



POLICY & PROCEDURE:	1.14
UNIT:	Detention and Corrections
CHAPTER:	Administration, Organization, and Management
SUBJECT:	Americans with Disabilities Act
ISSUED DATE:	July 01, 1989
REVISION DATE:	December 3, 2025
NOTES:	
RELATED ORDERS:	ADA-1992, Title II Consent Decree Provisions 318, 705, 1001, 1002, 1006, 1008, 1016, 1017, 1018, 1019, 1020, 1021, 1022 GO 1.23 PC 2656, 4019 P&P 11.01 , 11.02 , 11.04 , 12.08 , 13.02 , 13.10 , 13.15 , 16.01 , 16.03 , 17.03 , 17.04 , 17.05 , 18.05 , 18.09 , 18.10 , 18.12 , 18.14 , 20.15 PREA 115.16 Title 15: 1061, 1206(d)
ATTACHMENTS:	1. ACSO Intake Medical Review Form 2. ADA Coordinator Review Form 3. ADA Disability Tracking Form 4. ADA Record of Contact Form 5. ADA Request for Accommodations Form 6. ADA Unit Interview Form 7. Accommodations for the Hearing-Impaired Form 8. Addendum to Medical Screening for Hearing Impaired Inmates 9. Documentation of Effective Communication Form 10. Explanation of Booking Process Form 11. Inmate Disability Evaluation Form 12. TDD Check-Out Log 13. Petition for Return of Prosthesis Form 14. Video Tablet Checkout Log

PURPOSE: To set guidelines for compliance with Title II of the Americans with Disabilities Act-1992 (ADA), Section 504 of the U.S. Health and Human Services Rehabilitation Act, and the Prison Rape Elimination Act (PREA), for all inmates incarcerated by the Alameda County Sheriff's Office (ACSO) and for those persons having legitimate business within the Detention and Corrections (D&C) Division.

POLICY: The policies and procedures established by the D&C Division shall not discriminate against any person protected by the ADA or PREA in the provision of services, programs and activities administered for program beneficiaries and participants. This protection also extends to employees, visitors, volunteers, contractors and any individual having legitimate business within the D&C Division.

DEFINITIONS:

28 CFR 36.303 – AUXILIARY AIDS AND SERVICES: A public accommodation shall furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities.

20 CFR 35.160 (ADA 42 USC) – GENERAL STANDARD-EFFECTIVE COMMUNICATION: A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

U.S. Department of Health and Human Services Rehabilitation Act of 1973 – Section 504: Protects qualified individuals with disabilities from discrimination based on their disability. Under the law, individuals with disabilities are defined as persons with a physical or mental impairment which substantially limits one or more major life activities, including people who have a history of, or who are regarded as having a physical or mental impairment. For the purposes of receiving services, education, or training, qualified individuals with disabilities are persons who meet normal and essential eligibility requirements. For purposes of employment, qualified individuals with disabilities are persons who, with reasonable accommodation, can perform the essential functions of the job for which they have applied or have been hired to perform.

AMERICANS WITH DISABILITIES ACT (ADA): The ADA covers individuals who have a physical or mental impairment that substantially limits one or more major life activities, who have a record of such impairment, or who are regarded as having such impairment. Certain conditions are expressly excluded from coverage by the ADA, such as pedophilia or current use of illegal drugs.

ADA COORDINATOR (ADAC): A sworn Agency member(s) of the Alameda County Sheriff's Office (ACSO) solely dedicated to and tasked with ensuring compliance with the ADA within the D&C Division. The Agency member assigned as the ADA Coordinator shall be responsible for reviewing all documentation, documenting responses as necessary to all disability-related requests, overseeing issues related to inmates with Psychiatric Disabilities, monitor the ADA Tracking System, and conduct ADA training. The ADA Coordinator shall maintain files of each ADA inmate including Message Requests, Grievances, Requests for Accommodation, Effective Communication and orientation materials. The ADAC will discuss ADA related issues with inmates, and all staff, contractors, vendors, volunteers, and incorporate the previously listed information as part of each file. ADA Staff will interview all inmates with psychiatric disabilities within 14 days of being booked and conduct follow up interviews every 60 days. Prior to any due process the ADAC shall be notified if it involves an inmate with a psychiatric disability to ensure Effective Communication.

ADA DEPUTY: A Deputy Sheriff(s) with specific training pertaining to the ADA. The ADA Deputy shall be responsible for maintaining all Teletype (TTY) and Telecommunications Devices for the Deaf (TDD) machines, monthly inspection of shower chairs, Video Relay Services (VRS), Video Relay Interpreter, videophone tablets, and other duties as assigned by the ADA Coordinator. Refer to D&C Policy and Procedure (P&P) 10.32- ADA Coordinator Post Order.

ASSISTIVE DEVICE: Any device used by a disabled individual which aids them in the performance of day to day activities (walker, cane, crutches, etc.).

COSTS OF ACCOMMODATION: All costs associated with providing inmates with reasonable accommodations shall be paid for by the ACSO. Federal law prohibits passing along the costs of accommodations to the disabled inmate.

EFFECTIVE COMMUNICATION: The use of various tools or resources to ensure any written or verbal

communication is as clear and understandable to inmates with disabilities as it would be for inmates without disabilities. Refer to D&C P&P 9.11- Effective Communication.

ELIGIBLE INMATES: Covered inmates are entitled to an equal opportunity to participate in programs, services or activities. Inmates with disabilities may not be refused participation in services, programs, or activities by reason of their disability, unless the individual presents a direct threat to the health and/or safety of themselves or others (HHS Rehabilitation Act Section 504.)

