Price County Jail
Policies & Procedures Manual

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To All Corrections Officers:

All Corrections Officers and others so directed will read and acquaint themselves with the Price County Jail Policies and Procedures Manual, which has been developed and approved by the Jail of Price County.

If you have any questions about any of the policies or procedures, contact a Supervisor for clarification.

Within four (4) weeks, or upon completion of the FTO program for new hires, you are required to sign a Price County Jail Policies and Procedures Manual Acknowledgement Form indicating you have read and fully understand all the policies and procedures set forth in the manual. The signed Acknowledgement shall be returned to a Supervisor. When this Acknowledgement is signed and dated by all parties, you may keep a copy of the Acknowledgement for your records.

Introduction

THIS DEPARTMENT Policies and Procedures Manual is made available by the Price County Jail to all department members at the time of employment to provide a source of information and guidance. This Manual is designed to be an operational guide for department personnel, serving as a source of guidance in providing fair and impartial correctional services to all citizens served by this department. The formulation of policy, regulations, and procedures shall be considered a continuous process in which all materials are subject to review and revision. As materials are developed or revised, all members of the department will be notified of said revisions. The contents of this Manual are not intended to suppress initiative or impair resourcefulness. Department employees are encouraged to advise their immediate Supervisor and other command personnel when a procedure no longer fits "the jail situation" so that it may be re-examined.

An employee shall seek an interpretation or explanation from his/her immediate Supervisor whenever the employee has any doubt regarding the meaning or intent of a policy or procedure.

These regulations, policies, and procedures supersede all previous orders, rules, regulations, policies, procedures, and memorandums which may conflict with their meaning and intent. These rules and regulations apply to both off and on-duty departmental employees according to the circumstance. The regulations are not intended to limit the rights of employees, but rather to define those rights so the department can obtain its objectives in an orderly manner.

Sheriff Brian S Schmidt
Price County Sheriff's Office

Foreword

THE Price County Jail Policies and Procedures Manual has been designed to aid and assist department members in the performance of their official duties. The purpose of this Manual is to document and establish departmental procedure for the delivery of correctional services. The Manual will serve to structure and legitimize the discretion that has been successfully used by this department for many years. It is hoped the Manual will be an aid to inexperienced Corrections Officers and an instrument from which experienced Corrections Officers can benefit.

The Manual cannot substitute for sound legal advice in specific situations, but it can provide department members with basic information which will assist them in meeting the challenges Corrections Officers and others face on a daily basis. These policies, procedures and regulations are understood to form the basis for administrative complaints and actions only. They shall not be construed as restricting an employee's rights in a criminal or third party civil action. The application of these directives is understood to involve a looser evidentiary standard, and thus result in finding inadmissible in a court of law. When questions of law arise, contact the Price County District Attorney. Questions involving procedures shall be directed to Price County Sheriff's Office Supervisors.

These policies are governed by DOC 350.11 to DOC 350.35 and are available electronically. Inmates are made aware of these policies through their Inmate Handbook which are provided at booking and also made available inside of Jail cells.

Mission Statement

THE mission of the Price County Jail is to ensure the safe custody and supervision of offenders using the best, most effective correctional policies and procedures. Our focus is on keeping our citizens protected, helping offenders succeed in the community and making every effort to reduce the cost of corrections to taxpayers. A key goal of the Price County Jail is to reduce recidivism.

The Corrections Officer Code of Ethics

AS A PRICE COUNTY CORRECTIONS OFFICER, I acknowledge that I am expected to be unfailingly honest, respectful for the dignity and individuality of human beings and committed to professional and compassionate service. To this end, I subscribe to the following principals.

- I shall respect and protect the civil and legal rights of all individuals.
- I shall treat every professional situation with concern for the welfare of the individuals involved and with no intent to personal gain.
- I shall maintain relationships with colleagues to promote mutual respect within the profession and improve the quality of service.
- I shall respect the importance of all disciplines within the criminal justice system and work to improve cooperation with each segment.
- I shall honor the public's right to information and share information with the public to the extent permitted by law.
- I shall respect and protect the right of the public to be safeguarded from criminal activity.
- I shall refrain from using my position to secure personal privilege or advantage.
- I shall refrain from allowing personal interest to impair objectivity in the performance of duty while acting in an official capacity.
- I shall refrain from entering into any formal or informal activity or agreement which presents a conflict of interest or is inconsistent with the conscientious performance of duties.
- I shall refrain from accepting any gifts, services, or favors that are or appear to be improper or imply an obligation inconsistent with the free and objective exercise of professional duties.
- I shall report to appropriate authorities any corrupt or unethical behaviors in which there is sufficient evidence to justify review.
- I shall refrain from discriminating against any individual because of race, gender, creed, national origin, religious affiliation, age, disability, or any other type of prohibited discrimination.
- I shall preserve the integrity of private information and shall refrain from seeking information on individuals beyond that which is necessary to implement responsibilities and perform my duties; I shall refrain from revealing nonpublic information unless expressly authorized to do so.
- I shall respect, promote, and contribute to a work place that is safe, healthy, and free of harassment in any form.

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TITLE 1

Administration

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Title 1 ▶ Chapter 1

Compliance with Policies and Procedures; Use of Manual; Disciplinary Sanctions

Sec. 1-1-1 Conformance with Polices, Procedures, Rules and Regulations
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Sec. 1-1-3 Disciplinary Sanctions

Sec. 1-1-1 Conformance to Policies, Procedures, Rules and Regulations.

STATEMENT OF PURPOSE:

The Price County Jail Policy and Procedures Manual contains the policies, procedures and organizational relationships of the Price County Jail. The provisions of the manual shall be effective immediately upon issue and shall remain in effect until rescinded or revised by the Sheriff. The Price County Jail Policy and Procedure Manual shall be reviewed by the Sheriff periodically to insure that it reflects current court and legislative decisions. The Manual will be extensively used as part of the department's ongoing training program, and it shall also form a basis for inspections and evaluations of the Price County Jail.

POLICY:

(a) **Applicability; Collective Bargaining and Employment Agreements.** The policies, procedures, rules, and regulations set forth in this Manual shall be applicable to all department employees including sworn and non-sworn personnel. The policies, procedures, rules, and regulations set forth in this Manual shall take precedent over any previously adopted work rules with the exception of any policy or procedures established in the Price County Employee Handbook or an Employment Agreement. In such an event, the language in the Price County Employee Handbook or an Employment Agreement shall be considered binding. Where the Price County Employee Handbook or an Employment Agreement does not address a certain area, the policies, procedures, and rules in this Manual shall be effective.

(b) **General Applicability.**

(1) All members of this department shall make themselves aware of and operationally knowledgeable regarding any and all policies, procedures, rules and regulations of this department. Policy establishes operational standards to assist department employees in the necessary exercise of discretion in discharging their responsibilities.

(2) It is the policy of this department that all members of the department shall strictly adhere to departmental policies, procedures, rules, and regulations in order to assure this community's support and to maintain effective correctional services.

(3) Department members violating the policies and guidelines contained in this Manual, as amended from time to time, might be subject to disciplinary actions, which might result in suspension, loss of compensation, demotion, or dismissal.

(4) The policies of this Manual are for departmental use only and do not apply in any civil or criminal proceeding. The directives found in the Manual shall not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims.

(5) Violations of any procedures in this Manual will only form the basis for departmental administrative and personnel sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

PROCEDURE:

(a) All members of this department shall read and understand all policies, procedures, rules, and regulations and shall consult with a Supervisor as necessary shall any areas of uncertainty arise.

(b) All department members shall sign a Price County Jail Policy & Procedure Manual Acknowledgement Form indicating they have reviewed the policies, procedures, rules, and regulations of this department contained in this Manual.

COMMENTARY:

(a) The purpose of these regulations, policies, and procedures is to regulate and/or prohibit conduct that tends to undermine the policies, goals, good order, and/or efficiency of the department. The regulations herein established are primarily intended to promote thorough and efficient Corrections services for the County. Further, these regulations are intended to be equitable to those who are expected to work by them. Fairness to both the public and department personnel is achieved through a process of careful consideration and constant review.

(b) These policies, procedures and regulations are not designed to make every irregular, mischievous or improper act a disciplinary offense. Rather, their reach is limited to conduct that is directly and obviously – as distinguished from indirect and remotely – prejudicial to good order, discipline, morale and efficiency and tends to destroy public respect and confidence.

(c) Corrections Officers comprise a special class of public employee. Members of the department are the most conspicuous and visible representatives of government. Members' conduct is closely scrutinized and, when it is found to be excessive, unwarranted, or unjustified, criticism is more severe than it would be for similar conduct of persons in other walks of life. The end result of criticism is lost community support and respect – both are necessary ingredients in the department's capacity to perform the policy function.

(d) While the department believes wholeheartedly in the regulations, policies and procedures described herein, they are conditions of employment and are subject to unilateral change.

Sec. 1-1-2 Use of Manual.

POLICY:

(a) **Distribution.**

(1) The jail's Policy Manual will be available on each department computer as well as through the Employee Access section of the Price County Web Site. Contained within this manual are policies, procedures, rules, and regulations, which are designed in the best interests of Community Corrections within this County.

(2) All members of the jail shall be held responsible for reading, understanding, and adhering to all information contained within the Policy Manual.

(b) **Maintenance of Manual; Updates.** Each member of the jail shall be notified when there is an addition, correction or revision to the manual including which section was added, corrected or revised.

(c) **Manual is Department Property.** The electronic copy of this Manual is the sole property of the jail.

(d) **Gender-Specific Word Usage.** Every effort has been made to use inclusive, gender-neutral language in this Manual. However, occasional use has been made of gender-specific language where necessary (example: gender-specific appearance standards) or where such language improves readability of a passage; occasional use of such language indicates no discriminatory intent, actual or implied. Occasional references to the masculine gender in this Manual shall also generally be construed to females, and vice versa.

(e) **References to Sheriff Designees.** Throughout this Manual, references to Sheriff shall also be construed to mean Sheriff or his/her designee.

COMMENTARY:

(a) This department Manual has been developed for the purpose of assuring uniformity of effort and action by the entire department in pursuing the objective of providing members of this community with the highest quality of Community Corrections.

(b) Permanent policies, procedures, rules, and regulations, and also special orders have been placed in this Manual for the convenience of members of the department and to ensure control over dissemination and revision of the materials within this Manual.

(c) The Manual is designed to facilitate ease in making additions and revisions. The Manual itself consists of an electronic copy. When an addition, revision, or correction becomes necessary, employees will be notified along with release notes indicating said additions, revisions or corrections.

(d) Any such additions, revisions, or corrections shall be made solely at the direction of the Sheriff or his/her designee.

DEFINITIONS:

For the purpose of uniformity and continuity, the following definitions are given to assist in the segregation and differentiation of materials to be placed in certain sections of the Manual.

(a) **Policy.** Although policy can be defined to mean a guideline for carrying out even the most detailed action, the term usually refers to the broad statement of principle. Unless a policy is further defined and restricted, it allows a degree of flexibility within the limits set out by the policy maker. A common form or policy statement is the general order, which often combines an opening statement of principle, followed by procedural guidelines.

(b) **Procedure.** More specific than a policy but less restrictive than a rule or regulation, a procedure describes a method of operation while still allowing some flexibility within limits.

(c) **General Orders.** These shall define policy and direct procedures for the indefinite future and for the department as a whole for subordinate elements within the department. The immediate changes or additions to policy and procedure shall be disseminated in this form until such a time as they can be made a permanent part of the regular policies, procedures, and rules through updating.

(d) **Special Orders.** Their intent is to define policy and direct procedure for special situations or events. Included shall be orders covering temporary or self-cancelling circumstances, specific instructions for the accomplishment of a special purpose.

(e) **Memoranda.** These shall be considered primarily as a device to inform or inquire and, secondarily, to direct. Memoranda are also more personal in nature and thus oriented to one person or a restricted number of persons. Uses of the memoranda might be classified as follows:

(1) To disseminate information or instructions, which do not, warrant a formal order, such as notice of an outside training program available to Corrections Officers or an announcement of promotional examination and procedures for applying.

(2) To direct the actions of subordinates in specific situations or circumstances at a level of command or Supervisors not authorized to issue general or special orders. Such directions shall not deviate from or conflict with established policy or procedure.

(3) To explain or emphasize portions or previously issued orders. To inform members of the actions or policies of other agencies.

(4) To inquire.

