inmates will not be denied exercise, programs and work opportunities.

F. Cross Gender Supervision:

1. Whenever a staff member of the opposite gender enters a housing unit, staff must announce their presence, unless exigent circumstances exist making it impractical. All staff will be restricted from cross-gender strip searches and pat searches. If upon intake, the gender status of an inmate is unknown, the inmate will not be strip searched for the sole purpose of determining their gender status. The inmate shall be kept separate from all other inmates until their gender status is determined through direct conversation, reviewing of available records or a Facility Medical Practitioner conducting a routine medical screening, in a private setting. In exigent circumstances, staff will seek direction from a Supervisor. Any cross gender strip/pat-down searches conducted under exigent circumstances will be documented on a **MB-003 Special Report.** (Refer to **JBGO-028 Searches of Persons**) A copy of the Special Report will be forwarded to the PREA Coordinator.

2. Pat-down searches of transgender and intersex inmates will be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and training. Consideration may be taken regarding with whom the transgender or intersex inmate feels more comfortable being searched by. A safe practice would be for a female staff member to pat search such individuals. All cross gender pat searches will be documented on a **MB-003 Special Report**. A copy of the Special Report will be forwarded to the PREA Coordinator.

3. The facility will maintain covers for inmate showers which adequately prevent staff from viewing the inmate's breasts, buttocks, and genitals while they are showering or changing clothing. Such covers shall be adequate for both male and female inmates and must not jeopardize safety and security.

G. Contracts with other agencies:

Any other agency with which the MCSO houses or contracts out any inmates, must be in compliance with PREA standards. Such compliance will be included in any contract, agreement, or contract renewal and a copy of such contract or agreement showing compliance will be maintained at the Monroe County Sheriff's Office and a copy of such contract or agreement must be provided to such agency.

II. Training and Education

A. All staff who may have contact with inmates will receive initial training on the agency's zero tolerance policy for sexual abuse and sexual harassment and on their responsibilities under agency sexual abuse/harassment prevention, detection, reporting, response, PREA Standards 115.31 and relevant Federal, State and Local Law. The agency shall maintain documentation confirming staff received and understood the training. **Staff will receive refresher training every two (2) years**.

B. All facility contractors and volunteers who have contact with inmates will receive training on their responsibilities under the agency's zero tolerance policy for sexual abuse and sexual harassment, prevention, detection, reporting, response, PREA Standards 115.32 and relevant Federal, State and Local Law.

1. Such training will be tailored based on the services provided and the level of contact they have with inmates.

2. All contractors and volunteers will be advised of the facility's zero tolerance policy regarding sexual abuse and sexual harassment.

3. All contractors and volunteers will be trained in how to report sexual abuse to staff and/or other parties.

4. The agency shall maintain documentation confirming contractors and volunteers received and understood the training.

C. All inmates will be advised at intake of the facility's zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuses.

D. Inmates will receive comprehensive education on sexual abuse and sexual harassment through a video and handouts, as part of the intake and classification process, as well as continued education through general information in the inmate hand book and posters placed conspicuously in all housing units. Reception staff, upon the classification interview, will confirm the video was presented. Inmates will sign for the educational information received during classification and that documentation will be forwarded to the inmate's file in administration.

E. Education will include:

1. The inmate's right to be free from sexual abuse, sexual harassment and retaliation.

2. Avoiding sexual abuse.

3. How to report sexual abuse, sexual harassment and confidentiality.

4. Agency sexual abuse response.

5. The facility will make education available in formats accessible to all inmates, including those who are limited English speaking, deaf or hard of hearing, visually impaired or otherwise disabled or have limited reading skills through bilingual written material expressed in simple language and by providing access to interpreters or interpretype. Refer: **MBGO-093 Communicating with People who are Deaf or Hard of Hearing.**

F. Law Enforcement Investigators who conduct sexual abuse investigations will receive training in regard to sexual abuse cases per PREA Standard 115.34

G. All full and part-time medical and mental health staff that work regularly in the facility will be trained in PREA Standard 115.32 on how to;

1. Detect and assess signs of sexual abuse and sexual harassment.

2. Preserve physical evidence of sexual abuse

3. Respond effectively and professionally to all victims of sexual abuse and sexual harassment and to report all allegations or suspicions of sexual abuse to a security supervisor.