INTELLECTUALLY DISABLED INMATE (IDI): An Intellectual Disability involves problems with general mental abilities that affect intellectual/cognitive functioning such as learning, memory, problem solving, or judgement; Adaptive functioning that affects activities of daily life such as communication, social skills, self-direction, and independent living; or Developmental disabilities which manifest prior to the end of the developmental period as defined by clinical standards that continues or is likely to continue indefinitely, that affects social, personal, or physical abilities that limit the maintenance of an independent, productive, and normal life (examples of but not limited to: Cerebral palsy, autism, epilepsy, or genetic condition.) (WI 4512.) For an IDI, there may be victimization/vulnerability concerns. It is possible to have a physical, behavioral health, mental health, or severe mental illness as well as an intellectual disability (Dual/Poly-diagnosis.) Persons with developmental disabilities have the same legal rights and responsibilities guaranteed by the US Constitution and shall not be denied the benefits of or be subjected to discrimination under any program or activity (Lanterman Developmental Disabilities Service Act 4502(a).) Inmates with these disabilities may require therapeutic housing, special accommodations, or assistance with daily life activities. Agency members are responsible for assisting in providing accommodations.

MAJOR LIFE ACTIVITIES: Basic functions that the average person can perform with little or no difficulty such as breathing, walking, talking, hearing, seeing, sleeping, caring for one's self, performing manual tasks, and working. Major life activities also include major bodily functions such as immune system functions, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

NON-AMBULATORY: A person who is unable to walk or move about without the assistance of another person or assistive device

PRISON RAPE ELIMINATION ACT (PREA): The ACSO shall take the appropriate steps to ensure inmates with disabilities (including, inmates who are deaf or hard of hearing, blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the Agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

PROSTHESIS: A device used to replace a defective or missing part of the body.

PSYCHIATRIC DISABILITY: As defined in 42 U.S.C. § 12102, 29 U.S.C. § 705(9)(B), and California Government Code § 12926(j) and (m).

REASONABLE ACCOMODATION: Any change or adjustment to an environment that permits someone with a disability to perform the essential function, to access programs or services, or enjoy the benefits and privileges equal to those enjoyed by a person without a disability. This can include (but not limited to) Effective Communication, Therapeutic Housing, daily care reminders, interpreters, or use of assistive devices.

SERVICE ANIMAL: Any dog that is specifically trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service

animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

TACTILE INTERPRETER: An interpreter used for those who are deaf and blind. Tactile interpreters use several different forms of sign language involving touch to communicate with a person who is deaf and blind.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) / TELETYPEWRITER (TTY): A machine that employs graphic communication in the transmission of coded signals through a wire or radio communication system, used by those with hearing impairments or who are deaf.

VIDEOPHONE: A telecommunications relay service that allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment.

FORMS: The forms listed below will be used to document and track all ADA inmates while incarcerated within the Santa Rita Jail (SRJ). The following forms shall be provided to inmates who either state they have a disability, request one of the forms, are provided a form through the current contracted medical provider, and/or are noted to have a disability in their file. All necessary completed forms, other than medical forms, shall be retained in the inmate's ADA file.

INMATE DISABILITY EVALUATION FORM (Attachment 1): The form used to evaluate a medical condition, mental health status, and to evaluate an arrestee's need for any accommodations needed to access the SRJs programs services and activities. This screening will be conducted at intake to ascertain whether the individual will be accepted into the SRJ, to determine if they are in need of immediate medical or mental health treatment, and to provide medical and/or mental health information relating to housing, classification, and the handling of inmates.

DISABILITY TRACKING FORM (Attachment 2): The form used by Agency members assigned to ITR-Booking to track inmates who have a qualified disability to ensure that the required accommodations are provided. This form will be forwarded to Medical Staff and the ADA Coordinator.

ADA REQUEST FOR ACCOMMODATIONS FORM (Attachment 3): The form used by an inmate to formally request in writing an accommodation for a disability. The inmate must sign the form at the bottom and submit it to an Agency member forwarded to medical staff. After review of the form, medical staff must sign the form and determine if the inmate has a qualified disability that requires an accommodation. The ADAC will address all emergent issues within 48 hours and review all requests within 7 days and provide a response within 30 days.

ADA COORDINATOR REVIEW FORM (Attachment 4): The ADA Coordinator will use this form when an inmate accommodation has been denied, a grievance has been filed, an alternate accommodation is proposed, a safety or security issue exists related to the accommodation request, or there is a financial or administrative issue. The ADAC will collaborate with Medical and Mental Health providers during the review process as necessary. The ADAC recommendation will be reviewed by the Compliance Captain or their designee.

ADA COORDINATOR/INMATE RECORD OF CONTACT FORM (Attachment 5): The form used by Agency members assigned to the ADA Unit, and/or the ADAC to document interactions or discussions with the inmate, medical or behavioral health staff, visitors, or other Agency members regarding accommodations and ADA issues.

ADA Unit Interview Form (Attachment 6): The form is used by the ADA Unit during the intake interview that aids the ADA Unit in providing information ADA-related information to each inmate.

EXPLANATION OF THE BOOKING PROCESS FORM (Attachment 7): The form given to inmates upon being accepted into custody with disabilities to help them understand the booking process, what accommodations are available, and how to request such accommodations.

ACCOMMODATIONS FOR HEARING IMPAIRED FORM: The form given to every inmate who is hearing impaired. This form contains general information used to inform the inmate of his or her rights and services that are available to them while incarcerated at the SRJ. The inmate will sign the form and receive a copy, a copy will be forwarded to the ADA Coordinator, and the original form will be placed in the inmate's classification file.