(5) To record matters relating to the quantity and quality of subordinates or of work projects assigned to a member.

Sec. 1-1-3 Disciplinary Sanctions.

POLICY:

(a) Department members violating the provisions of this Manual might be subject to disciplinary actions. Specifically, those provisions specifically designated as “Regulations;” the violation thereof shall subject the department member to the disciplinary sanctions.

(b) Disciplinary sanctions shall comply with State statutes, Price County ordinances and regulations and the Price County Employee Handbook at the time of the violation.

Title 1 ▶ Chapter 2

Key Control

Sec. 1-2-1 Key Accountability
Sec. 1-2-2 Familiarity of Jail Lock System
Sec. 1-2-3 Inspection
Sec. 1-2-4 General Rules

Sec. 1-2-1 Key Accountability.

POLICY:

It is the policy of the Price County Jail to maintain strict control of all keys used by personnel in the operation of the facility.

(a) Key Accountability.

(1) Four (4) complete sets of jail and fire escape keys shall be maintained at all times. Two (2) sets of keys shall be in use under direct control of the on-duty Corrections Officers, one (1) set of keys shall be stored in the Sheriff's Office key room, and one (1) set of keys shall be stored in the vault of the Price County Register of Deeds.

(2) Seven (7) exterior door keys exist. Five (5) sets are in use, one (1) set is in the Sheriff's Office, and one (1) set is stored in the vault of the Price County Register of Deeds.

(3) Corrections Officers shall ensure that all keys under their control are accounted for. Missing keys shall be reported immediately to a Supervisor.

Sec. 1-2-2 Familiarity of Jail Lock System.

(a) Corrections Officers shall be given instructions concerning the use of jail and fire escape keys as well as other components of the jail lock system.

(b) All Corrections Officers are to be familiar with the jail locking system, and must be able to release inmates immediately in the event of a fire or other emergency.

Sec. 1-2-3 Inspection.

(a) The Jail Administrator – Lieutenant or his/her designee shall conduct a monthly inspection to ensure that all jail doors and locks within and including the secure perimeter of the facility are in good working order. Such

inspections shall be documented in the Jail/Door Lock Inspection Report. Each inspection shall also be recorded in the Jail Log.

Sec. 1-2-4 General Rules.

(a) General Rules.

(1) Place inside keys in the secure box when not in use. Never leave keys lying around on desktops, file cabinets, or in drawers.

(2) Carry keys securely so that inmates cannot touch them or see them.

(3) Do not refer to key names or numbers or key ring numbers in front of inmates.

(4) Never allow any inmate to handle or use any jail keys. Do not allow key use by unauthorized non-designated individuals.

(5) Never carry keys to inside and outside doors on the same ring.

(6) Do not throw keys or slide them across the floor.

(7) Do not draw keys across cell bars as a means of determining if the bars have been tampered with.

(8) Never force a key in a lock.

(9) Check keys for damage or wear. Report any damage to the Jail Administrator – Lieutenant or other Supervisor.

(10) No key shall be copied.

Title 1 ▶ Chapter 3

Weapons

Sec. 1-3-1 Weapons Generally

Sec. 1-3-1 Weapons Generally.

PURPOSE:

To ensure the safety and security of the Price County Jail and persons within, no firearms or other weapons shall be worn or carried in or near any jail cell areas. This shall exclude the wearing or carrying of approved Oleoresin Capsicum Aerosols or ECD (Taser) carried by jail or law enforcement personnel.

POLICY:

(a) Secure Weapons

(1) Corrections Officers shall require that those wishing to enter any cell area remove and deposit firearms or other weapons in a departmental gun locker.

(2) Additional assistance shall be summoned immediately if any person refuses to comply with such security precautions.

(3) Persons refusing to secure weapons in a gun locker shall not be permitted inside of the Jail and shall be asked to leave the premises immediately.

(4) A Supervisor shall immediately be contacted and advised of the details surrounding any refusal to allow access to the Jail for reasons specified above. A detailed incident report shall also be prepared and submitted pertaining to the incident.

Title 1 ▶ Chapter 4

Fire and Disaster Evacuation Plan

Sec. 1-4-1 Fire Prevention and Evacuation Plan
Sec. 1-4-2 Other Disasters
Sec. 1-4-3 Communication Failures

Sec. 1-4-1 Fire and Disaster Evacuation Plan.

POLICY:

Corrections Officers will make every effort to prevent the occurrence of fires in the Price County Jail through proper supervision of inmates. The Jail shall have and shall properly maintain fire alarms, smoke and thermal detectors, fire extinguishers, and self-controlled breathing apparatus (SCBA) and properly handle cleaning materials contained within the jail. The equipment shall be placed in the Jail in accordance with the advice of the Phillips Fire Department. In the event of fire, the primary objective shall be the protection of the lives of inmates, staff and visitors.

PROCEDURE:

(a) Prevention.

(1) There will be no smoking in the Price County Jail.

(2) Trash will be disposed of on a daily basis.

(3) There will be no hoarding or storing of paper products or other flammable materials (i.e. toilet paper, magazines, newspapers, etc.).

(4) The Jail Administrator – Lieutenant shall ensure that:

a. The jail will be inspected by the Phillips Fire Department on a bi-annual basis, and by Corrections Staff monthly, and documented on the Fire Inspection Report.
b. All firefighting, detection and alarm equipment will be inspected and/or tested on a monthly basis and documented on the Fire Inspection Report.
c. A floor plan outlining evacuation routes and location of firefighting equipment will be kept current and available.
d. A copy of this policy will be maintained in the Communications Center, Jail Office and Administration offices. All personnel shall be familiar with the plan.
e. Fire safety training shall be practiced or simulated by all jail staff at least once every twelve (12) months. This training shall be documented on the Annual Fire Evacuation Exercise form.

f. A fire and/or evacuation simulation or tabletop exercise will be conducted with the Fire Department annually.

(b) Discovery.

(1) When a Corrections Officer discovers a fire, he/she shall notify the Dispatcher as to the exact location and nature of the fire.

(2) When a Corrections Officer is informed by an inmate or visitor that there is a fire, he/she shall immediately notify the Dispatcher that they are investigating the possibility of a fire and then follow the procedural steps as outlined if a fire is discovered.

(3) When the smoke/thermal detectors activate, the Dispatcher shall notify a Corrections Officer as to which area is signaled by the alarm. The Dispatcher shall request the Corrections Officer investigate the alarm and immediately report back the results of his/her investigation.

(c) Notification.

(1) Upon being informed of an actual fire, the Dispatcher shall:

(a) Notify all facility personnel that there is a fire and location of same.
(b) Page the Phillips Fire Department and Central Price County Ambulance Service.
(c) Notify the Phillips Police and Sheriff's Office patrol units to immediately respond to the Jail.
(d) Notify the Sheriff, Chief Deputy, and Lieutenants.
(e) Notify off-duty personnel, as needed. If possible, off-duty personnel residing or located within close proximity to the facility should be summoned first.

(d) Response.

(1) Corrections Officers shall immediately respond to the area that the fire has been reported. Corrections Officers shall assess the situation, and, if it is deemed necessary, they shall call for an evacuation.

(2) If an evacuation is deemed necessary, Corrections Officers shall remove all inmates to the appropriate evacuation area, according to this policy.

(3) Other personnel shall escort all visitors out of the Jail and then proceed to the location of the fire to provide assistance.

(4) At no time shall inmates be permitted to assist in fighting the fire.

(e) Fire Department Arrival.

(1) When the fire department arrives, the Dispatcher shall refer them to the exact location of the fire within the facility.

(2) Ranking fire department personnel shall assume authority for firefighting efforts upon their arrival.

(3) On-duty personnel are to open the north second floor fire exit door to allow fire department personnel entry to the Jail.

(f) Inmate Evacuation.

(1) If an on-duty Supervisor is unavailable, on-duty department personnel have the authority to initiate and implement inmate evacuation in times of emergency. Supervisory personnel shall respond to the facility as soon as possible to assume command and control of the incident.

(2) Inmates shall be removed from their respective cellblocks and should be escorted out of the nearest fire exit. Cell doors may have to be opened by manual controls. All inmates should be taken to the Price County Courthouse County Board Room which will serve as the evacuation area. A key may need to be acquired from the Dispatch key cabinet for after-hours access to the Courthouse.

NOTE: The first priority of on-site personnel shall be to remove persons from the area of immediate danger. Monitoring and escort of inmates to the evacuation area after their removal from the Jail should be accomplished by additional departmental personnel who have been summoned to the Jail.

(g) Inmate Count.

(1) When the Jail is being evacuated, a Supervisor or his/her designee shall be responsible for the evacuation area. A head count of the inmates shall immediately be conducted in the evacuation area. If any inmate is missing, the fire department shall be informed of the cell area of the missing inmate. While the fire department is attempting to locate the inmate, departmental personnel shall begin to implement procedures regarding escapes.

(h) Inmate Housing and Return to Facility.

(1) Inmates shall not be returned to the facility until approval to do so has been granted by a Supervisor.

(2) If inmates are unable to return to the facility due to the severity of damage or existing conditions, a Supervisor shall arrange for alternative housing in the jail of another county.

(i) Investigations.

(1) The Sheriff shall order an investigation of the fire in cooperation with the Phillips Fire Department and the State Fire Marshall.

(2) All personnel involved in the discovery of the fire shall complete a written incident report.

Sec. 1-4-2 Other Disasters.

(a) In the event of any disastrous event to the facility, the Dispatcher shall:

(1) Account for and, if necessary, notify all facility personnel of the nature of the incident.

(2) Dispatch the Phillips Fire Department in the event of a fire, potential fire or an incident requiring emergency rescue or extrication procedures.

(3) Dispatch the Central Price County Ambulance Service in the event that injuries are received by persons within the facility or for any incident requiring emergency rescue or extrication procedures.

(4) Notify the Phillips Police and Sheriff's Office patrol units to immediately respond to the jail.

(5) Notify the Sheriff, Chief Deputy, and Lieutenants.

(6) Notify off-duty personnel as needed. If possible, off-duty personnel residing or located within close proximity to the facility should be summoned first.

(b) Inmate Evacuation.

(1) If an on-duty Supervisor is unavailable, on-duty department personnel have the authority to initiate and implement inmate evacuation in times of emergency. Supervisory personnel shall respond to the facility as soon as possible to assume command and control of the incident.

(2) Inmates shall be removed from their respective cellblocks and should be escorted out of the nearest fire exit. Cell doors may have to be opened by manual controls. All inmates should be taken to the Price County Courthouse (interior) which will serve as the evacuation area. A key may need to be acquired from the Dispatch key cabinet for after-hours access to the Courthouse.

NOTE: The first priority of on-site personnel shall be to remove persons from the area of immediate danger. Monitoring and escort of inmates to the evacuation area after their removal from the Jail should be accomplished by additional departmental personnel who have been summoned to the Jail.

(c) Inmate Count.

(1) When the jail is being evacuated, a Supervisor or his/her designee shall be responsible for the evacuation area. A head count of the inmates shall immediately be conducted in the evacuation area. If any inmate is missing, rescue personnel shall be informed of the cell area of the missing inmate. While rescue personnel are attempting to locate the inmate, departmental personnel shall begin to implement procedures regarding escapes.

(d) Inmate Housing and Return to Facility.

(1) Inmates shall not be returned to the facility until approval to do so has been granted by a Supervisor.

(2) If inmates are unable to return to the facility due to the severity of damage or existing conditions, a Supervisor shall arrange for alternate housing in the jail of another county.

Sec. 1-4-3 Communication Failures.

(a) Telephone.

(1) **Area Failure.** In the event that telephone communications become non-operational due to a problem or incident occurring from outside the facility, Dispatch personnel shall attempt to contact the Price County Telephone Company. It may be necessary that Patrol personnel make personal contact or use an alternate telephone source to contact telephone company repair personnel.

(2) **In-House Failure.** In the event that telephone communications become non-operational due to a problem or incident occurring from inside the facility, Dispatch personnel shall attempt contact with CenturyLink. It may be necessary that Patrol personnel make contact by using an alternative telephone source. It may also be necessary to contact another agency via teletype requesting that they make the contact.

(b) Radio.

(1) In the event that the primary radio system becomes non-operational, personnel shall report same to Northway Communications. Personnel shall request that radio repair staff respond and repair radio operations as soon as possible.