4. The agency shall maintain documentation confirming training was received and understood.

III. Screening for risk of Sexual Victimization and Abusiveness

A. All inmates will be screened by Reception Unit Staff using the PREA Screening Checklist during the classification screening process and be assessed for the risk of being sexually abused by other inmates or their risk of being sexually abusive towards other inmates. This intake screening shall generally take place within 72 hours of arrival at the facility.

1. The **PREA Screening Checklist (JB-323)** will be used for determining risk assessment and temporary housing assignments.

2. Reception screening shall ask and document questions pertaining to PREA Standard 115.41. All questions for the assessment shall be asked. Refer to **JBGO-027 Inmate Classification**

3. Inmates who have been determined to be a **Potential Victim**, shall be housed separate from **those determined to be a Potential Predator**

   Note: There may be a circumstance when an inmate qualifies as **BOTH; a Potential Victim and a Potential Predator.** These individuals should be housed separately from any individual who falls into either category.

4. Inmates will **not** be disciplined for refusing to answer questions pertaining to any mental or physical disability, sexual orientation, prior sexual victimization or their own perception of vulnerability.

5. Answers to information on the PREA Screening Checklist will only be disseminated to staff on a need to know basis as required for safety and security of the facility operations and will be considered sensitive.

6. Reception staff will immediately notify mental health staff of an inmate's affirmative answer to being sexually victimized.

7. The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive.

8. An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

B. Classification will consider the PREA screening questions that have been flagged and/or deemed necessary regarding PREA into and along with its current process in classifying inmates regarding housing and program assignments with the goal of keeping separate Potential Victims from Potential Predators.

1. The facility shall make individual determinations on how to ensure the safety of each inmate.

2. Transgender and intersex inmates will be evaluated on a case by case basis when determining whether placement in housing and program assignments would ensure the inmate's health and safety and/or present management or security issues.

3. Transgender and intersex inmate placements and program assignments will be re-evaluated at least twice a year.

4. When evaluating a transgender or intersex inmate's safety, the views of the inmate being evaluated will be considered.

5. Upon request, and consistent with the safety and security of the facility, transgender and intersex inmates will be given means to shower separately from other inmates.

6. Lesbian, gay, bisexual, transgender, or intersex inmates shall not be placed in dedicated housing units, solely on the basis of such identification or status, unless such placement is in a dedicated housing unit established in connection with a decree, legal settlement, or legal judgment for the purpose of protecting such inmate.

7. An inmate who is at a high risk of sexual victimization will only be placed in voluntary segregated housing (protective custody) as a last resort and when no alternative means are available. Assessments will be made by the Superintendent and/or designee within twenty-four (24) hours of commencement. Inmates placed in involuntary protective custody shall have access to programs, privileges, education, or work opportunities and any loss or limits will be documented. Segregation shall not ordinarily exceed a period of thirty (30) days. A continuing need for segregation will require a review every thirty (30) days to determine assessment.

IV. Reporting

A. Inmate Reporting

1. The following facility resources may be used by inmates to report sexual abuse;

i. Security Staff

ii. Medical staff

iii. Mental Health Staff

iv. Facility Counselor

v. Facility Administration

vi. Other Facility Staff

2. All staff will accept reports of sexual abuse and/or sexual harassment made verbally, in writing, anonymously, and by third parties. Verbal reports will be documented in writing. All reports will be immediately reported through the chain of command and the appropriate action will be taken.