ADDENDUM TO INTAKE MEDICAL REVIEW FORM FOR HEARING IMPAIRED INMATES FORM: The form used by medical personnel assigned to Intake, Transfer, and Release (ITR) and/or the Reception Center to document information that will assist Agency members in identifying inmates with hearing impairments and to provide immediate accommodations for those inmates.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) CHECK-OUT LOG (Attachment 9): The form used by Agency members to document the issuance and return of TDDs to inmates.

DOCUMENTATION OF EFFECTIVE COMMUNICATION FORM: This form is used by Agency members to ensure effective communication is provided during any interview or due process event, clinical encounter program participation. The form can be obtained from the Classification Unit.

PETITION FOR RETURN OF PROSTHESIS FORM (Attachment 10): Form submitted by inmate to petition the SRJ Commanding Officer for return of their prosthetic device.

VIDEO TABLET CHECK-OUT LOG (Attachment 11): The form used by Agency members to document the issuance and return of Video Relay Services (VRS) capable tablets to inmates.

PROCEDURE:

A. IDENTIFYING DISABLED INMATES AT INTAKE:

1. The Medical screening process during intake provides medical staff the ability to identify most disabilities and the need for accommodations prior to the Classification Unit assigning housing for the inmate. It is the responsibility of ITR medical staff and Adult Forensic Behavioral Health staff (AFBH) qualified mental health professionals to assess inmates upon admission for evidence of physical, intellectual, developmental disabilities, psychiatric and/or special management needs. This assessment information will be entered on the ACSO Intake/Receiving Medical Review form and the Inmate Disability Evaluation form.
2. If an inmate has an intellectual or psychiatric disability that could pose a barrier to understanding the booking process, AFBH will be notified, and Agency members shall provide the inmate with the Explanation of the Booking Process form and use effective communication to assist the inmate. AFBH will make a follow up referral to determine if the inmate should be, "Flagged" as IDI and if intellectual assessment testing should be conducted.
3. Upon arrival at the intake counter, arrestees with an apparent physical impairment will be immediately brought to the attention of medical staff. Arrestees accepted into custody

with an apparent developmental, intellectual, or psychiatric disability or who have been identified as IDI will immediately be brought to the attention of AFBH qualified mental health professionals. Effective communication assistance may be provided (e.g., documents read aloud in the presence of the inmate) and a determination made as to whether the inmate understood during exchanges of information, grievance interviews, and when providing a due process communication where the inmate is developmentally disabled, visually impaired, or has a documented learning disability.

4. It is the responsibility of Agency members assigned to ITR intake to immediately advise a supervisor when an inmate appears to meet the criteria of a disabled person for the purposes of ADA. ITR supervisor or designee will ensure Medical and/or AFBH are advised.
5. Upon acceptance at the ITR intake counter, a sworn Agency member assigned to ITR shall be assigned to monitor the progress of the inmate throughout the intake process.
 - a. The inmate shall be tracked using a Disability Tracking Form.
 - b. Only the sworn Agency member assigned to the inmate shall make entries on the form.
 - c. Should shift change occur while the inmate is in ITR, the responsible sworn Agency member shall notify his or her supervisor so that another sworn Agency member can be assigned to the inmate.
6. Following the intake pat search, a physically impaired or disabled inmate will be fingerprinted as soon as reasonably possible. The inmate will then be escorted to the ITR nurse's station for medical screening and then to an appropriate ITR holding cell for AFBH evaluation and/or Classification interview.
7. All arrestees confined to a wheelchair shall be placed in an accessible holding cell.
8. If reasonable accommodations cannot be provided, the sworn Agency member assigned to ITR shall notify the ITR Sergeant or Watch Commander. A written record of all such notifications will be sent to the ADA Coordinator via the Disability Tracking Form. The ADA Coordinator will make their best efforts to ensure that an individual deemed to require accessible accommodations is provided with such reasonable accommodations as soon as possible.
9. If there is a question regarding the inmate's disability, the inmate's prior intake or medical records may indicate previous accommodations or requests. Agency members will not have access to inmate's medical records and will refer to the contracted medical provider. All disability related accommodations will be accessed by staff in ATIMS under Alerts.
10. Intake or medical staff will verify disabilities that:
 - a. Impact the inmate's housing
 - b. Affect the inmate's access to programs and/or services at the SRJ
 - c. Present a safety or security concern for the inmate, other inmates, civilian personnel, Agency members, or the SRJ.

11. It is the responsibility of medical staff to sign and verify the Inmate Disability Evaluation form and forward a copy to the Classification Unit. Medical staff will note on the form if the disability impacts the inmate's housing or transportation needs. Medical staff shall document when an inmate requests an accommodation that is not granted and the reasons why the accommodation was not granted. An additional copy shall be forwarded to the ADA Coordinator.
12. If an inmate is discovered to have a disability after the intake process, Agency members shall immediately notify the contracted medical provider/AFBH for re-evaluation. Agency members shall also notify the ADA Coordinator so they can follow up.