(2) Mobile and portable radios shall be utilized by personnel until repair and/or replacement of the primary radio system has been accomplished.

Title 1 ▶ Chapter 5

Security Inspections

Sec. 1-5-1 General Search Objectives
Sec. 1-5-2 Search Procedures
Sec. 1-5-3 Tools & Sharps Control
Sec. 1-5-4 Security Lock Inspections

Sec. 1-5-1 General Search Objectives.

POLICY:

It is necessary to conduct frequent searches of inmates' cells and other areas where inmates work, exercise, congregate, or are temporarily held to discover and eliminate contraband. Cell searches shall be conducted on a weekly basis by each Corrections Officer. The search should be systematic and nothing overlooked.

(a) Search Objectives.

(1) Before starting a search, Corrections Officers should be briefed as to the objectives – primary and secondary.

(2) The primary objective may be to locate a particular item(s) known or believed to be in a housing unit, cell, or in the jail.

(3) There may be no primary objective other than the general objectives of any cell search.

(4) If necessary, inmates may be locked into their cells or removed from the entire area.

(5) Inmates do not have the right to be in their cell during the time it is being searched and inmates should be directed not to be in observation of the cell search process.

(6) All cell searches will be recorded on the Jail Log and a Security Cell Search Form completed.

Sec. 1-5-2 Search Procedures.

(a) Search Procedure.

(1) **Observe.** Upon entering the cell the Corrections Officer shall stand for a few seconds to observe the general layout and contents of the cell and note anything out of the ordinary.

(2) **Clothing.** Search any clothing laying or hanging in the cell and confiscate any clothing in excess of the allowed issue.

(3) **Bed/Drawer.** Examine blankets and mattress. Remove all from bed frame. Examine the mattress for tears, split seams or cuts as they may be used to hide contraband. Feel the mattress to locate hard objects hidden in the mattress. It will necessitate the Corrections Officer getting on hands and knees to inspect under it. Check content of drawer.

(4) **Sink/Toilet.** Examine inside and out. Check inside faucets and drains.

(5) **Ventilator Grills.** Contraband may be hanging outside the cell wall by a thread or string. Also, remove anything blocking or covering the grills or the lights.

(6) **Books.** Examine books carefully. Razor blades, hacksaw blades, and other flat items may be hidden in books. Also, books may be cut out to hide other objects. Remove excess books from the cell. Excess books are any combination of five (5) books or magazines.

(7) **Articles in Cell.** Examine all letters, envelopes, toilet paper rolls, shampoo containers, soap, cards, papers and other miscellaneous items.

(8) Check the top of mounted shelves, door tracks, crossbars and ledges.

(9) Check for damage; saw marks or evidence of sabotage.

(b) Condition of Cell upon Leaving.

(1) Leave the cell as nearly as possible in the condition you found it.

(2) The purpose of a cell search is to find or discourage use of contraband and detect violation of regulations. It is not for the harassment of inmates. Personal items not classified as contraband should not be broken or taken.

(c) Search of Shower and Common Area.

(1) In addition to cell searches, the showers, dayroom, library, recreation and visiting areas are to be systematically searched.

(d) Cleanliness and Cell Inspections.

(1) Cleanliness and the condition of the jail is essential. Weekly inspections shall be conducted of cells, dayrooms, corridors and other areas.

(2) A Supervisor will make periodic inspections of all areas of the jail to make certain that all cells and living areas have been properly cleaned.

(e) Reporting

(1) If, during cell searches, surveillance tours, or regular security inspections, any irregularities in safety or security are discovered, they will be immediately reported to a Supervisor. All equipment or instruments used in a search must be accounted for.

(2) Dates and times of weekly and monthly inspections shall be recorded on the Security Cell Search Form and Jail Log.

Sec. 1-5-3 Tools & Sharps Control.

POLICY:

It is necessary to control the introduction, availability, control, inventory, storage and use of tools and sharps within the facility.

PROCEDURE:

(a) Corrections staff shall inventory and control who has access to any tool or sharps instrument.

(b) All items shall be stored in the Jail office.

(c) Corrections staff shall assure that any discarded sharps instruments are disposed of in a sharps container.

(d) Sharps containers shall be picked up annually by a certified company for disposal.

(e) Any incidents involving the improper use of, or possible contamination from a sharps instrument shall be documented on the jail log and a report generated for a Supervisor.

(1) Contamination guidelines should be followed per our standing medical orders and/or the Blood Bourne Pathogens Exposure Control Plan.

Sec. 1-5-4 Security Lock Inspections.

POLICY:

It is the policy of this department, that all locks will be inspected on a monthly basis.

PROCEDURE:

(a) Monthly door inspections shall be performed. This shall include a thorough inspection of each lock. Items in need of repair or replacement shall be reported to Price County Buildings & Grounds.

(b) Monthly door and lock inspections shall be documented in the Jail/Door Lock Inspection Report and recorded in the Jail Log.

Title 1 ▶ Chapter 6

Sanitation and Hygiene Inspections

Sec. 1-6-1 Cleanliness and Cell Inspections
Sec. 1-6-2 Reporting
Sec. 1-6-3 Trash
Sec. 1-6-4 Cleaning Schedule

Sec. 1-6-1 Cleanliness and Cell Inspections.

POLICY:

Cleanliness and the condition of the jail is essential.

PROCEDURE:

(a) Weekly inspections shall be conducted of cells, day rooms, corridors and other areas.

(b) A Supervisor will make periodic inspections of all areas of the jail to make certain that all cells and living areas have been properly cleaned.

Sec. 1-6-2 Reporting.

(a) If, during cell searches, surveillance tours, or regular security inspections any irregularities in safety or security are discovered, they will be immediately reported to a Supervisor.

(b) Dates and times of weekly and monthly inspections shall be recorded on the appropriate Cell Inspection forms and jail log.

Sec. 1-6-3 Trash.

(a) Trash will be collected from lockdown cells after each meal.

(b) Trash bags will be collected from non-lockdown cells each morning.

Sec. 1-6-4 Cleaning Schedule.

(a) Cleaning equipment will be handed out on Tuesday evenings and Saturday mornings.

(b) Cell tables are disinfected before each meal.

Title 1 ▶ Chapter 7

Building Maintenance

Sec. 1-7-1 Inspections, Repairs and General Upkeep
Sec. 1-7-2 Cleaning Equipment

Sec. 1-7-1 Inspections, Repairs and General Upkeep.

POLICY:

It is the policy of the Price County Jail to provide adequate upkeep of all systems within the Jail. General maintenance of the Price County Jail is the responsibility of Price County Buildings & Grounds.

Daily inspection shall be conducted by Corrections Officers to determine any maintenance problems. These problems will be reported to Price County Buildings & Grounds via a Maintenance Repair Request Slip located in the Dispatch office or by phone, if necessary. If a major problem occurs, a Supervisor must be notified.

PROCEDURE:

(a) Inspections.

(1) Daily inspections of jail areas will be conducted by all Corrections Officers.

(2) It is the Correction Officer's responsibility to report any breakdown of equipment, unhealthy condition or general maintenance work that needs to be done.

(3) The Corrections Officer shall report any of the above on a Maintenance Repair Request Slip and also note the deficiency on the Jail Log.

(b) Repair.

(1) Repair of all maintenance problems will be completed as soon as possible after the problem has been reported.

(2) All emergency repair work shall immediately be reported to Price County Buildings & Grounds via telephone or pager.

(c) General Upkeep.

(1) Price County Buildings & Gounds and Corrections Officers shall establish a general routine for the upkeep of all areas of the jail.

(2) Inmates are provided cleaning materials daily. Tables used for common use and meals shall be sanitized. Door traps used for passing meals or other items shall be kept sanitized.

(3) Vermin and pests are controlled with an effective, documented program. Containers of poisonous compounds used for exterminating rodents or insects shall be prominently and distinctly labeled for easy identification of contents. Poisonous compounds shall be stored independently and separately from food and kitchenware in a locked area not accessible to inmates.

Sec. 1-7-2 Cleaning Equipment.

(a) The Jail shall provide whatever cleaning equipment is necessary to keep the Jail clean (i.e. mops, buckets, brooms, dustpans, etc.).

(b) In addition to cleaning equipment, the Jail shall store sufficient cleaning materials to accomplish the above-mentioned tasks (i.e. floor cleaner, soap, disinfectants, etc.).

(c) All cleaning equipment and supplies shall be stored in a restricted storage area that is away from unauthorized inmate access.

(d) Storage areas should be kept clean and a running inventory should be maintained.

(e) It shall be the responsibility of Price County Buildings & Grounds and Corrections Officers to see that all necessary supplies are purchased.

(f) All inmates will be responsible for maintaining standards of cleanliness in their respective housing units and adjacent areas.

Title 1 ▶ Chapter 8

Radio Communications

Sec. 1-8-1 Use of Radio

Sec. 1-8-1 Use of Radio.

POLICY:

The department shall establish, provide and maintain a portable radio communications system within the Jail. Such radio system shall ensure constant communications between Dispatch and Jail personnel. In addition, such radios shall be equipped with an emergency button and man-down (tilt) feature, which shall aid Jail personnel in the event of an emergency.

PROCEDURE:

(a) Each on-duty Corrections Officer shall carry the appropriate Jail radio at all times during his/her tour of duty.

(b) Jail radios shall be used and maintained in accordance with manufacturers' specifications.

(c) Jail radios shall be tested at the beginning of each Jail shift to ensure proper operation.

(d) At the conclusion of each shift, the Jail radio batteries shall be returned to the charger maintained in the Jail office.

(e) Inoperable Jail radios shall be removed from service, appropriately labeled or tagged and submitted for repair.

Title 1 ▶ Chapter 9

Public Relations

Sec. 1-9-1 Role of Individual Employees
Sec. 1-9-2 Media Relations

Sec. 1-9-1 Role of Individual Employees.

POLICY:

An employee must treat a person with as much respect as that person will allow, and he/she must be constantly mindful that the people with whom he/she is dealing are individuals with human emotions and needs. Such conduct is not a duty imposed in addition to an employee's primary responsibilities, it is inherent in them.

In dealing with people, each employee must attempt to make his/her contact one which inspires respect and which generates the cooperation and approval of the public. While entitled to his/her personal beliefs, an employee cannot allow his/her individual feelings or prejudices to enter into public contact. However, since the employee's prejudices may be subconsciously manifested, it is incumbent upon him/her to strive for the elimination of attitudes which might impair his/her impartiality and effectiveness.

PROCEDURE:

(a) Attitude.

(1) The attitude of each employee shall be one of service and courtesy, but not servility or softness. In nonrestrictive situations, the employee should be pleasant and personal, and on occasions calling for regulation and control, the attitude shall be firm and impersonal, but avoiding even an appearance of rudeness.

(b) Criticism of the Department.

(1) No employee shall voice public criticism of the Jail, department or any employee. Such criticism undermines public confidence in the Jail and reflects not only upon the Jail but upon the individual employee and the department in general.

Sec. 1-9-2 Media Relations.

POLICY:

It is the responsibility of this department to maintain good media relations through guidelines established by the Sheriff for the purpose of release of public criminal justice information.

(a) Public Criminal Justice Information.

(1) Public criminal justice information can be released, unless otherwise limited, and includes:

a. Offense/incident reports which may include any adult arrested person's name, age, residence and photo.
b. The charge.
c. The amount or condition of bail.
d. The name of the arresting agency/officer.
e. The circumstances of arrest such as time, date and place.

(2) Information not appropriate for disclosure and reporting by this department includes:

a. Any public record information that belongs to another agency. Any inquiry for this information should be referred to that particular agency.
b. The existence or content of any confession, admission, or statement given by the accused.
c. Statements predicting the outcome of the trial.
d. Opinions concerning the guilt, innocence or character of the accused or the complainant, victim or any witness.
e. Results of any examinations or tests the accused took, or the fact that the accused refused or failed to submit to any test.
f. Statements or opinions concerning the credibility of anticipated testimony of prospective witnesses.
g. Items of evidence seized.
h. The apparent cause of death.
i. Biographical information concerning the arrested party, complaining party or victim.
j. The names of persons who are victims and complainants.
k. Inmate medical records.

(b) Authority to Make News Releases.

(1) The Sheriff shall make all news releases.

(2) In the Sheriff's absence, or at his discretion, another Supervisor is authorized to make news releases.

(3) The Sheriff, at his discretion, may authorize communications personnel to release such preliminary information as deemed appropriate.