3. Any inmate wanting to report a case of sexual abuse may choose to contact Planned Parenthood of the Rochester/Syracuse Region, Inc., 114 University Avenue, Rochester, New York 14605. **Inmates may also phone the hotline number from inside the housing unit by dialing #59.**

B. Staff Reporting

1. All staff members are required to report immediately any knowledge, suspicion, or information they receive regarding an incident of sexual abuse and/or sexual harassment that occurred in a facility.

2. All staff members are required to report immediately any knowledge of retaliation against inmates or staff that reported sexual abuse and/or sexual harassment or were involved in any investigation involving reported sexual abuse and/or sexual harassment.

3. All staff are required to report immediately any knowledge of any staff neglect or violation of responsibility that may have contributed to an incident of sexual abuse, sexual harassment or retaliation.

4. All reports by staff relevant to Section IV. B (1-3) of this part must be reported through the Chain of Command. Information concerning the incident should be considered sensitive and reporting must be limited to Supervisory Staff and/or Facility Administration.

5. Medical and mental health staff are required to report incidents involving sexual abuse and/or sexual harassment relevant to Section IV.B (1-3) of this order to the duty Sergeant or Lieutenant, and inform inmates of the practitioner's duty to report, and the limitations of confidentially at the initiation of services. In the event this is not feasible, reporting must be made to facility administration. Reporting must be limited to supervisory staff and/or facility administration and considered sensitive.

6. The facility shall report all allegations of sexual abuse, including third-party anonymous reports, to MCSO CIS Investigators.

C. Reporting to other confinement facilities

1. Upon receiving an allegation an inmate was sexually abused while confined at or in another facility, the Superintendent or his designee shall notify the head of the facility where the alleged abuse occurred. Such notification will be made as soon as possible, but no later than seventy-two (72) hours of the allegation, and such notification will be documented. Any allegation is to be investigated in accordance with PREA standards.

2. If MCJ or MCF receives notice that a former inmate has alleged sexual abuse while confined in our facility, administration must ensure the allegation is investigated.

V. Staff Duties

A. Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report will;

1. Ensure the alleged victim is separated from the alleged abuser.

2. Secure the area as a crime scene and immediately notify the Supervisor in charge. **Do not collect physical evidence** (refer to **JBGO-054 Criminal Investigation of Incidents Occurring in Jail Facilities**). This will be done by a Technician (refer to **JBGO-063 Jail Technician Unit**) and/or Technical Services Unit (refer to **MBGO-024 Technical Services Unit**).

3. Ask only preliminary questions; when, where, how, by who (remember they do not have to provide the name of the abuser if they don't want to). **Do not formally interview.**

4. Instruct the **victim** in the proper manner to preserve evidence (do not wash, shower, eat/drink, use to toilet, etc.) if the alleged incident occurred within the past ninety-six (96) hours.

5. Ensure the **abuser** does not take action that could destroy evidence.

6. Identify potential witnesses.

7. Take detailed notes on observations relating to the victim, abuser (if known), and the scene.

B. The Sergeant or Lieutenant will evaluate the incident and ensure the victim receives immediate medical and mental health treatment, confirm the deputy's duties have been completed, notify the Captain and initiate reports.

C. The Captain will notify the Operations Major and/or Criminal Investigations Section (CIS) to begin an immediate investigation.

D. Non-security staff is to immediately notify security staff or a security supervisor.

E. MCSO will initiate a coordinated response to an incident of sexual abuse involving;

1. Security Staff.

2. Medical and/or Mental Health Practitioners/Staff.

3. Facility leadership.

F. Medical and mental health practitioners will assess the victim's acute medical needs and provide victims of inmate-on-inmate or staff-on-inmate sexual abuse with immediate access to a forensic medical exam. MCSO CIS will be immediately notified.

1. All forensic medical exams will be completed at a hospital by hospital staff trained to perform such exams.

2. All reports generated from such exam will be forwarded to the Superintendent and/or CIS and Internal Affairs Unit, when appropriate.

3. A member of Jail Mental Health will provide victims of sexual abuse;

   i. Emotional support and crisis intervention counseling.

ii. Access to the Planned Parenthood of the Rochester/Syracuse Region with the option of a qualified victims advocate to provide emotional support during the forensics exam and subsequent questioning by CIS.