B. INTAKE PROCESS FOR DISABLED INMATES:

1. Medical staff shall screen all inmates entering the facility for medical and mental health issues, notifying ITR staff of inmates meeting ADA criteria, including any disability related needs the inmate may have. Disability related needs include but are not limited to:
 - a. Requires a wheelchair, walker, cane, or other device to assist in mobility.
 - b. Requires a lower bunk/lower tier cell for a disability related condition.
 - c. Requires hearing aid or assistance for visiting/phone calls.
 - d. Visually impaired requires a white cane for the blind to assist with walking.
 - e. Effective Communication needs like SLI, assistance in reading and writing etc.
 - f. Requires treatment or further assessment for intellectual, developmental, psychiatric, or learning disabilities.
2. Medical staff and Agency members assigned to ITR intake will ensure every effort is made to assist the inmate so they can effectively communicate their information. If the inmate is hearing impaired, staff will ensure hearing impaired inmates are provided with the Accommodations for Hearing Impaired Form. In the event a hearing impaired inmate's preferred method of communication is sign language, a Video Relay Interpreter (VRI) or sign language interpretation service shall be contacted immediately.
3. If during intake, it is determined that for medical reasons the inmate needs to shower prior to being housed, the disabled inmate shall be escorted to the ITR accessible shower or the Outpatient Housing Unit (OPHU) accessible shower.
4. Agency members assigned to the Classification Unit will classify and assign housing for disabled inmates with their housing accommodations, placing the inmate's safety at the forefront. Being disabled in any way is not justification for a higher security classification.
5. Every effort shall be made to house disabled inmates in general population, unless such assignment would jeopardize the safety of the inmate, other inmates, civilian personnel, or Agency members. Therapeutic Housing shall be considered for IDI/SMI inmates.
6. Agency members assigned to ITR-Booking will notify the ADA Coordinator and the Classification Unit when a disabled inmate is going to be housed in the facility via the Disability Tracking Form. Notifications to the ADA Coordinator shall be made within 24 hours of the inmate being booked into custody at the SRJ.

7. Hearing impaired inmates wishing to make telephone calls shall be allowed to use a tablet equipped with Video Relay Service (VRS) software which will act as a videophone. There are two VRS tablets: One is stored at the ITR intake counter and the other in the SRJ Clinic Sergeant's Office. Use of these tablets shall be logged on the Video Tablet Check-Out Log.
 - a. The VRS tablet will be considered a telephone in terms of privileges afforded to inmates under facility rules and regulations.
 - b. The tablet is subject to the same rights of confidentiality when the inmate is using the tablet to communicate with an attorney.
 - c. The VRI tablet may be used as a translation device for hearing impaired inmates who cannot otherwise communicate with staff. Suggested uses include, but are not limited to:
 - i. Classification interview
 - ii. Medical interview
 - iii. Mental health interview
 - d. Instructions for proper use of the VRS and VRI tablets shall be kept with the devices and a copy made available to inmates upon request. Staff shall use Effective Communication if an IDI/SMI inmate needs further assistance in understanding the use of the device.
 - e. It shall be the responsibility of the ITR Sergeant to ensure the device is properly charged at all times and also report any operational issues with the device to the ADA Coordinator.
 - f. It shall be the responsibility of the Agency members assigned to the ADA Unit to inspect the device and collect the Video Tablet Check-Out Log on a monthly basis. The ADA Coordinator, or his or her designee, shall maintain a file of all logs pertaining to these devices in use throughout the facility.
8. As required by California Penal Code (PC) 2656, inmates shall be allowed to retain possession of their prosthesis unless it presents an immediate safety risk to the inmate him or herself, other inmates, civilian personnel, Agency members, or poses a threat to the security of the SRJ. Refer to D&C P&P 13.15 – Orthopedic or Prosthetic Devices and Other Medically Approved Items for proper procedures.
 - a. Arrestees who arrive at the SRJ with personally owned assistive devices, including walkers and wheelchairs, can be allowed to retain and use them while in custody, provided it does not pose a threat to the safety of staff or other inmates.
 - i. Personally owned assistive devices shall be thoroughly inspected by ITR intake staff and the contracted medical provider to ensure the devices are in good working order and safe.

- ii. If the inmate is not allowed to retain their personal device, a similar replacement device shall be issued immediately. The ADA Coordinator shall be immediately notified of the denial and outcome of replacement device.
 - iii. The denied personal device shall be labeled with the inmate's name and Person File Number (PFN) and stored in the inmate's property. The ADA Coordinator will be notified and will inspect the device and determine if it can be reissued or retained as part of the inmate's property.
 - iv. When the inmate is released from custody, all personally owned devices not in the possession of the inmate, shall be returned and all SRJ issued equipment shall be recovered.
 - b. If an inmate is refused authorization to retain possession of a medical device, the ADA Coordinator shall ensure that both the inmate and the prescribing physician are informed of the reason of the refusal.
 - c. The inmate shall be promptly provided with a, "Petition for Return of Prosthesis" form by which the inmate may petition the Superior Court for return of the medical device. This form can be found in the PowerDMS database.
9. The ADA Coordinator, or his or her designee assigned to the ADA Unit, shall meet with inmates identified at intake as having a psychiatric or intellectual disability. The meeting shall be documented on the ADA Unit Interview Form. This meeting shall occur as soon as practical, but no more than 14 days after identification. The ADA Unit will complete follow up interviews at intervals of no more than 60 days and document these on the ADA Unit Interview Form with additional documentation on the Record of Contact (504 Form) as needed.
- a. During the meeting, the ADA Coordinator, or his or her designee from the ADA Unit, shall employ effective communication, and document it on the ADA Unit Effective Communication Intake Form, to assist the inmate in understanding the following:
 - i. The Inmate Rules and Information Handbook
 - ii. What accommodations are available and how to request them
 - iii. Explain the grievance procedure and how to submit a grievance
 - iv. Inform the inmate that the ADA Unit is available to assist with any disability-related needs.
- C. HOUSING DISABLED INMATES: It is incumbent upon all sworn Agency members assigned to housing units to be aware of inmates assigned to their housing unit who have any type of disability. Disabled inmates will be housed pursuant to D&C P&P 12.01- Intake Classification.
- 1. The ADA Unit shall provide sworn Agency members assigned to a housing unit with a report listing any inmates assigned to a housing unit who have been diagnosed with a psychiatric, intellectual or cognitive disability. The report shall include the inmate's name and what accommodations are to be provided. The report shall not contain any information beyond what is required to ensure the inmate's disability needs are met. Sworn agency members can access accommodations for all inmates via ATIMS.