(c) Relations with Other Agencies.

(1) Cooperation.

a. Employees shall cooperate with all agencies engaged in the administration of criminal justice and other public departments, giving to each all aid and information they may be entitled to receive.

(2) Criticism of Other Agencies.

a. In matters which employees believe justified, complaints and/or criticism of other agencies shall be channeled to a Supervisor.
b. Employees of the department shall adopt a professional attitude and shall not criticize, in public, the District Attorney's Office or the Courts concerning the circumstances surrounding the unpopular disposition of a case.

Title 1 ▶ Chapter 10

Field Training and Evaluation Program

Sec. 1-10-1 Field Training and Evaluation Program
Sec. 1-10-2 Organization
Sec. 1-10-3 Assignment of Probationary and Part-Time Corrections Officer
Sec. 1-10-4 Program Phases
Sec. 1-10-5 Evaluation Process
Sec. 1-10-6 Topics in Trainee Task List-Field Performance and Testing
Sec. 1-10-7 Probationary Review Board
Sec. 1-10-8 Employment Status Process
Sec. 1-10-9 Disposition of Field Training Documents

Sec. 1-10-1 Field Training and Evaluation Program.

POLICY:

It is the policy of the Price County Jail to establish and utilize a training program, identified as the Field Training and Evaluation Program, to assist in screening new employees for suitability for continued employment, and to provide new employees with the basic knowledge and job skills to accomplish the department's mission.

PURPOSE:

The Jail's probationary period and field training and evaluation process is an extension of the Corrections Officer selection process that combines pre-field training with objective evaluations to insure the standards of a competent Corrections Officer are met. The goal of the field training and evaluation process is to improve the overall effectiveness and efficiency of corrections services delivered by:

(a) Improving the overall applicant screening process.

(b) Establishing a training Corrections Officer's appraisal system.

(c) Establishing an improved in-service re-training process.

(1) Corrections Officers who have been absent from the Jail for a period of three hundred sixty-five (365) calendar days will be assigned to a minimum number of refresher training hours at the discretion of the Field Training Officer and Field Training Supervisor - Lieutenant.

(2) Part time Corrections Officers will be trained the same as probationary Corrections Officers.

(d) Improving the probationary Corrections Officer's training process.

(e) Establishing career opportunities within the department.

(f) Prepare probationary Corrections Officers for solo corrections operations.

Sec. 1-10-2 Organization.

(a) Field Training Supervisor – Lieutenant.

(1) The Field Training Supervisor - Lieutenant shall be the highest ranking officer responsible for the daily operation, unless directed by the Sheriff.

(2) The Field Training Supervisor - Lieutenant shall be responsible for the general control of the Field Training Officers and trainees.

(b) Field Training Officers.

(1) Field Training Officers must have a minimum of two (2) years of employment as a full time Corrections Officer of the Price County Jail.

(2) The Field Training Officer must have had acceptable performance evaluations for a minimum of six (6) months prior to the selection.

(3) The Field Training Officer must have the willingness to serve in the FTO program for a minimum of three (3) years. This shall not limit department assignment to other positions/details or limit the FTO's promotional considerations within the department.

(4) All qualified applicants shall be assessed by a selection board consisting of the Field Training Supervisor – Lieutenant, at least one active FTO, and two other designees to be named by the Sheriff.

(5) All FTO's shall receive formal training and be certified by the Wisconsin Law Enforcement Training and Standards Bureau.

a. Selected FTO's shall attend the required training of the San Jose Model of Field Training and Evaluation Program.
b. Selected FTO's shall be members of the Wisconsin Field Training Officer Association and attend the annual conference, permitting scheduling availability.

(6) Field Training Officers may be released from field training and evaluation duties as follows:

a. By the request of the FTO concerned.
b. By removal of assignment from corrections duties.
c. At the direction of the Sheriff.

Note: The FTO selection process as described above may be modified as needed at the discretion of the Sheriff.

Sec. 1-10-3 Assignment of Probationary and Part Time Corrections Officer.

(a) Assignments.

(1) Probationary and part time Corrections Officers shall be assigned to the duties of Corrections Officer unless ordered by the Sheriff.

(2) Each probationary and part time Corrections Officer shall be placed in a field training and evaluation assignment under the supervision of the Chief Deputy, Lieutenant, and FTO as defined in this order.

(3) The field training assignment shall be predetermined and will be varied only when a probationary or part time Corrections Officer needs retraining or remedial training.

(4) The Chief Deputy may continue the field training assignment of a probationary or part time Corrections Officer beyond the predetermined time, should the need for further training and evaluation be apparent with the approval of the Sheriff.

Sec. 1-10-4 Program Phases.

PROCEDURE:

The field training and evaluation process shall be divided into the following steps and phases which are based on the San Jose Model of Field Training and Evaluation Process. Field training shall consist of up to a four hundred eighty (480) hour period.

(a) Phase I - Up to a one hundred sixty (160) hour training period including, but not limited to: Officer safety/inmate contact, orientation, equipment usage, safety and security and inmate movement/transports/court, issuing of probationary or part time officer's training manual, department policy and procedure manual. Phase I also includes, but is not limited to: Familiarization of Safety Building and Courthouse. Phase I will begin to familiarize trainees with common department practices, including, but not limited to: safety, data entry, etc.

Note: The first week of Phase I will be a non-evaluation week. A Daily Observation Report (DOR) shall be completed indicating a "Limbo" period for each day for the period of one week.

(b) Phase II – Up to a one hundred sixty (160) hour training period including, but not limited to: Files and forms and daily operations.

Note: The first day of Phase II with another Field Training Officer will be a non-evaluation day. A DOR shall be completed indicating a "Limbo" period for that day.

(c) Phase III - Up to a one hundred sixty (160) hour training period including, but not limited to: Special management inmates/medical, liability, resources and specific officer assigned responsibilities

Note: The first day of Phase III with another Field Training Officer will be a non-evaluation day. A DOR shall be completed indicating a "Limbo" period for that day.

Sec. 1-10-5 Evaluation Process.

(a) Limbo Period – An essential period in the training process with the absence of evaluation to minimize the stress on the trainee to become successful and acclimate to the new Field Training Officer's training methods. The goal for the Limbo period is to establish a good working relationship and to get to know each other. However, training remains the primary agenda during a Limbo period. Limbo days are not used if a substitute Field Training Officer replaces a regularly scheduled Field Training Officer for a day or two.

(b) Standard Evaluation Guidelines (SEG's) – A numerical scale and value definitions used when rating a trainee's behavior and knowledge in performance categories of the Price County Jail. Using these guidelines helps achieve program standardization and rating consistence during the training period.

(1) Daily Observation Report (DOR). The DOR shall be completed by the FTO after each patrol shift. Each scheduled shift will have a DOR initiated, even if a non-evaluation day. If a trainee scores a "1", "4", or "7" on a topic covered in the Standard Evaluation Guideline (SEG), it must be scored as such. If the FTO observes the trainee scores some of the topic in a "4" and some in a "1", the trainee must be scored a "2" or "3" on the DOR for the topic. If the trainee scores some of the topic in a "4" and some in a "7", the trainee must be scored a "5" or "6" on the DOR for the topic.

(2) Daily Summary Report (Narrative on Reverse Side of DOR). The Summary Report shall be completed at the time of completion of the DOR. The FTO will complete the Summary Report based on observations and information taken from the DOR. If a trainee is scored a "1" or "7" on a topic covered in the SEG of the DOR, it must be commented on in the Summary Report. The Summary Report shall be completed and commented on the "least" satisfactory and "most" satisfactory performance of the trainee. In addition, the FTO may comment on other points of interest observed about the trainee.

Note: The DOR and Summary Report shall be discussed with the trainee. The trainee shall transcribe the scoring on the DOR to the "D.S." box on the left side of the DOR. The trainee and FTO shall sign the DOR, indicating an understanding and that there are no questions with topics covered on the DOR and Summary Report.

(3) Evaluation Sessions.

a. A biweekly evaluation shall be completed and discussed with the Field Training Supervisor – Lieutenant.
b. The Field Training Supervisor – Lieutenant shall conduct meetings with all FTO's every two (2) weeks, beginning with the second week of the program, through the twelfth week. Consideration should be given to scheduling these meetings at varying times to minimize the inconvenience to FTO's or any one (1) shift.

(4) End of Phase Evaluation.

a. The End of Phase Evaluation Summary is done in an effort to ensure that the individual trainee continues to receive training according to the FTO Program and receives needed remedial training, if any.
b. The End of Phase Evaluation Summary identifies the significant strengths and weaknesses of the trainee in their pursuit of their career as a Corrections Officer.
c. The FTO will complete the End of Phase Evaluation Summary at the end of the phase in a timely manner for other FTO's to view in order to provide the trainee with needed training.
d. Upon completion of the End of Phase Evaluation Summary, the FTO will make a recommendation for the trainee to advance to the next phase of training or have remedial training in the current phase.
e. The End of Phase Evaluation Summary will be secured with the trainee's Daily Observation Reports.

Note: All documents pertaining to the evaluation of the trainee shall not be shared with anyone outside the FTO program. All documents shall be secured in a manner which is only accessible by the trainee, FTO, Field Training Supervisor – Lieutenant, shift Supervisor, Chief Deputy and Sheriff.

Sec. 1-10-6 Topics in Trainee Task List-Field Performance and Testing.

(a) There must be given every effort to cover all topics in the three (3) Phases of the Task List. In reality, all topics may not be covered or experienced in a live situation in the Jail during the four hundred eighty (480) hour period.

(b) In order to cover the most topics possible, it is crucial for the Field Training Program to incorporate written/verbal quizzes with the trainee. These tests are recommended to be weekly and relatively simple and neutral.

(1) Oral Quizzing – Regular and continuing evaluation of the student's learning is necessary for judging the effectiveness of instruction given and for planning the emphasis and pace of subsequent instruction. Proper quizzing by the instructor can have a number of desirable results:

a. It reveals the effectiveness of his/her own training procedures.
b. It checks the student's retention of what he/she has learned.
c. It reviews material already covered by the student.
d. It can be used to retain the student's interest and stimulate his/her thinking.
e. It emphasizes the important points of training.
f. It identifies points which need more emphasis.
g. It checks the student's comprehension of what he/she has learned.
h. It promotes active student participation which is important to effective teaching.

(2) Effective quizzing requires preparation. Good questions are rarely spontaneous. Questions which are ambiguous, not clearly associated with the subject at hand or which do not solicit specific answers are of

little value. They provide little information useful to the instructor and are confusing or frustrating to the student.

(3) Catch questions should be avoided at all times. The student will soon develop the feeling that he/she is engaged in a battle of wits with the instructor and the whole significance of the subject of the instruction involved will be lost.

(4) Irrelevant questions should be avoided. Leading questions are a waste of instructional time. A question which suggests its own answer is a much less efficient means of teaching than is a direct explanation. "Pumping" questions which seek to extract an answer from the student which is considered to be within his/her knowledge are a waste of time. Answers which he/she is unable to recall would be of no use to him/her in a field situation. If the question has been clearly stated and properly presented, the student's failure to answer must be accepted as evidence that he/she would not respond correctly in the field situation described.

Sec. 1-10-7 Probationary Review Board.

(a) The Probationary Review Board shall consist of the Chief Deputy, primary shift supervisors and the Field Training Supervisor – Lieutenant.

(1) Board members shall follow the provisions of policy concerning the Probationary Review Board.

(b) Board Action.

(1) Is required to advance (certify) the probationary officer from the field training stage to solo patrol and dispatch operations.

(2) Is required to recommend the extension of the probationary/training period.

(3) Is required to advance the probationary officer/trainee from probationary period to permanent full time status by forwarding this recommendation to the Sheriff.

Sec. 1-10-8 Employment Status Process.

If, at any time during the training/probationary period, a probationary officer is not performing at a satisfactory level, a recommendation for termination may be initiated.

(a) Memorandums and recommendation for termination are forwarded to the Field Training Supervisor – Lieutenant.

(1) The Field Training Supervisor – Lieutenant shall gather all training documentation, memorandums and ensure that all supporting data is attached.

(2) The Field Training Supervisor – Lieutenant shall prepare a detailed report and forward it via the command to the Sheriff with his/her recommendation.

(b) The Sheriff will affect the administrative decision reference the requested dismissal.

(1) If the Sheriff concurs with the recommendation, the probationary Corrections Officer shall be administratively relieved of duty by shift supervisor and scheduled for an employment status hearing.