VI. Investigations

A. All reports of sexual abuse and sexual harassment including third-party reports will be investigated by the MCSO to completion, regardless of whether the abuser or victims remain at the facility. At the conclusion of the investigation, the inmate will be notified of the outcome of the investigation.

B. All investigations of allegations of sexual abuse will be completed thoroughly, objectively and in a reasonable amount of time. The agency will follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

C. Investigations will include a review of all direct and circumstantial evidence, including physical and DNA evidence when available, interviews of alleged victims, suspected perpetrators, and witnesses. Prior complaints and reports of sexual abuse or misconduct involving the suspected perpetrator will also be reviewed.

D. Investigators will assess the credibility of a victim, suspect, or witness on an individualized basis, rather than using the person's status as an inmate or staff to assess credibility.

E. Investigators will include an effort to determine whether staff negligence or collusion enabled the abuse to occur.

F. **Administrative investigations** will be documented in written reports that include a description of the physical and testimonial evidence and the reasoning behind credibility assessments.

G. **Criminal investigations** will be documented in a written report that contains a through description of physical, testimonial, and documentary evidence and provide a proposed list of exhibits.

H. All substantiated allegations of conduct that appear to be criminal will be referred to the District Attorney's Office for prosecution. Interviews will only be compelled within legal guidelines.

I. Allegations of sexual abuse and sexual harassment in investigations will be substantiated if supported by a preponderance of the evidence

J. All investigations conducted by qualified individuals or entities other than the MCSO, to the extent to which this agency has a legitimate penological interest in the investigation, will make requests to such individuals or entities that evidence protocol and standards be followed according to PREA Standard for evidence protocol, forensic medical examinations and other related investigative standards. This agency will assist and/or cooperate with any such investigations.

K. All written reports derived from administrative and/or criminal investigations of reported alleged sexual abuse will be maintained at least five (5) years after the alleged abuser is released from custody or terminated from employment.

L. At the conclusion of an investigation into an inmate's allegation that he/she suffered sexual abuse in the facility, the inmate shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. If the investigation was conducted by any other individual or entity, the MCSO will request the information from such individual or entity in order to inform the inmate.

M. When an inmate's allegation of sexual abuse or harassment against a staff member is found to be **substantiated** the MCSO will advise the inmate of the staff member's status with MCSO, including;

1. The staff member is no longer post assigned to the inmate's housing unit;

2. If the staff member remains employed with the agency or is on leave;

3. Whenever criminal charges or indictment has been filed, and if the staff member has been convicted of a charge related to the sexual abuse within the facility.

N. Following an inmate's allegation he/she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever the agency learns the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

O. All such notifications or attempted notifications shall be documented.

P. MCSO's obligation to report shall terminate if the inmate is released from the agency's custody.

VII. Protection against Retaliation

A. The following measure will be taken to ensure reporters, victims and any other persons involved are protected from **retaliation.**

1. Removal of alleged staff or inmate abusers from contact with victims and/or witnesses.

2. Housing changes will be made when necessary to separate victims and/or witnesses from abusers and non-contacts placed on inmates.

3. Employee assistance services will be made available for staff that needs psychological or emotional support.

4. Mental Health services will be made available for inmates who need physical or emotional support.

5. The Superintendent or designee will make periodic status checks and monitor the conduct and/or treatment of inmates or staff that have reported sexual abuse or cooperated with investigations for at least ninety (90) days to see if there are changes that may suggest possible retaliation by inmates or staff. If retaliation has been confirmed, immediate steps will be taken to protect the inmate or staff member.

VIII. Discipline

A. Staff:

1. Staff shall be subject to disciplinary sanctions up to and including termination and/or criminal prosecution for violating agency sexual abuse or sexual harassment policies.

2. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

3. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

4. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for the resignation, shall be reported to law enforcement agencies, unless the conduct was not criminal, and to any relevant licensing bodies.