- a. In the event an inmate with any disability is identified and there is no documentation that the inmate is disabled, the Agency member assigned to the inmate's housing unit shall immediately notify Medical staff and/or AFBH to have the inmate evaluated. Medical staff and/or AFBH shall complete the Inmate Disability Evaluation form and forward a copy to the ADA Coordinator.
2. All inmates with disabilities shall be afforded access to all services, programs, and activities for which they meet eligibility criteria. These inmates shall not be excluded by reason of their disability unless they present a direct threat to the health and/or safety of him or herself, other inmates, civilian personnel, or Agency members. This determination shall be made on an individualized basis by the ADA Coordinator, Classification Unit, Medical provider, or a Qualified Mental Health Professional.
 - a. Inmates with disabilities shall be offered equal access to out-of-cell time, including use of the quasi and large yards, as appropriate with their security classification.
 - b. If an ADA-designated inmate is denied access to a program, service, or activity, the inmate may appeal the decision by submitting an ADA-related grievance.
 - i. If the grievance is determined by the ADA Unit to be an emergent issue, the ADA Unit shall take appropriate action and, in conjunction with the Grievance and Litigation Unit, will provide a response to the inmate within 48 hours, excluding holidays and weekends.
 - ii. If the grievance is not determined to be emergent, the ADA Unit, in conjunction with the Grievance and Litigation Unit, shall take appropriate action and provide a response within 15 days, if the grievance is disability related. All non-disability related grievances will be routed to the Grievance and Litigation Unit.
3. A list of basic eligibility requirements for all inmate programs, and activities is available to inmates.
 - a. All requirements will relate directly to the program's mission and goals.
 - b. If the physical requirements are included as part of the service, program, or activity's eligibility requirements, the material needs to clearly identify the purpose of these physical requirements.
 - c. All services, programs, and activities offered by volunteers will also include volunteer eligibility criteria. If there are disqualifying physical disabilities for volunteers, such criteria will be directly linked to the service, programs, or activity's mission and goals and any threat to others posed by the volunteer's participation.
 - d. The relevance of any physically limiting eligibility criteria must be documented. Any exclusion of disabled volunteers will be evaluated on a case by case basis and approved by the Reentry and Support Services Unit, as well as the SRJ Operations Captain.
 - e. Disabled volunteers will be accommodated to the maximum extent possible, consistent with facility safety and eligibility requirements.

- f. The ADA Coordinator will forward any requests by inmates who need accommodations to participate in services, programs, or activities to the Reentry and Support Services **Unit**.
 - i. *The ADA Unit will provide RESS with an updated ADA, IDI, and SMI list weekly.*
 - ii. *RESS will determine if any actively enrolled inmates are identified on the ADA, IDI or SMI list, including the accommodations that need to be made for each inmate.*
 - iii. *If an actively enrolled inmate is on the ADA, IDI or SMI list, RESS will include an approved ADA form with the weekly class rosters that are distributed to educational instructors.*
 - iv. *Educational instructors will complete the ADA form, documenting all accommodations provided every time that inmate is attending class. At the completion of class, the form will be submitted to a RESS Sandy Turner Education Center Agency member.*
 - g. *The RESS Sandy Turner Education Center Agency member will maintain files for each ADA, IDI, or SMI inmate who actively attends educational classes and programming that need accommodations.*
 - h. *The ADA Unit will conduct a weekly audit to ensure educational instructors are providing accommodations to those ADA, IDI or SMI inmates and documenting it appropriately on the ADA form*
 - i. *The RESS Unit will provide the monthly educational schedule to the ADA Unit so they know what classes to audit.*
 - j. Agency members assigned to the Reentry and Support Services Unit will consult with the ADA Coordinator in all cases where accommodations are granted or denied for disabled inmates. In any case where an accommodation request is denied, the reason(s) for such denial will be documented by the ADA Coordinator in a memorandum addressed to the SRJ **Compliance** Captain with a copy being placed in the inmate's file.
4. All inmates with mobility disabilities shall be housed in a housing unit within their classification level. The fact that an inmate has a disability and/or requires reasonable accommodations shall not be a factor in determining their security classification.
- j. Every effort shall be made to provide these inmates with a cell designated for inmates with disabilities, accessible showers, and accessible dining facilities.
 - k. In the event an inmate is housed in a cell not designated for an inmate with disabilities, it shall be noted on the Disability Tracking Form and immediately forwarded to the Classification Supervisor and the ADA Coordinator for review. The ADA Coordinator will make his or her best efforts to ensure that an individual deemed to require accessible accommodations is provided with such accessible accommodations as soon as possible.