(2) The Sheriff shall preside over the employment status hearing at which time the Field Training Supervisor – Lieutenant and Chief Deputy shall present the reasons for termination and the probationary officer shall be afforded the opportunity to respond to the Field Training Unit's recommendations.

(d) The Sheriff shall make the final decision reference dismissal from the material given at the employment status hearing.

(e) The probationary Corrections Officer's status shall be deactivated by the Field Training Supervisor – Lieutenant pending the employment status hearing disposition. During this time, the probationary Corrections Officer shall remain on administrative leave with salary and benefits decided by the Sheriff.

(f) The Sheriff shall immediately notify the probationary Corrections Officer of actions taken during the employment status hearing.

Sec. 1-10-9 Disposition of Field Training Documents.

(a) Upon successful completion of the Probationary Review Board action, the probationary Corrections Officer's field training and evaluation process reports will be filed as follows:

(1) Department personnel file:

a. Probationary Review Board action report.

(2) All other field training and evaluation process files:

a. Shall be maintained in the departmental field training process files by officer name. Checklists and task sheets shall be removed from the probationary officer's manual and placed in the DOR notebook/file.
b. Field training and evaluation program files are confidential and shall be reviewed only by persons approved to do so by the Sheriff.
c. Field training and evaluation process files of terminated employees consisting of DOR, Summary Reports, and the probationary officer's manual shall be secured in a manner as indicated in department policy.

TITLE 2

Conduct of Department Members

Chapter 1	Blood Borne Pathogens
Chapter 2	Communications Procedures
Chapter 3	Employee Wellness
Chapter 4	Employment and/or Retention of Employees with AIDS (Acquired Immune Deficiency Syndrome
Chapter 5	General Policies Governing Conduct
Chapter 6	Personnel Allegations/Inquiries; Grievance and Disciplinary Procedures
Chapter 7	Uniforms and Appearance

Note: All policies and procedures contained in Title 2 are regulations requiring compliance by department members. Violation of these regulations can result in disciplinary action.

Title 2 ▶ Chapter 1

Blood Borne Pathogens

Sec. 2-1-1 Purpose
Sec. 2-1-2 Exposure Determination
Sec. 2-1-3 Implementation Schedule and Methodology
Sec. 2-1-4 Compliance Methods
Sec. 2-1-5 Washing and/or Flushing Procedures
Sec. 2-1-6 Work Area Restrictions
Sec. 2-1-7 Contaminated Equipment or Evidence Specimens
Sec. 2-1-8 Personal Protective Equipment (PPE)
Sec. 2-1-9 Housekeeping
Sec. 2-1-10 Regulated Waste Disposal
Sec. 2-1-11 Laundry Procedures
Sec. 2-1-12 Hepatitis B Vaccine and Post-Exposure Evaluation and Follow-up
Sec. 2-1-13 Occupational Exposure; Post Exposure Evaluation
Sec. 2-1-14 Labels and Signs
Sec. 2-1-15 Information and Training
Sec. 2-1-16 Recordkeeping
Sec. 2-1-17 Evaluation and Review

Sec. 2-1-1 Purpose.

POLICY:

(a) Because of the nature of Law Enforcement duties while responding to emergencies, it may be reasonably anticipated that the Deputies of this department may have contact with blood and/or other potentially infectious materials. This department takes the position that victims of accidents, victims of physical attacks, items of evidence and subjects and suspects in the custody of a Deputy may be carriers of blood borne pathogens. This policy recognizes and limits the occupational exposure to blood and/or other potentially infectious materials since any exposure could result in the transmission of blood borne pathogens, which could lead to disease or death. The policy of the Price County Sheriff's Office regarding significant exposure to Human Immunodeficiency Virus (HIV), Hepatitis B (HBV), and other blood borne pathogens in the occupational setting is to offer testing, counseling, and follow-up for employees so exposed in the course of their work for the department.

(b) In accordance with the OSHA Blood Borne Pathogens Standard, 29 CFR 1910.1030, the exposure control plan contained in this Chapter has been developed.

(c) The purpose of this exposure plan is to:

(1) Eliminate or minimize employee occupational exposure to blood or certain other bodily fluids; and

(2) Comply with the OSHA Blood Borne Pathogens Standard, 29 CFR 1910.1030.

(3) Provide guidelines for department personnel responding to emergency situations, dealing with individuals in non-emergency situations or coming into contact with bodily fluids or other materials in which there is actual or potential risk of exposure to HIV (Human Immunodeficiency Virus), AIDS (Acquired Immune Deficiency Syndrome) or other pathogens.

DEFINITIONS:

(a) **Infectious Materials.** For the purpose of this policy, "infectious materials" shall include, but is not limited to any of the following:

(1) Semen.

(2) Vaginal secretions.

(3) Cerebrospinal fluid.

(4) Synovial fluid.

(5) Pleural fluid.

(6) Pericardial fluid.

(7) Peritoneal fluid.

(8) Amniotic fluid.

(9) Saliva.

(10) Any body fluids visibly contaminated with blood and all bodily fluids in situations where it is difficult or impossible to differentiate between bodily fluids.

(11) Any unfixed tissues or organs from a human (living or dead).

(b) **Significant Exposure.** "Significant exposure" of an employee in the occupational setting is defined as the employee having sustained a contact which carries a potential for a transmission of HIV, HBV, and other blood borne pathogens by one (1) or more of the following means:

(1) Transmission of blood, semen, or other bodily fluids into a body orifice.

(2) Exchange of blood during the accidental or intentional infliction of a penetrating wound, including a needle puncture.

(3) Entry of blood or other bodily fluid into an eye, an open wound, an oozing lesion, or where a significant breakdown in the skin has occurred.

(4) Exposure to saliva as the result of a human bite during the course of which skin is broken.

(5) Provision of cardiopulmonary resuscitation.

NOTE: An exposure must be certified as significant by a physician.

COMMENTARY:

The circumstances under which Law Enforcement, emergency medical and fire service personnel respond to emergency situations give rise to the possibilities of exposure to individuals capable of transmitting HIV or HBV or to materials, sharp objects and other items, which, if mishandled, may result in HIV, HBV or other infection.

Sec. 2-1-2 Exposure Determination.

POLICY:

(a) OSHA and COMM require employees to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure, regardless of frequency. At this department, the following job classifications are in this category and have occupational exposure:

(1) Sheriff.

(2) Chief Deputy Sheriff.

(3) Lieutenant / Patrol

(4) Lieutenant / Jail Administrator

(5) Investigator

(6) Drug Investigator

(7) Deputy Sheriff

(8) Corrections Officer

(9) Administrative Assistant – Executive

(10) Technical Specialist

(b) In addition, regulations require a listing of job classifications in which some employees may have occupational exposure. In this category employees may or may not incur exposure to blood or other potentially infectious materials. Therefore, tasks and procedures that would cause employees to have occupational exposure are listed. These job classifications and associated tasks for these categories are:

Job Classifications	**Task/Procedure**
Sheriff Chief Deputy Sheriff Lieutenant / Patrol Lieutenant / Jail Administrator Investigator Drug Investigator Deputy Sheriff Corrections Officer Administrative Assistant – Executive Technical Specialist	All listed job classifications deal with the public. In many different situations where the possibility for exposure to blood borne pathogens exists such as traffic accidents, suicides, homicides, batteries, making arrests, administering CPR and First Aid.

Sec. 2-1-3 Implementation Schedule and Methodology.

POLICY:

OSHA requires that the department have an exposure plan, which includes a schedule and method of implementation for the various requirements of the standard. The following Sections in this Chapter comply with the requirement. The purpose of this exposure control plan is to eliminate or minimize employee occupational exposure to blood or certain other bodily fluids. It is also necessary to comply with the COMM Blood Borne Pathogens Standard, 29 CFR 1910.1030 and COMM regulations.

Sec. 2-1-4 Compliance Methods.

POLICY:

(a) Universal precautions will be observed by this department in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

(b) Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at this department. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At this agency the following engineering controls will be utilized:

(1) Bio-hazardous spill kits.

(2) Sharps containers.

(3) Disposable syringes/razors.

(4) Lined waste disposal containers.

(5) Exposure control kits (contain gloves, goggles, masks, CPR mask, bio bag, antiseptic towelettes and barrier gowns).

(c) The above controls will be examined and maintained annually in January and July. The sharps containers will be assessed for proper placement and need for replacement. It is the responsibility of the employees to replace any items that are used in the kits.

(d) The Sheriff shall review the effectiveness of the controls annually in January.

Sec. 2-1-5 Washing and/or Flushing Procedures.

PROCEDURE:

(a) Hand washing facilities shall be made available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. If hand washing facilities are not feasible, the department provides either an antiseptic cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes. If these alternatives are not used, then the hands are to be washed with soap and running water as soon as feasible.

(b) After the removal of personal protective gloves, employees shall wash hands and other potentially contaminated skin area immediately or as soon as feasible with soap and water.

(c) If employees incur exposure to their mucous membranes, then those areas shall be washed or flushed with water as soon as feasible following contact.

(d) Personnel who have open sores or dermatitis shall avoid direct contact with individuals who could be infected or handling equipment that may be contaminated.

Sec. 2-1-6 Work Area Restrictions.

PROCEDURE:

(a) In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on countertops or bench tops where blood or other potentially infectious materials are present.

(b) Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.

(c) All procedures will be conducted in a manner which will minimize splashing, spraying, splattering and generation of droplets of blood or other potentially infectious materials.

Sec. 2-1-7 Contaminated Equipment or Evidence Specimens.

PROCEDURE:

(a) **Administration.** Immediate Supervisors are responsible for ensuring that equipment which has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible.

(b) **Handling Needles and Other Sharp Objects.**

(1) Needles, syringes, scalpel blades, knives, broken glass and other sharp objects at the scene of an emergency or at a crime scene where the collection of evidence is necessary shall be handled only by personnel who are wearing disposable latex gloves or preferably wearing both latex gloves and leather gloves to minimize the risk of accidental cuts and punctures in handling items that may be contaminated.

(2) Needles used or found at the scene of an emergency shall be disposed of in puncture-resistant containers; needles shall not be recapped, bent or broken by hand. Only disposable syringes will be utilized by this department.

(3) Scalpels, knives or other sharp instruments shall be handled with extraordinary caution to prevent cutting or puncturing the skin.

(c) **Contaminated Evidence.** Any portion of evidence that remains contaminated and cannot be cleaned for evidentiary or other reasons will be appropriately marked with biohazard labels.

(d) **Specimens.**

(1) Specimens of blood, urine, or other potentially infectious materials will be placed in a container, which prevents leakage during the collection, handling, processing, storage, and transport of specimens. The container used for this purpose will be labeled or color coded in accordance with the requirements of the standard.

(2) *All specimens are recognized as potentially infectious and universal precautions are utilized.*

(3) The containers must be closed prior to being stored, transported or shipped. All containers must be red in color, or labeled with an appropriate biohazard label when being transported or shipped.

(4) Any specimen, which could puncture a primary container, will be placed within a secondary container, which is puncture resistant. If outside contamination of the primary container occurs, the primary container shall be placed within a secondary container, which prevents leakage during the handling, processing, storage, transport or shipping of the specimen.

Sec. 2-1-8 Personal Protective Equipment (PPE).

POLICY:

(a) **PPE Provision.** All personal protective equipment used at this facility will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time the protective equipment will be used. All PPE will be available to employees at all times. Supplies will be ordered by designated personnel. The employees will be responsible to replace their own supply of PPE prior to any procedure which requires PPE.

(b) **PPE Use.**

(1) Immediate Supervisors shall ensure that the employee uses appropriate PPE unless the Supervisor shows that the employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances, it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of healthcare or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances shall be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.

(2) Deputies/employees shall use available appropriate personal protective equipment including, but not limited to, gloves, face shields, masks, eye protection, mouth pieces, resuscitation bags, etc., which does not permit blood and/or other potentially infectious materials to pass through to reach the Deputy's uniform, street clothes, undergarments, skin, eyes, mouth or other mucous membranes under normal conditions.

(3) Under very limited circumstances, a Deputy/employee may decline to use this protective equipment; it must be the Deputy's/employee's professional judgment that the use of the equipment would have prevented emergency care, public safety services or would pose an increased hazard to another Deputy/employee. This might occur in temporary and brief circumstances and, if a Deputy/employee makes such a judgment, it is the responsibility of the department to investigate and document whether changes can be instituted to prevent such occurrences in the future.

