

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 13.15	PAGE: 1
	RELATED ORDERS: ACA 4-ALDF-2A-34, 4C-35 MJS 1206(d) PC 2656 P&P 11.16, 13.04	
	ISSUED DATE: July 1, 1989	
	REVISION DATE: <i>August 24, 2022</i>	
CHAPTER: Medical and Health Care Services	SUBJECT: Orthopedic or Prosthetic Devices and Other Medically Approved Items	

- I. **PURPOSE:** To establish procedures regarding devices medically indicated or devices *prescribed for use* by inmates, and other items medically approved such as deck shoes, extra blankets, special clothing, etc.

- II. **POLICY:** The *Alameda County* Sheriff's Office (**ACSO**) recognizes *some inmates incarcerated at the Santa Rita Jail (SRJ) may have a legitimate* need for medical devices. *However, the ACSO* also recognizes that medical devices *issued to inmates within the SRJ may* present a physical threat *to the safety of other inmates, Agency members, and to the facility as a whole.* Such devices have been fashioned into weapons and used to destroy SRJ property and/or commit assaults that have resulted in serious physical injuries to other inmates and/or Agency members. Inmates shall not be deprived *of possession or use of any medically approved device which has been prescribed or recommended and fitted by a physician* without specific facts to support such action.

- III. **PROCEDURE:**
 - A. Inmates shall be properly diagnosed by a state-licensed clinician as having a medical need for any medical device he or she is allowed to possess. An inmate may have their medical device reissued to them upon obtaining either a court order or a state-licensed medical diagnosis indicating its necessity. An alternative device, which will accommodate the inmate's medical needs while in custody, may be substituted when appropriate and approved by the attending physician.

 - B. If the *SRJ Operations Captain, or his or her designee*, has cause to believe possession of the device by an inmate constitutes an immediate security risk, the device may be removed and re-evaluated for alternatives by the attending physician.
 1. *Any medical device that has been removed shall be stored in accordance with Detention and Corrections (D&C) Policy and Procedure [\(P&P\) 11.16, "Inmate Property – Handling and Storage."](#)*

- C. *Agency members may, under the circumstances described above, remove an approved medical device from an inmate with the approval of their direct supervisor. The Agency member removing the device will author a memorandum to the SRJ Operations Captain via Chain of Command explaining the reasons for the device's removal. The memorandum shall be placed in the inmate's Classification custody file after review and approval by the SRJ Operations Captain.*
- D. If the device is removed, the inmate will be deprived of the device only while the ***underlying circumstances*** which constituted the *device's* removal exist. If ***such circumstances*** cease to exist, the device will be returned to the inmate.
 - 1. *An inmate with an approved medical device may, in-lieu of having the device removed, and only with the coordination and approval of the Classification Unit, be moved to an alternative housing unit within another classification, to prevent unlawful access and/or use of the medical device by other inmates and to allow for the device's continued use.*
 - a. *Such a move shall not be based solely on the inmate's disability and shall only be based on mitigating security threats to the SRJ and/or physical threats to other inmates or Agency members.*
 - b. *Inmates moved to alternative housing for the reasons described above shall receive the same privileges, access to programs, and out-of-cell time they would have been entitled to prior to being moved.*
- E. If the device is removed, the inmate must be examined by a physician within 24 hours.
- F. If the physician determines removal is, or will be, detrimental to the health or safety of the inmate, and no suitable alternative appliance is available, he or she shall inform the ***SRJ Operations Captain***, or ***his or her*** designee.
- G. The ***SRJ Operations Captain, or his or her designee***, upon receipt of the physician's opinion, shall either ***order the return of*** the device to the inmate or refuse to return the device. Both the physician and inmate shall be informed of the reasons for refusal.
- H. The ***SRJ Operations Captain, or his or her designee***, will promptly provide the inmate with a form as specified in California Penal Code [\(PC\) 2656\(c\)](#) so the inmate may petition the Superior Court for return of the device. The court, upon receipt of the petition, will either order the device returned to the inmate, or within 2 judicial days after the petition is filed receive evidence relevant to granting or denying the petition. The Court's decision will be based upon evidence received from the interested parties as explained in [PC 2656\(b\)](#).

- I. When an inmate is allowed to possess a medical device, the inmate will be issued a Medical Detail Slip by the appropriate medical staff member.
- J. The inmate in possession of medically approved items will be required to have the medical detail slip on his or her person at all times while outside of their cell and shall produce it to any Agency member upon request. Examples of medically approved items include shoes, shoe inserts, crutches, canes, wheelchairs, leg braces, or any other medically approved device authorized by the medical staff.
- K. If an Agency member needs to verify the validity of any Medical Detail Slip, the contracted medical provider should be contacted. The contracted medical staff is solely responsible for verifying the medical need for any medical device and for verifying a Medical Detail Slip from the inmate's medical file.