B. Contractor and/or Volunteers

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to CIS.

2. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

C. Inmates

1. When there has been an administrative ruling of inmate-on-inmate sexual abuse or a criminal finding of guilt for sexual abuse, the inmate perpetrator will be subject to disciplinary sanctions that are commensurate with the nature of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

2. The disciplinary process will include consideration of any mental disabilities or mental illness that may have contributed to the abuse in determining the appropriate disciplinary sanction.

3. Possible sanctions should include interventions designed to address and correct underlying reasons or motivation for the abuse, such as therapy, counseling or other programs.

4. An inmate may be disciplined for sexual contact with staff if it is determined the staff member did not consent to such conduct.

5. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

6. Sexual activity between inmates of any kind is prohibited. However, if the activity between the parties is not coerced, it is not considered sexual abuse and therefore is subject to other administrative regulations (rules and regulation violations documented within the inmate handbook).

IX. Medical and Mental Health Care

A. Facility medical staff will interview all new inmates during initial medical screening, in regard to prior sexual victimization or abusiveness. Reception staff will also interview inmates during the reception classification in regard to prior sexual victimization or abusiveness.

1. If prior victimization is determined, whether in an institutional setting or in the community, staff will refer the inmate to mental health for further evaluation to be conducted within fourteen (14) days of screening.

2. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions.

3. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of eighteen (18).

B. Facility medical and mental health staff shall make available ongoing evaluation and treatment to all known victims of sexual abuse, including;

1. Follow up services.

2. Treatment plans for; Sexually transmitted diseases, pregnancy tests and pregnancy related medical services, etc...

3. When necessary, referrals for continued care for sexual abuse victims following their release from custody.

4. The facility shall provide such victims with medical and mental health services consistent with the community level of care.

5. If pregnancy results from the conduct described in paragraph 4 of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.

C. Facility mental health staff will provide treatment for abusers, as deemed necessary.

D. Access to emergency medical and mental health services;

1. Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

2. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, the Captain shall be immediately notified and the appropriate medical and mental health steps taken.

3. Inmate victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care, where medically appropriate.

E. Consistent with Section V. (Staff Duties), an attempt shall be made to make available a victim advocate from Planned Parenthood. If an advocate is unavailable, other appropriate entities may be contacted in attempt to acquire an advocate acceptable to the victim and agency. Such advocate may accompany and support the victim, as requested by the victim, through the forensic examination and any or all portions of the investigation.

X. Sexual Abuse Incident Reviews

A. The MCSO shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including when the allegation has not been substantiated, unless the allegation has been determined to be unfounded.

B. Such review shall occur within thirty (30) days of the conclusion of the investigation.

C. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

D. The review team shall;

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;

2. Consider whether the incident or allegation was motivated by Race, Ethnicity, Gender Identity; gay, lesbian, bisexual, transgender, or intersex identification, Status, or Perceived Status, Gang Affiliation, or was motivated or otherwise caused by other group dynamics at the facility;

3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;

4. Assess the adequacy of staffing levels in that area during different shifts;

5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and

6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs A-D of this section, and any recommendations for improvement and submit such report to the Superintendent and PREA Coordinator.

E. The MCSO shall implement the recommendations for improvement, or shall document its reasons for not doing so.

XI. Data Collection

A. The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

B. The agency shall aggregate the incident-based sexual abuse data at least annually.

C. The incident based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

D. The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

E. Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30th.

By Order of the Sheriff,

Patrick M. O'Flynn

Patrick M. O' Flynn

COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK

GENERAL ORDER JAILBUREAU	DATE OF ISSUE JANUARY 30, 2018	EFFECTIVE DATE JANUARY 31, 2018	NO. 065-18
SUBJECT: GENERAL ORDER Dog Training Program		DISTRIBUTION Jail Personnel	AMENDS
REFERENCE:			RESCINDS

PURPOSE: The Monroe County Sheriff's Office in conjunction with the Humane Society of Monroe County will offer an inmate dog program that will allow inmates with low security classifications and good behavior records to have an opportunity to work with volunteers and trainers from these agencies and assist them in preparing animals for adoption.