(4) Mucous membranes will be flushed with water as soon as feasible following contact of such body areas with blood and/or other potentially infectious materials as referenced in Section 2-1-5(c) of this manual.

(5) Eating, drinking, smoking, applying cosmetics or lip balm and handling contact lenses are prohibited in an area where there is reasonable likelihood of exposure as referenced in Section 2-1-6(a) of this manual.

(6) Deputies shall be extremely cautious, utilizing the preceding procedures, when dealing with evidence which might contain potentially infectious materials. These might include, but are not limited to, specimens, vaginal smears, under garments, blood stained clothing, etc. These types of items will be packaged to prevent contamination and leakage during collection, handling, processing, storage, transportation or shipping. Contaminated needles and sharp objects shall not be bent, broken off, recapped or removed, but shall be placed in puncture-resistant and labeled containers. All procedures involving evidence containing blood or other potentially infectious materials shall be performed in such a

manner that minimizes the splashing, spraying, splattering and generation of droplets of these substances.

(c) **PPE Accessibility.** The Sheriff shall ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypo-allergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to those employees who are allergic to the gloves normally provided.

(d) **PPE Cleaning, Laundering and Disposal.**

(1) All personal protective equipment will be cleaned, laundered, and disposed of by the department at no cost to employees. All repairs and replacements will be made by the department at no cost to employees.

(2) All garments, which are penetrated by blood, shall be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area. After removal, the employee will place the contaminated garment in a bio bag and give it to his/her Supervisor for cleaning or disposal.

(3) When PPE is removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

(4) Clothing will be bagged and left with an approved cleaning or disposal service unless needed as evidence.

(5) Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin and mucous membranes, when performing vascular access procedures and when handling or touching contaminated items or surfaces.

(6) Disposable gloves used at this facility are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

(e) **Eye and Face Protection.** Masks and eye protection devices, such as goggles or glasses with solid shields, are not routinely necessary, but will be made available on request if there is a danger of splashes, spray, or droplets of blood or other potentially infectious materials during procedures.

(f) **Additional Protection.** Additional protective clothing (such as lab coats, gowns, aprons, clinic jackets, or similar outer garments) shall be worn in instances when gross contamination can reasonably be anticipated.

Sec. 2-1-9 Housekeeping.

PROCEDURE:

(a) Decontamination will be accomplished by utilizing the following materials:

(1) Tuberculocidal disinfectant i.e. a hospital-grade spray.

(2) One (1) ounce bleach/one (1) gallon water solution.

(3) Non-alcohol hand cleaner.

(b) All contaminated work surfaces will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have become contaminated since the last cleaning.

(c) When a bleach/water solution is utilized, a diluted chlorine bleach solution of one (1) part chlorine to ten (10) parts water will be applied to contaminated surfaces and left in place for at least sixty (60) seconds. Cleaning agents that come in aerosol containers or spray bottles and are advertised as germicides or virus-destroying products will not be used. Alcohol may be used but only on surfaces for which other disinfectants are not recommended.

(d) To the extent possible, disposable cleaning materials, such as sponges and wipe clothes, will be used to clean contaminated areas and equipment.

(e) Personnel involved in cleanup procedures will, at a minimum, wear disposable latex gloves; wearing of masks, protective eye wear, gowns or aprons to further reduce the likelihood that exposed skin and clothing may be contaminated in the cleanup process is strongly recommended.

(f) All bins, pails, cans and similar receptacles shall be inspected and decontaminated weekly.

(g) Any broken glassware, which may be contaminated, will not be picked up directly with the hands.

(h) Equipment carried on vehicles used for emergency responses that may have been used and exposed to the risk of contamination will be disinfected and allowed to thoroughly dry before the equipment is used again.

(i) Following cleanup, gloves and protective clothing worn during the process will be carefully removed and properly disposed of. Personnel involved in the cleanup will wash their hands and other exposed skin areas thoroughly using hot running water and soap for at least thirty (30) seconds before rinsing and drying. If hot water and soap are not available, alcohol or a hand cleaning germicide may be used as a substitute.

Sec. 2-1-10 Regulated Waste Disposal.

PROCEDURE:

(a) **Contaminated Sharps.**

(1) Contaminated sharps shall be discarded immediately in containers that are closable, puncture resistant, leak proof on sides and bottom, and red in color with an appropriate biohazard warning label.

(2) When contaminated sharps containers are being used, they will be placed in an area that is easily accessible to personnel and located in the immediate areas where sharps are used or can be reasonably anticipated to be found. The containers shall be kept upright, not allowed to overfill, and replaced

routinely. Containers of contaminated sharps will be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.

(3) The container shall be placed in a secondary container if leakage of the primary container is possible. The second container shall be closable, constructed to contain all contents, and prevent leakage during handling, storage, and transport or shipping. The second container shall be labeled or colored to identify its contents.

(4) Disposable containers shall not be re-used or cleaned manually which may expose the employee to the risk of percutaneous injury.

(b) **Other Regulated Waste.**

(1) Regulated waste (other than disposable sharps) shall be placed in containers which are closeable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transportation or shipping.

(2) The waste must be labeled or color coded and closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.

(3) Disposal of all regulated waste shall be in accordance with applicable United States, state and local regulations. (The Wisconsin Department of Natural Resources is the controlling agency in Wisconsin.)

Sec. 2-1-11 Laundry Procedures.

PROCEDURE:

(a) Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in appropriately marked (biohazard labeled, or color coded red bags) bags at the location where it was used. Such laundry will not be sorted or rinsed in the area of use.

(b) Laundry will be cleaned at locations designated by the Sheriff.

Sec. 2-1-12 Hepatitis B Vaccine and Post-Exposure Evaluation and Follow-up.

POLICY:

(a) The Sheriff's Office shall make available the Hepatitis B vaccine and vaccination series to all employees who have occupational exposure, and post exposure follow-up to employees who have had an exposure incident.

(b) The Sheriff shall ensure that all medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post exposure follow-up, including prophylaxis are:

(1) Made available at no cost to the employee.

(2) Made available to the employee at a reasonable time and place.

(3) Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed healthcare professional.

(4) Provided according to the recommendations of the U.S. Public Health Service.

(c) All laboratory tests shall be conducted by an accredited laboratory at no cost to the employee.

PROCEDURE:

(a) **Hepatitis B Vaccine/Post Exposure Evaluation and Follow-up.**

(1) The Price County Sheriff's Office shall make available the Hepatitis B vaccine and vaccination series to all employees who have had an exposure incident. All medical evaluations and procedures, including the Hepatitis B vaccine and vaccination series and post-exposure follow-up, including prophylaxis are:

a. Made available at no cost to the employee.
b. Made available to the employee at a reasonable time and place.
c. Performed by a licensed Health Care professional.
d. Provided according to the recommendation of the U.S. Public Health Service.

(2) All laboratory tests shall be conducted by an accredited laboratory at no cost to the employee.

(3) Hepatitis B vaccine shall be made available after an employee has received the training in occupational exposure (see information and training) and within ten (10) working days of initial assignment to a position that is at risk for occupational exposure. Exceptions would be employees who have previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the person is immune, or the vaccine is contraindicated for medical reasons.

(4) Participation in a pre-screening program shall not be a prerequisite for receiving Hepatitis B vaccinations.

(5) If the employee initially declines Hepatitis B vaccination, but at a later date, while still covered under the standard, decides to accept the vaccinations, the vaccine shall then be made available. All employees who decline the Hepatitis B vaccination offered to them shall sign the OSHA required waiver indicating their refusal. If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster doses shall be made available.

(b) **Information Provided to the Healthcare Professional.** The Sheriff shall ensure that the healthcare professional responsible for the employee's Hepatitis B vaccination is provided with the following:

(1) A copy of 29 CFR 1910.1030 (while the standard outlines the confidentiality requirements of the healthcare professional, it may be helpful for the employer to remind the individual of these requirements).

(2) A written description of the exposed employee's duties as they related to the exposure incident.

(3) Written documentation of the route of exposure and circumstances under which exposure occurred.

(4) Results of the source individual's blood testing, if available.

(5) All medical records relevant to the appropriate treatment of the employee including vaccination status.

(c) **Healthcare Professional's Written Opinion.**

(1) The Sheriff shall obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within fifteen (15) days of the completion of the evaluation.

(2) The healthcare professional's written opinion for HBV vaccination shall be limited to whether HBV vaccination is indicated for an employee, and if the employee has received such vaccination.

(3) The healthcare professional's written opinion for post-exposure follow-up shall be limited to the following information:

a. A statement that the employee has been informed of the results of the evaluation.
b. A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

Sec. 2-1-13 Occupational Exposure; Post-Exposure Evaluation.

POLICY:

All exposure incidents shall be reported, investigated and documented. When the employee incurs an exposure incident, it shall be reported to the Sheriff and the employee's Supervisor.

PROCEDURE:

(a) Following a report of an exposure incident, the exposed employee shall immediately receive a confidential medical evaluation and follow-up, including at least the following elements, with a physician assessing the significance of the exposure:

(1) Documentation of the route of exposure, and the circumstances under which the exposure incident occurred.

(2) Identification and documentation of the source individual, unless it can be established that identification is infeasible or prohibited by state or local law.

(3) The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the Sheriff shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented.

(4) When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be required.

(5) Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

(b) Collection and testing of blood for HBV and HIV serological status will comply with the following:

(1) The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.

(2) The employee will be offered the option of having his blood collected for testing of the employee's HIV/HBV serological status. The blood sample will be preserved for up to ninety (90) days to allow the employee to decide if the blood shall be tested for HIV serological status.

(c) All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard. All post-exposure follow-up will be performed by a licensed physician.

COMMENTARY:

All other findings or diagnosis shall remain confidential and shall not be included in the written report.

Sec. 2-1-14 Labels and Signs.

POLICY:

The Sheriff or his/her designee shall ensure that biohazard labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious materials, and other containers used to store, transport or ship blood or other potentially infectious materials.

PROCEDURE:

(a) The universal biohazard symbol shall be used. The label shall be fluorescent orange or orange-red.

(b) Red bags or containers may be substituted for labels. However, regulated waste must be handled in accordance with the rules and regulations of the organization having jurisdiction.

(c) Blood products that have been released for transfusion or other clinical use are exempted from these labeling requirements.

Sec. 2-1-15 Information and Training.

PROCEDURE:

(a) The Price County Sheriff's Office shall ensure that training is provided at the time of initial assignment to tasks where occupational exposure may occur, and that it shall be repeated within twelve (12) months of the

previous training. Training shall be tailored to the education and language level of the employee, and offered during the normal work shift. The training may be interactive or on video and cover the following:

(1) A copy of this policy and an explanation of its contents, and a copy of Part 1910 (amended) of Title 29 of Code of Federal Regulations.

(2) A discussion of the epidemiology and symptoms of blood borne diseases.

(3) An explanation of the modes and transmission of blood borne pathogens.

(4) An explanation of the department's Blood Borne Pathogens Exposure Control Plan and a method for obtaining a copy.

(5) The recognition of tasks that may involve exposure.

(6) An explanation of the use and limitation of methods to reduce exposure, for example engineering controls, work practices and personal protective equipment (PPE).

(7) Information on the types, use, location, removal, handling, decontamination and disposal of PPEs.

(8) An explanation of the basis of selection of PPEs.

(9) Information on the Hepatitis B vaccination, including efficacy, safety, method of administration, benefits, and that it will be offered free of charge.

(10) Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.

(11) An explanation of the procedures to follow if an exposure incident occurs, including the method of reporting and medical follow-up.

(12) Information on the evaluation and follow-up required after an employee exposure incident.

(13) An explanation of the signs, labels and color coding systems.

(b) The person conducting the training shall be knowledgeable in the subject matter.

(c) Employees who have received training on blood borne pathogens in the twelve (12) months preceding the effective date of this policy shall only receive training in provisions of the policy that were not covered.

(d) Additional training shall be provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure.

Sec. 2-1-16 Recordkeeping.

PROCEDURE:

(a) **Medical Records.**

(1) Price County Health & Human Services is responsible for maintaining the following medical records:

a. The date an employee was offered the Hepatitis B vaccine and whether the employee agreed to take the vaccination or declined.
b. Documents from the healthcare provider confirming that an occupational exposure case was reported and the name of the employee.