5. Inmates with disabilities who wish to participate in the inmate worker program who, with reasonable accommodations can perform the essential functions or duties of the work program, shall be allowed to participate.
6. Hearing impaired inmates shall be afforded the opportunity to use a portable tablet equipped with VRS software allowing the device to act as a videophone. Inmates with hearing impairments requiring the use of these devices shall be allowed usage when:
 - j. Other inmates have telephone access during their regularly scheduled out-of-cell time.
 - k. During visiting, or as otherwise appropriate.
7. Each housing unit with hearing impaired inmates shall be equipped with a VRS devices at all times if necessary. Agency members assigned to the ADA Unit will:
 - j. Provide the housing unit with the device and employ effective communication when instructing the inmate on how to use the device.
 - k. Provide printed instructions for Agency members, which shall remain with the device. These instructions shall be provided to the requesting inmate upon request.
 - l. The device shall be stored in the housing unit storage closet and remain plugged in to charge. Each time it is used, it shall be logged on the Video Tablet Check-Out log. Logs will be collected weekly by a member of the ADA Unit.
 - m. It shall be the responsibility of the sworn Agency member assigned to a housing unit to ensure the tablet is charged at the beginning of their shift.
 - n. Additional devices are kept in the ITR intake counter, and the SRJ Clinic, and made available upon request.
 - o. Agency members assigned to housing units shall contact the ADA Coordinator or ADA Deputy if a hearing-impaired inmate in their housing unit has not been assigned a tablet.
8. Inmates who are deaf and blind shall be afforded the use of a tactile interpreter at no cost to the inmate.
9. Inmates who are deaf and reliant upon American Sign Language as their primary method of communicating shall be afforded the use of the previously mentioned VRS tablets. In addition to VRS technology, the ACSO has contracted with a provider to allow inmates with hearing impairments the use of VRI services.
 - a. VRI services can be used to communicate with hearing impaired inmates for everyday communication needs.
 - b. Instructions will be kept with each device.
 - c. If the VRI service is not available, or the tablet is inoperable, a tablet from another housing unit may be used.

- d. If there are no VRI tablets available or operable, or if an ASL interpreter is necessary to ensure effective communication, the inmate shall be afforded the use of the Ubi Duo or Captel device, or a sign language interpreter will be provided at no cost to the inmate.
 10. If a hearing-impaired inmate does not respond for an appointment, visit, meal, or pod time, the sworn Agency member assigned to the inmate's housing unit shall immediately contact the inmate to ensure they do not wish to attend the event.
 11. Reasonable steps shall be taken to ensure all inmates, including those who are hearing-impaired, ID, DD, LD, or of limited English proficiency, have access to information detailing the Agency's efforts to prevent, detect, and respond to sexual abuse. This includes steps to provide appropriate inmates with interpreters who can interpret using any specialized vocabulary.
 12. Agency members shall not use other inmates as interpreters when confidential information is discussed. This does not apply in instances where the inmate's safety is at risk. In the event it is necessary to use another inmate as an interpreter where confidential information is discussed, Agency members are required to document the occurrence in a memorandum to the Operations Captain via Chain of Command. For inmates who are hearing impaired, staff are required to provide a copy of that memorandum to the ADA Coordinator.
 13. Disabled inmates who need assistance performing major life activities on a daily basis will be housed in the Outpatient Housing Unit (OPHU). These inmates shall be given reasonable access to all programs and services available to inmates of the same classification under the conditions described above.
 14. Medical staff, AFBH qualified mental health professionals, Agency members assigned to the Reentry and Support Services Unit, or Sworn Agency members assigned to a housing unit are responsible for offering and/or providing assistance to inmates within their housing units designated as IDI. Staff will check ATIMS alerts daily and provide the necessary accommodations/notifications as applicable.
 - a. At no time shall any civilian personnel or Agency member assist any inmate with filling out legal forms or providing legal advice. Inmates requiring reasonable accommodations in preparing legal documents shall be instructed to submit a Message Request form to the Reentry and Support Services Unit who will make arrangements for such assistance to be provided.
 - b. Medical documents are subject to Health Insurance Portability and Accountability Act (HIPAA) privacy. Any requests for assistance in completing medical documents including sick call requests, shall be referred to the contracted medical provider.
- D. VISITING: Inmates with disabilities are entitled to the same privileges as other inmates, including visiting. Refer to D&C P&P 17.03 – Inmate Visiting.
1. Inmates with mobility disabilities who are unable to climb the stairs to visiting in the housing unit shall be taken to the visiting area in the OPHU, the appropriate ITR interview room, or Morrissey.
 2. Inmates who are hearing impaired shall be provided the use of amplified telephones or other assistive devices, to include sign language interpreters, during their visits.

3. Inmates who are hearing impaired and blind shall be provided a tactile interpreter. Agency members needing a tactile interpreter can contact the Watch Commander for information on the current contracted provider.
- E. ACCESS TO SHOWER CHAIR: All inmates with mobility difficulties, or who for some other reason are at risk of injury while standing in the shower, shall be provided with an ADA-approved shower chair.
1. Each housing unit has been supplied with an ADA approved shower chair. The chair, when not in use, shall be stored in the housing unit storage closet.
 2. Prior to issuance to the inmate, sworn Agency members assigned to the housing unit shall inspect the chair for any damage or defects. If the chair is damaged, it will not be used until repaired or replaced. Another chair will be provided to the inmate from another housing unit as soon as reasonably possible. Shower chairs will be replaced through SRJ Supply pursuant to the procedures outlined in D&C P&P 2.18 – Warehouse, Inventory Control, and Supply Distribution.
 3. When the inmate returns the chair, sworn Agency members receiving the chair shall inspect it for damage or defects. If damage is noted, take appropriate action to replace the chair as soon as possible.
 4. Use of the shower chair shall be logged in the housing unit and/or housing control Redbook, showing the time issued, time returned, and if there is any damage to the chair upon return.
 5. Sworn Agency members will ensure an inmate worker cleans and disinfects the chair after each use before placing it into storage. Cleaning will also be noted in the housing unit or housing control Redbook.
- F. TRANSPORTATION OF DISABLED INMATES: In order to provide the Transportation Unit with adequate prior notification, the following procedures will be adhered to:
1. Medical personnel assigned to ITR shall evaluate an inmate's condition when they are first booked into custody at the SRJ. A determination shall be made if the inmate requires accessible transportation.
 2. Upon determination the inmate will require accessible transportation, the Transportation Unit will be notified by ITR medical personnel, or by a sworn Agency member assigned to the OPHU when the inmate is housed in the OPHU and has not been through the regular intake process. The Transportation Unit will be provided with:
 - a. The inmate's name and Personal File Number (PFN).
 - b. Information regarding the length of time the inmate will be confined to a wheelchair.
 - i. Permanently confined to a wheelchair.
 - ii. Temporarily confined to a wheelchair and provide approximate length of time.
 - c. Notification to the Transportation Unit shall be accomplished via telephone as soon as possible. If no one assigned to the Transportation Unit is available, or it is after