POLICY: Jail Bureau members will provide the necessary level of supervision and control of inmates assigned to the program. The Monroe Correctional Facility (MCF) shall adhere to the requirements of section 7003.4 of the NYSCOC Minimum standards and section 500-C of the New York Correction Law.

The instructions and guidelines contained in this General Order are not intended to be all-inclusive. There may be circumstances that are not specifically addressed within. In these circumstances the staff involved must seek assistance and guidance from their supervisor immediately. The contents herein do not supersede any law, statute or regulatory authority.

I. **Procedure:**

A. Responsibilities

1. The Chief Administrative Officer or his designee will be the coordinator of the program.

2. All volunteers will be screened according to facility policy.

3. All volunteers will receive the civilian staff orientation, to include PREA orientation, prior to working in the program.

4. The Humane Society will work closely with the volunteers to approve all course content.

5. The Humane Society will compile a list of eligible inmates based on classification and the criteria outlined in this policy.

6. Final selection will be made by the Chief Administrative Officer or his designee(s), after consultations with corrections staff and volunteers.

B. Assignments: All inmates appointed as handlers to the program must demonstrate good character and stability as well as show to staff that they would make a good candidate for the program. All inmates participating will do so voluntarily.

1. No inmate will be appointed to the program unless they meet the following outside clearance trustee requirements;

   i. No History of sex crimes.

   ii. No recent history of facility violence.

   iii. No felony detainers or warrants on file.

   iv. Inmate must be physically and mentally stable.

   v. No significant facility disciplinary history.

   vi. Inmate has been cleared as an "outside" trustee.

   vii. No history of arrest or conviction for any animal related offense.

2. All inmates will be screened and approved by medical and mental health (if under mental health care) prior to appointment;

   i. Appointment to this program is voluntary and all inmates will sign a waiver of liability prior to appointment (MCSO/SPCA Waiver of Liability).

   ii. The number of inmates appointed to the program will be based on the program size.

   iii. Any inmate who is deemed a threat to safety and security will be immediately removed from the program.

   iv. All inmates will be screened with the program participation questionnaire.

C. Handling, Management and Treatment of Dogs

1. Each dog will have one inmate assigned as a primary handler/trainer. Each dog will also be assigned a secondary handler. A roster of all dogs and their handler will be posted in the unit.

2. The handlers will be housed in a unit together with their dogs. Dog training will commence Monday through Friday, once on second platoon and once on third platoon, providing it does not conflict with other scheduled responsibilities, studies, or programs. Weather permitting; training will be conducted within the fence line in the mods or within the fence line in the greenhouse area. Weekly training will be provided and overseen by a behavioral technician from the Humane Society.

3. The handlers have a responsibility to control the dog's behavior. Any inmate handler who encourages or attempts to instill in a dog aggressive or negative behavior towards any person will be immediately removed from the program with the dog being returned to the Humane Society of Monroe County for evaluation. In addition, any such handler will be subject to disciplinary action.

4. The inmate handlers are responsible for the feeding schedule. The food will remain secured in storage by security staff and retrieved at the request of the inmate handler for mealtime. The inmate handler will feed the dogs as directed by the professional trainers who are instructing the inmates. The inmates will be required to keep a documented log of the dog's meals.

5. Dogs shall be fed two meals a day consisting of dog food recommended and provided by the program trainer. No human food is allowed to be fed to the dogs unless approved by the Humane Society.

6. The handlers will be permitted to take the dog outside to relieve themselves when necessary. This will be supervised by security staff in a designated area. Times should be as close as possible to the time the dog awakens, shortly after eating, and prior to lockdown. If a dog needs to relieve themselves after lock in, the deputy will contact the unit supervisor. Dogs will be kept as clean and odor-free as possible and groomed appropriately for their breed.