(2) Price County Health & Human Services will maintain the following records in a confidential manner according to the Price County Health & Human Services confidential records policy.

(3) All employees who have either received or refused the Hepatitis B vaccination including the name and identifying data of the person, dates of the shots, and the name of the person giving the shots.

(4) Medical records shall be maintained in accordance with OSHA Standard 29 CFR 1910.20. These records shall be kept confidential, and must be maintained for at least the duration of employment plus thirty (30) years. The records shall include the following:

a. The name and social security number of the employee.
b. A copy of the employee's HBV vaccination status, including the dates of vaccination.
c. A copy of all results of examinations, medical testing and follow-up procedures.
d. A copy of the information provided to the healthcare professional, including a description of the employee's duties as they relate to the exposure incident, and documentation of the routes of exposure and circumstances of the exposure.

(b) **Training Records.**

(1) The Price County Sheriff's Office shall ensure that proper training is provided at the time of initial assignment to tasks where occupational exposure may occur, and that it shall be repeated within twelve (12) months of the previous training. Annual in-service training may be done via video tape.

(2) The Price County Sheriff's Office shall maintain all training records. These records will be maintained for a period of three (3) years following the training and the following information shall be documented within the training record:

a. Date of training.
b. Class Syllabus (if available).
c. Name and qualifications of person conducting the training.
d. Names of all persons attending the training.

(c) **Availability.**

(1) All employee records shall be made available to the employee in accordance with 29 CFR 1910.20.

(2) All employee records shall be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health (NIOSH) upon request.

(d) **Transfer of Records.** If the facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the Director of COMM shall be contacted for final disposition.

Sec. 2-1-17 Evaluation and Review.

POLICY:

The Sheriff is responsible for annually reviewing Title 2 Chapter 1 Blood Borne Pathogens each January, its effectiveness, and updating this program as needed.

Title 2 ▶ Chapter 2

Communications Procedures

Sec. 2-2-1 Dispatcher Conduct
Sec. 2-2-2 General Dispatcher Procedures
Sec. 2-2-3 Radio Etiquette
Sec. 2-2-4 Radio Communication for Entry and Exiting Squads
Sec. 2-2-5 Telephone Procedures

Sec. 2-2-1 Dispatcher Conduct.

POLICY:

Dispatchers shall:

(a) Be brief on conversation.

(b) Engage in radio conversation that pertains only to official business.

(c) Maintain radio system discipline.

COMMENTARY:

Dispatchers shall be responsible for prompt, efficient and courteous performance of all communication tasks. They shall exercise extreme courtesy and extend maximum consideration, understanding and cooperation to both the public and the members of the department. They must recognize that in many cases they will be the first and, in some instances, the only Law Enforcement contact by many citizens and that good or bad impressions thus gained will influence the attitude of the citizens toward Law Enforcement.

Keeping the operating position clear, orderly and free of traffic for the next Dispatcher results in good teamwork. Upon being relieved by the next Dispatcher, information shall be relayed regarding situations pending and any messages which have been received and which are awaiting answers. Dispatchers shall check the equipment upon taking over the shift to insure that everything is in good working condition. The Dispatcher ending his/her shift will be held responsible for all monies taken on his/her shift.

Sec. 2-2-2 General Dispatcher Procedures.

PROCEDURE:

The following procedures are applicable to Dispatchers:

(a) All radios will be on and only “muted” when the operator is dispatching.

(b) The Dispatcher shall advise the next shift of calls or details which need to be done on that shift.

(c) The Dispatcher shall always keep calm. If the Dispatcher is more excited than the caller, he/she will not be of much help.

(d) The Dispatcher shall not tell people that their calls are being recorded, unless asked.

(e) The Dispatcher shall provide the patrol units with accurate and complete information when sending them on a call.

Sec. 2-2-3 Radio Etiquette.

POLICY:

(a) All Deputies/Dispatchers of this department shall become acquainted with correct radio operation and procedures.

(b) All Deputies/Dispatchers, when using the radio, shall speak in a loud and clear voice so the operator and other units can understand the Deputy/Dispatcher the first time without repeating the message again. All radio conversations shall be limited to Law Enforcement business only. At no time shall a Deputy/Dispatcher use insulting language or conduct business via the radio. Further, Deputies/Dispatchers shall not make snide remarks about complaints, citizens or fellow employees.

(c) Deputies/Dispatchers shall realize that their radios are constantly being monitored by citizens of the community and shall be guided accordingly in their conversations. Recorded tapes may be monitored periodically to see if Deputies/Dispatchers use proper procedures.

(d) Deputies/Dispatchers shall not use the Law Enforcement radio except for official Law Enforcement communications. At no time shall a Deputy/Dispatcher use discourteous, obscene or disrespectful language during the transmission of a radio message.

(e) Deputies shall keep their radios turned on and tuned to the local band unless instructed otherwise or if on a special assignment. Dispatchers shall give Deputies immediate priority on radio calls. Before a Deputy leaves his vehicle, he/she will give a location where he/she can be reached, which shall be acknowledged by the Dispatcher.

(f) Deputies shall advise the Dispatcher whenever an assignment is completed. Deputies shall limit the amount of detailed information given back over the radio to the Dispatcher.

Sec. 2-2-4 Radio Communications for Entry and Exiting Squads.

POLICY:

Deputies will report to the Dispatch Center whenever they enter and leave their squad car. Deputies will be in radio contact with the Dispatch Center at all times while on duty. Deputies shall notify the Dispatcher whenever he/she is unavailable for assignment. The Deputy shall advise of his/her location and reason he/she is unavailable. The Deputy shall advise the Dispatcher immediately upon being available for assignment. The Dispatcher will log the same. Deputies on special assignment may be exempt from this Section upon approval of their Supervisor. The Deputy and the Dispatcher shall use plain words when sending radio transmissions, unless an officer safety issue exists. The use of ten (10) code signals is no longer in compliance with standard radio transmission procedures.

Sec. 2-2-5 Telephone Procedures.

POLICY:

(a) The telephone system within the Sheriff's Office is to be used primarily for business calls.

(b) It is understood department members may need to be in contact with their families for a number of reasons. Calls of a personal nature are not forbidden, however they shall be limited in number and duration as well as to emergency circumstances. Long distance calls of a personal nature shall not be made without direct permission of a Supervisor.

PROCEDURE:

(a) **Answering of Telephone Calls.**

(1) All incoming calls to the department shall be answered in the following manner:

a. "Price County Sheriff's Office" or "Price County Jail".
b. Following with all sworn personnel and corrections officers giving their title and name, and all remaining non-sworn personnel need only give their first name.

(2) Be polite and use "Sir" and Ma'am".

(3) If the caller is to be transferred, ask for their name "May I please ask who is calling". Then announce the call to the person it is directed to and then transfer it.

(4) If the person requested is not available for calls, advise the caller and ask if there is a message to be left. Do not canvas the building personally trying to locate the person being called. Transfer the caller to the voice mail of the person being called.

(b) **Long Distance Calls.**

(1) All persons making long distance calls are to use designated exchanges (lines).

(2) All long distance calls may be verified monthly using the telephone bill.

(c) **Recorded Lines.** All non-administrative telephones are recorded digitally in the Dispatch Center.

(d) **Use of Departmental Cellular Telephones.**

(1) Departmental cellular telephones shall be used solely for the purpose related to the prescribed functions and duties of this department. This includes incoming as well as outgoing calls.

(2) Use of departmental cellular telephones shall be kept to a minimum. The coded radio frequency shall be the primary method of transmitting sensitive assignments and information. The standard radio frequency shall be the primary method of transmitting regular assignments and information.

(3) Whenever a departmental cellular telephone is used for departmental functions said usage shall be indicated on the user's Radio Log. The information shall contain the date and time of the call, the number called or call received from and the reason for the call.

(4) The Sheriff's Office recognizes an unexpected circumstance may occur when an employee may need to make or receive an emergency call to/from his/her family. Any employee using departmental cellular telephones for this reason shall log the usage as indicated in number 3 above.

Title 2 ▶ Chapter 3

Employee Wellness

Sec. 2-3-1 Breastfeeding
Sec. 2-3-2 Pregnancy

Sec. 2-3-1 Breastfeeding.

POLICY:

In recognition of the well documented health advantages of breastfeeding for infants and mothers, Price County provides a supportive environment to enable breastfeeding employees to express their milk during work hours. This includes a department-wide lactation support program administered by Price County Health & Human Services.

Price County subscribes to the following worksite support policy. This policy shall be communicated to all current employees and included in new employee orientation training.

(a) **Company Responsibilities.** Breastfeeding employees who choose to continue providing their milk for their infants after returning to work shall receive:

(1) **Milk Expression Breaks.** Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and meal times. For time that may be needed beyond the usual break times, employees may use accrued benefit time, leave without pay or may make up the time as determined by their supervisors.

(2) **A Place to Express Milk.** A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. The location of the room may include other options than those currently in place so long as the additional option is mutually acceptable to both the employee and employer. Employees may use their own cooler packs to store expressed breast milk, or may store milk I a designated refrigerator/freezer. Employees should provide their own containers, clearly labeled with name and date. Those using the refrigerator are responsible for keeping it clean.

(3) **Education.** Prenatal breastfeeding classes and prenatal and postpartum information materials are available for all mothers and fathers, as well as their partners. These may be obtained from Price Co Health & Human Services.

(4) **Staff Support.** Supervisors are responsible for alerting pregnant and breastfeeding employees about the department's worksite lactation policy, and for implementing policies and practices that may assist to

facilitate each employee's infant feeding goals. Employee orientation will include information about the department's breastfeeding policy. The department's breastfeeding policy will be communicated to current staff.

(b) **Employees Responsibilities.**

(1) **Communication with Supervisors.** Employees who wish to express milk during the work period shall keep supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the department.

(2) **Maintenance of Milk Expression Areas.** Breastfeeding employees are responsible for keeping milk expression areas clean, using anti-microbial wipes to clean area. Employees are also responsible for keeping the general lactation room clean for the next user. This responsibility extends to all designated milk expression areas.

(3) **Milk Storage.** Employees should label all milk expressed with their name and date collected so it is not inadvertently confused with other employee's milk. Each employee is responsible for proper storage of her milk.

(4) **Use of Break Times to Express Milk.** When more than one breastfeeding employee needs to use the designated lactation room, employees may be required to work together to allow each employee the opportunity for milk expression times which best meet their needs. Prior to use of the room, employees should knock to ensure the privacy of any other nursing mother present.

Sec. 2-3-2 Pregnancy.

PURPOSE:

The goal of this policy is to provide options that allow for an officer to remain working in a full-time capacity and performing full-duty assignments, in combination with alternative duty assignments, for as long as reasonably possible. This policy seeks to ensure a woman's right to work free from discrimination and to protect the property interest she has in her job, while guarding against the risks inherent in the performance of her duties.

POLICY:

This agency recognizes that its diverse workforce is a valuable asset and that trained and experienced female officers are a critical resource. Pregnancy is a temporary physical condition, unique to women, which may or may not affect an employee's ability to perform many of the usual duties of her job classification. This policy establishes procedures to modify full-duty assignments and, when available, provide temporary, alternative duty assignments to eligible pregnant officers when they are unable to safely perform all of the essential functions of their normal assignments.

PROCEDURE:

(a) General Guidelines:

(1) This policy applies to all female officers who have successfully met entry-level probation requirements.

(2) This policy is not intended to interfere with or diminish any rights or privileges to which an employee may be entitled under federal, state, or local law and any other agency policy or collective bargaining agreement.

(3) If an employee is unable to work in any capacity due to medical complications, existing leave policies will apply.

(b) Notification Procedures. For public safety and management planning purposes, an officer who becomes pregnant shall notify the Sheriff or an authorized designee of the pregnancy immediately upon confirmation and decision to continue the pregnancy. Written documentation must be provided by a medical practitioner, including an anticipated due date, if possible. The Sheriff should maintain this information as confidential, to the extent permitted and/or required by law. However, this information may also be provided to Supervisory Staff as necessary to comply with this policy.

(c) Full-Duty Option.

(1) During a pregnancy, an officer may be able to continue to work in her usual, full-duty assignment until some point during the second trimester of the pregnancy. Employees must confer with their personal physicians, providing him/her with the agency's job description that delineates the essential job functions of an officer and a copy of this policy. The employee shall, at her discretion, make a request in writing for a change in duty assignment, if desired. It would also be beneficial for the physician to review the "Pregnancy" chapter of the ACOEM (American College of Occupational and Environmental Medicine) Guidance for the Medical Evaluation of Law Enforcement Officers.