business hours, a message can be left on the Transportation Unit voicemail. The voicemail is checked every morning by designated Transportation Unit personnel prior to the departure of any vehicles.

3. If an inmate is physically disabled or unable to board a van or a bus, a accessible vehicle equipped with a wheelchair lift shall transport the inmate. Sworn Agency members assigned to the Transportation Unit can verify inmate mobility challenges through the weekly ADA list or through the Transportation Unit voicemail.
 - a. If a physically disabled inmate is able to board a van or bus, the wheelchair or other authorized ambulatory devices shall be properly secured to prevent damage to the device and vehicle and to prevent injuries to other inmates and Agency members,
4. The attending physician or nurse responsible for a physically disabled inmate's medical care will notify the Transportation Unit, as well as the ADA Coordinator, when a previously wheelchair-bound inmate no longer requires the use of accessible transportation.
5. It should not be assumed that restraining devices are unnecessary for disabled prisoners. Individual determinations shall be made regarding the use and type of restraints most appropriate for disabled inmates during movement and/or transportation.
6. Sworn Agency members assigned to the Transportation Unit shall ensure that any inmate transported from the SRJ to court in a wheelchair is returned with the same wheelchair. If the inmate is released from custody directly from court, sworn Agency members assigned to the Transportation Unit will ensure the wheelchair is returned to the appropriate facility.
7. When delivering new inmates to the SRJ directly from court (individuals remanded into custody, self-surrenders to the court, etc.), sworn Agency members assigned to the Transportation Unit shall follow the above described intake procedures in determining the medical needs for any inmate.

G. MESSAGE REQUESTS:

1. Inmates at the SRJ shall have ready access to Message Request forms, especially for the purpose of making ADA or IDI-related requests, such as requests for reasonable accommodations or adaptive support services (IDI). The ADA Unit shall document all ADA or IDI-related requests in the ADA Tracking Sheet.
 - a. Message Requests may be submitted in paper form, or electronically using the inmate tablet system (when one has been assigned).
2. Inmates with disabilities shall use the same Message Request forms as other inmates when seeking information or services that are not ADA-related. These requests shall be routed the same as any other message request as outlined in D&C P&P 17.05 – Inmate Message Requests.
3. Requests pertaining to ADA or IDI-related issues shall have the "DISABILITY RELATED" check box marked.
 - a. If the ADA or IDI-related request can be resolved within the housing unit, it shall be noted on the form and the message request shall be forwarded to the ADA Coordinator.

- b. If the request cannot be resolved within the housing unit, it shall be noted on the form and the Message Request shall be forwarded directly to the ADA Coordinator without delay.
 - 4. The ADA Coordinator, or an Agency member assigned to the ADA Unit, shall review all ADA-related message requests within seven days of receipt
 - a. Where an emergent issue is identified, the ADA Unit shall respond and take appropriate action within 48 hours.
 - b. Any corrective actions taken shall be documented on the ADA Record of Contact (504) as well as in the inmate's ADA file.
 - c. For non-emergent issues, the ADA Unit shall respond within 15 days.
 - 5. Messages inappropriately marked or deemed not to be ADA-related shall be routed to the appropriate unit for disposition.
 - 6. Where an inmate is unable to submit a written or electronic Message Request, the inmate may make a verbal request to sworn Agency members for assistance in submitting the request in writing. Agency members shall use (and document) effective communication in providing such assistance.
- H. GRIEVANCE PROCESS: Inmates will use the Inmate Grievance form to submit grievances regarding ADA issues in which they believe they are being denied, as well as for all other non-ADA issues as outlined in D&C P&P 16.03 – Inmate Grievance Procedure.
 - 1. Agency members shall use (and document) effective communication in providing assistance to inmates who require assistance in understanding and/or completing the grievance process.
 - 2. Agency members receiving an Inmate Grievance regarding an ADA-related issue shall ensure the, "DISABILITY RELATED" check box is properly marked in the upper-right corner, denoting the grievance is ADA-related.
 - 3. Upon receiving an ADA grievance, Agency members assigned to the Grievance Unit shall review and log all grievances marked ADA related in the ADA Tracking Sheet as outlined in D&C P&P 16.03. A copy of the grievance shall be immediately forwarded to the ADA Coordinator for review, investigation, and disposition.
 - a. All ADA-related grievances shall be reviewed by the ADA Coordinator, or his or her designee assigned to the ADA Unit, within seven days of receipt to evaluate them for any emergent issues that require an expedited response. Where an emergent issue is identified, the ADA Unit shall respond and take appropriate action within 48 hours.
 - b. For non-emergent issues, the ADA unit shall respond and take appropriate action within 15 days, if disability related.
 - 4. Upon final disposition of the disability related grievance, a copy shall be forwarded and filed by the ADA Coordinator.
- I. DISCIPLINARY PROCESS:

1. Agency members seeking disciplinary action against inmates diagnosed with any disability, including mental health conditions or those inmates designated as SMI or IDI, shall take the following factors into consideration:
 - a. The relationship between the inmate's behavior and any mental health or intellectual disabilities.
 - b. The efficacy of disciplinary measures versus alternative measures designed to effectuate change in behavior through clinical intervention.
 - c. The impact of disciplinary measures on the health and well-being of inmates with disabilities.
 2. D&C P&P 16.01 – Disciplinary Procedure, outlines requirements for sworn Agency members when seeking disciplinary action against inmates, including those diagnosed with disabilities.
 3. For SMI or IDI inmates with which a Disciplinary Interview will be conducted, the Inmate Disciplinary Hearing Officer will collaborate with the ADAC as outlined in P&P 16.01 Section D. Disciplinary Process Requirements for BHCs/THIs.
 - a. Agency members assigned to the ADA Unit shall meet with inmates designated as SMI or IDI with effective communication needs prior to any disciplinary hearing which may result in an increase in security classification and/or placement in Restrictive Housing. The purpose of this meeting is to ensure the inmate understands and can participate in the disciplinary process, and to ensure the inmate is able to effectively communicate with the Inmate Disciplinary Hearing Officer. The meeting shall be documented on the Documentation of Effective Communication Form. Refer to D&C P&P 9.11- Effective Communication.
 4. To ensure effective communication with individuals who are deaf, hearing impaired, or deaf and blind, the ADA Unit shall assist in providing auxiliary aids (such as paper and pen) tablets equipped with VRI, sign-language, oral or tactile interpreters, free of charge. Inmates who are hearing impaired or deaf shall be allowed the use of VRI services, at no cost, so they may completely understand and participate in all phases of the disciplinary process.
- J. REMOVAL FROM ADA or IDI STATUS: If an inmate no longer wishes to be listed as an ADA or IDI inmate, they shall submit a Message Request to the ADA Coordinator.
1. The ADA Coordinator will evaluate the request, collaborate with Medical providers and/or AFBH qualified mental health professionals, and respond back to the inmate within the time frames described for Message Requests above.
 2. If after the evaluation it is determined that an IDI inmate requires accommodations or adaptive supports this should be documented, and the accommodations or support should continue to be offered according to the inmate's best interests. If the inmate continues to decline accommodation/support, it shall be documented.
 - a. If the individual at any time decides they want accommodations or adaptive supports they can request them.

- b. If there is evidence the individual lacks capacity to make informed decisions for themselves, a referral to determine legal competency should be made via AFBH.
 - c. The ADA Coordinator will document ADA or IDI reevaluation requests, and the decisions rendered, in the inmate's ADA file.
- K. RETALIATION: Retaliation of any kind directed at an inmate for exercising their rights under the Americans with Disabilities Act will not be tolerated.
- L. VISITORS: Agency members shall make every possible effort to ensure reasonable accommodations are available to the general public who are disabled and wish to visit with an inmate at the SRJ. Refer to D&C P&P 17.03 – Inmate Visiting.
 - 1. All visits are scheduled on the Sheriff's Office web site at alamedacountysheriff.org.
 - 2. Should a member of the public require assistance with a visit due to a disability, including assistance navigating the main ramp leading to or away from the Visiting Lobby, they should notify Agency members assigned to the Visiting Unit by calling the visiting number directly.
 - a. Upon receiving the request for accommodations, an Agency member assigned to the Visiting Unit shall highlight the request on the Appointment List for the respective housing unit and advise the Visiting Sergeant, or his or her designee, of the accommodation request on the list.
 - b. It shall be the responsibility of the Visiting Sergeant to ensure the request is accommodated, if possible.
 - c. For those with hearing impairments, amplified telephones, sign language interpreters, or a VRI equipped tablet shall be made available upon request in all visiting areas.
 - 3. Service animals shall be allowed to accompany visitors.
 - a. The care and supervision of a service animal is the sole responsibility of its owner. The service animal must be accompanied by its owner at all times.
 - b. Agency members shall not inquire as to the nature of a person's disability.
 - c. Agency members may ask two specific questions regarding service animals.
 - i. Is the service animal required because of a disability?
 - (a) If the animal is not required due to a disability, then the animal shall not be allowed in the facility.
 - ii. What work or task has the animal been trained to perform?
 - (b) If the animal had not been trained to perform work or a disability related task, then the animal shall not be allowed in the facility.
 - iii. Agency members are not allowed to request any documentation for the service

animal or require the animal demonstrate any task.

4. A visitor with a disability cannot be asked to remove their service animal unless one of the following conditions exist:
 - a. The animal is out of control and the owner does not take effective action to control the animal, or the animal is not housebroken
 - b. The animal poses a direct threat to the health and/or safety of others.
 5. Should a disabled visitor need to use a restroom and an accessible restroom is not available nearby, they shall be directed to the lobby restrooms, which are fully ADA accessible. The visitor shall not be penalized with regard to their visit should this occur and will be provided the opportunity for a full visit as scheduled.
 6. Disabled visitors are subject to the same facility rules as all other visitors.
- B. ATTORNEYS: All Attorneys shall be afforded the same rights and privileges under the ADA as the public. The use of wheelchair accessible areas, sign language interpreters, and any other reasonable accommodation shall be provided. Refer to D&C P&P 17.02 – Contact and Non-Contact Visitation.
- C. VOLUNTEERS: All volunteers shall be afforded the same rights and privileges under the ADA as the public. The use of wheelchair accessible areas, sign language interpreters, and any other reasonable accommodation shall be provided. Refer to D&C P&P 18.05 – Volunteer Services and Programs.