7. Waste pick up will be the responsibility of every handler. Waste is to be picked up immediately using a plastic bag which is provided by staff. Waste will be discarded in designated trash receptacles prior to re-entering security.

8. The designated training area for the dogs and handlers will be free of other inmates who are not participating in the dog training program. Dogs will only be allowed off their leash in the designated area and while under direct supervision of their handler. No inmate or dog will be left unattended in the designated training area.

9. Any staff member who witnesses a dog being mistreated shall immediately report the mistreatment to supervisory staff.

II. Dog Bites or Other Significant Incidents

A. The facility will notify the Humane Society of Monroe County as soon as possible of any significant incidents (e.g., a dog bite, attack, media inquiry etc.) that occurs with the program. The facility will follow-up the notification with a written report of the incident and will attach any other written documentation such as forms.

B. Any inmate or staff bitten by a dog in the program will notify the housing deputy immediately and will be referred to medical for immediate medical attention. If medical is refused, a refusal form must be supported by a written and signed statement to that effect.

Note: Security Staff must notify medical that a refusal form must be signed if treatment is refused

C. In the event of a dog bite/attack, the handler will immediately place the dog in a crate. The trainer will immediately notify the housing deputy and provide them with the name of the person bitten/attacked. The Humane Society of Monroe County will be notified and take appropriate action to ensure the incident is not repeated.

III. Equipment

A. Each dog has a plastic bin for equipment storage. Each bin will have an inventory of issued equipment. Each handler will be responsible to report any missing or damaged items immediately. Equipment will be determined by the professional trainer. The equipment will be secured in the storage closet of the unit. If a dog chews and/or destroys property other than their own toys, the handler will be held responsible and appropriate consequences will be determined.

B. All equipment and food will be purchased by the Humane Society of Monroe County and kept in inventory.

IV. Medical

All K-9 medical emergencies will be immediately referred to the Humane Society of Monroe County's on-call staff. The Humane Society will have a 24-hour access phone line for emergency referrals.

Note: If a dog dies while housed at MCF, The Humane Society of Monroe County will be responsible for the removal and disposal of the dog's remains.

V. Training Program

The training will be conducted and coordinated by the Humane Society of Monroe County. The Humane Society of Rochester is the exclusive authority of determining who is eligible to adopt any of the dogs participating in the New Leash on Life program at MCF. The dog remains the property of the Humane Society at all times and they have final say regarding what they believe to be in the dog's best interest. Inmates are eligible for adoption of any dog upon release from custody.

By Order of the Sheriff,

Todd K. Baxter

*See below for MCSO/SPCA Waiver of Liability

Waiver of Liability
Monroe County Sheriff's Office
and Humane Society of Greater Rochester (Lollypop Farm)
"A New Leash on Life" Dog Training Program

I, _____ have requested to participate in the Monroe Correctional Facilities "A New Leash on Life" Dog Training Program (the "Program"). I understand that participation in the Program is strictly voluntary.

_____ (initial) I have been provided and read the rules and regulation for participation in the Program, and I assume all responsibility to obey the rules and regulations associated with this Program.

_____ (initial) I further understand and accept any and all risks and further hold harmless the County of Monroe, the Monroe County Sheriff, the employees of the Monroe County Sheriff's Office and Humane Society of Greater Rochester for any related injuries, problems, claims or causes of action including, but not limited to dog bites or scratches, skin rashes, insect bites, sunburn and / or any pre-existing injuries or allergies which may be aggravated by participation in the Program.

_____ (initial) I further hold harmless, release, and discharge the Monroe County Sheriff and the Monroe County Sheriff's Office and all of their agents, servants, deputies, appointees and employees from all actions, suits, petitions, arbitrations, mediations, causes of action including negligence, counts, claims, motions, and appeals, for all damages of every nature and description arising from my participation in the Program.

_____ (initial) I have not been forced or coerced in any way to sign this waiver.

_____ ID #_____

Inmate Signature

_____

Witness