(2) Both the physician and the employee are expected to consider the risks and benefits of remaining on a full-duty status. The agency shall not require an officer to accept a maternity duty assignment at this stage or to take leave, absent a compelling medical or public safety reason.

(3) The agency will make every reasonable effort to avoid assigning full-duty pregnant employees to a call for service in which the work involves the high likelihood of encountering toxic chemicals, such as raids on clandestine drug labs or intensive traffic enforcement. Assignment of pregnant employees to units in which the work involves a high likelihood of suffering trauma should also be avoided.

(4) During the officer's pregnancy, the agency should seek a temporary exemption from firearms qualification requirements, whether those requirements arise from state law or agency regulation. If an exemption is not available, the agency shall arrange for alternative firearms qualification, such as provided non-toxic, lead-free ammunition, and reducing exposure to noise and toxic cleaning solvents. Simulation training and testing should be considered as a preferred alternative to live-fire qualification, if reasonably available.

(5) The need for uniform and equipment modifications during the pregnancy will be considered, and accommodations shall be made to the extent possible.

(6) During the pregnancy, it may become necessary for this agency to evaluate the employee's continuing ability to safely and effectively perform the essential functions of her position. In such a case, the agency may consider whether the pregnancy creates an undue safety risk to the employee, co-workers, and/or the public. The agency may consult with the agency physician and/or the employee's physician in making this evaluation. If the agency determines that the employee's condition unreasonably interferes with her ability to perform in a full-duty capacity, she may be reassigned to maternity duty, as described below in Sec. 2-3-2(d). Absent unusual circumstances, the employee will not be required to take leave.

(d) Maternity Duty.

(1) During a pregnancy, upon written recommendation of a physician, an employee may request a temporary reassignment to alternative duty. This assignment is referred to as "maternity duty" and is an alternative to the full-duty option described in Sec 2-3-2(c) above. Generally, maternity duty will commence at some point during the second trimester.

a. Maternity duty will not include work that involves the high likelihood of encountering toxic chemicals, such as raids on clandestine drug labs or intensive traffic enforcement, or work that involves a high likelihood of suffering trauma.
b. Absent specific medical considerations, employees working maternity duty shall continue in a full-time working status. Consideration will be given to allowing for part-time assignments of employees whose medical condition may warrant such accommodation.
c. The need for uniform and equipment modifications during maternity duty will be considered and accommodations should be made to the extent possible.
d. An officer working in a maternity duty status may retain possession of an agency-issued firearm. The qualification modifications described in Sec. 2-3-2(c)4 apply.

(2) Maternity Duty – Defined.

a. Maternity duty may consist of, but is not limited to, the following:

1. Nonhazardous assignments.
2. Writing reports.
3. Telecommunications.
4. Clerical functions.

b. Maternity Duty assignments should avoid the following:

1. Alternating shift work.
2. Defensive tactics or defensive tactics training.
3. Firearms training.
4. Patrol duties.
5. Extensive exposure to automobile exhaust fumes such as may be experienced with intensive traffic control/toll plaza/tunnel duty.
6. Standing for more than thirty (30) minute intervals.
7. Lifting of more than twenty-five (25) pounds.

8. Exposure to high concentrations of toxins, chemical or infectious agents, or controlled dangerous substances.

(3) The agency will consider any specific restrictions identified by the employee's physician. Temporary reassignment of eligible pregnant members to maternity duty will be made consistent with the operational needs of the agency.

(e) Continuing Evaluation.

(1) Any evaluation made by the agency's medical advisor under this policy shall be limited to a review of the employee's medical records, which must be provided by the employee, and consultation with the employee and/or her physician. The agency's medical advisor will not routinely examine the employee for pregnancy-related matters. In rare instances where medical records supplied by the pregnant employee are deemed insufficient to make a determination as to assignment, the agency's medical advisor may recommend that the pregnant employee be examined by a obstetrician-gynecologist or by a physician knowledgeable about obstetrics.

(2) Pregnant employees shall be permitted to work as long as they are able to perform their jobs and will not be subjected to special procedures to determine their ability to work. If an employee becomes unable to perform the functions of her maternity duty assignment, the agency may require her to take leave, in compliance with the Family and Medical Leave Act and other applicable law. If an officer has been temporarily absent from work as a result of a pregnancy-related condition and she recovers, she shall not be required to remain on leave until the baby's birth.

The employee may elect to take such leave if medically warranted and in conformance with applicable employer regulations and procedures. The pregnant employee shall be treated the same as any other employee voluntarily seeking leave and/or sick pay because of any other physical condition.

(f) Return to Work after Maternity Leave.

(1) Employer's Responsibility. When an employee returns to duty after an extended absence of thirty (30) calendar days or more, the employee's commanding officer shall meet with the employee and conduct a reintegration interview. From that interview, a reorientation program shall be developed for the individual employee, if necessary, which takes into consideration the unique circumstances of the particular employee. For example, an officer returning from maternity leave may have been exempt from firearms qualification for approximately one year. In such cases, the officer's reintegration program should include firearms training/qualification prior to being assigned to the field.

(2) Employee's Responsibility. When an employee who has been out on an extended absence of thirty (30) calendar days or longer due to pregnancy plans to return to work, she shall do the following:

a. Request to meet with her commanding officer immediately upon returning to work.
b. Provide documentation of medical fitness for duty, subject to review by the agency's medical advisor.
c. Assist her commanding officer in identifying her individual needs, which may or may not include accommodations needed for lactation, such as a private room and use of a refrigerator, and limiting exposure to toxic levels of heavy metals and other chemicals.

d. Accomplish all reintegration tasks as directed by her commanding officer.

Title 2 ▶ Chapter 4

Employment and/or Retention of Employees with AIDS (Acquired Immune Deficiency Syndrome)

Sec. 2-4-1 Scope of Policy
Sec. 2-4-2 Employment Applications and Pre-Employment Screening
Sec. 2-4-3 Policies Applied to Departmental Personnel
Sec. 2-4-4 Exposure to HIV in the Performance of Department Duties
Sec. 2-4-5 Refusal to Perform Duties

Sec. 2-4-1 Scope of Policy.

POLICY:

(a) The purpose of this policy is to establish department rules governing the treatment of:

(1) Individuals diagnosed as having AIDS (Acquired Immune Deficiency Syndrome) and seeking employment with the department.

(2) Employees diagnosed as having AIDS subsequent to their employment by the department.

(b) This policy applies to all employees of the Price County Sheriff's Office as well regarding applicants seeking employment with the department.

COMMENTARY:

There are differences of opinion regarding whether employees having or contracting AIDS are protected from discriminatory employment practices under Section 504 of the Vocational Rehabilitation Act of 1973. In a 1986 legal opinion, the U.S. Department of Justice held that employees with AIDS were not protected under federal laws governing employment of the handicapped unless they suffer "disabling effects" from the disease. On the other hand, the Office of Civil Rights, U.S. Department of Health and Human Services, ruled that even a nurse diagnosed as having AIDS could not be barred from continuing to work in a health care facility. Citing provisions of the 1973 Vocational Rehabilitation Act, federal courts have acted to protect teachers with AIDS or other contagious diseases, such as tuberculosis, from discriminatory actions taken by their employers.

Some states have enacted special laws to protect the rights of individuals with AIDS. Sec. 103.15(2), Wis. Stats., prohibits employers from asking or requiring a prospective employee to undergo testing to determine the absence or presence of the AIDS antibody; Wisconsin employers may not "affect the terms, conditions, or privileges of employment or terminate the employment of any employee who obtains a test for the presence of an antibody to (AIDS)".

In the performance of their duties, Law Enforcement personnel, along with emergency medical and fire service personnel, may incur a risk of exposure to and infection with the HIV virus that can cause AIDS, infection resulting from other than casual contact with individuals having AIDS or infection resulting from cuts or punctures received in handling contaminated objects. The department's adoption of a policy on the employment and/or the retention of personnel diagnosed as having AIDS anticipates the determination that AIDS is a handicapping condition entitling the employee affected to protection from discriminatory practices in the work place. The department's policy is intended to establish the responsibilities of the department, as well as the rights and responsibilities of current and prospective employees who may be diagnosed as having AIDS.

Sec. 2-4-2 Employment Applications and Pre-Employment Screening.

POLICY:

(a) No applicant for employment will be asked if he/she has ever been diagnosed as having AIDS or AIDS Related Complex. (AIDS Related Complex, or ARC, involves having a disease caused by the same virus that causes AIDS and prompts the onset of a life-threatening illness, such as the rare form of cancer called Kaposi's sarcoma, used as a basis for determining that an individual has a bona fide case of AIDS.)

(b) No applicant for employment will be asked if he/she has ever been tested for the presence of the HIV antibody or has undergone other tests to determine if he/she has AIDS.

(c) No applicant for employment will be asked or directed to undergo testing to determine the absence or presence of the HIV antibody as a condition of being considered or selected for employment by the department.

Sec. 2-4-3 Policies Applied to Departmental Personnel.

POLICY:

Employees diagnosed as having AIDS or having been infected with HIV will be afforded the same rights and protection as extended to employees with a handicapping condition as defined under the Vocational Rehabilitation Act of 1973.

PROCEDURE:

(a) Employees diagnosed as having AIDS or infected with HIV will not be involuntarily discharged, suspended, placed in a leave status, or disciplined for reasons of having the disease or the HIV infection.

(b) Employees diagnosed has having AIDS or infected with HIV will not be involuntarily assigned to other duties, segregated from other employees, or restricted in their use of department equipment and facilities, including showers, toilets, and drinking fountains.

(c) Employees diagnosed as having AIDS or infected with HIV may request and will usually be granted leaves of absence consistent with policies and rules governing paid and unpaid leaves to which all employees are entitled.

(d) Employees diagnosed as having AIDS who find that their capacity to perform assigned duties is impaired may request that reasonable accommodations be made on their behalf; the department will act on such requests consistent with the requirements imposed on employees under the Vocational Rehabilitation Act of 1973.

(e) The department will act promptly in providing appropriate counseling services for the benefit of employees when an employee is diagnosed as having AIDS or infected with HIV.

Sec. 2-4-4 Exposure to HIV in the Performance of Departmental Duties.

POLICY:

The department's policy for responding to situations, which may result in the exposure of employees to HIV, is outlined in a separate policy. The policy calls for incorporating, as part of the department's training program for both uniformed and civilian personnel, the discussion of AIDS as a disease, its transmission and specific procedures intended to protect departmental personnel whose duties may place them at risk for being infected with HIV. The policy also outlines reporting requirements employees exposed to HIV are expected to follow to protect their rights as employees.

Sec. 2-4-5 Refusal to Perform Duties.

POLICY:

(a) No employee may refuse to perform his/her assigned duties based solely on a personal belief that, in performing an assigned duty, he/she may risk being infected with HIV. This includes, but is not necessarily limited to duties associated with:

(1) Providing emergency medical treatment.

(2) Arresting, searching, transporting, or processing individuals.

(3) Handling physical evidence.

(b) Refusal to perform assigned duties on a belief that an employee may contract AIDS will be regarded as a refusal to perform duties in the absence of evidence showing that a clear and present danger to an employee's health or safety exists and appropriate disciplinary action may be taken.

Title 2 ▶ Chapter 5

General Policies Governing Conduct

Sec. 2-5-1 Conduct Unbecoming an Officer
Sec. 2-5-2 Professional Conduct and Responsibilities Generally
Sec. 2-5-3 General Regulations
Sec. 2-5-4 Misuse or Abuse of Official Position or Authority
Sec. 2-5-5 Display Badge, Name or Present Identification Upon Request
Sec. 2-5-6 Cooperation with Other Members of the Department in Performance of Official Duties
Sec. 2-5-7 Insubordination
Sec. 2-5-8 Use of Profane or Insolent Language Prohibited
Sec. 2-5-9 Policy on Bribes and Gifts
Sec. 2-5-10 Violations of Criminal Law
Sec. 2-5-11 Miscellaneous Prohibited Conduct
Sec. 2-5-12 Conflicting or Unlawful Orders
Sec. 2-5-13 Use of Tobacco
Sec. 2-5-14 Harassment
Sec. 2-5-15 Sexism and Racism Prohibited
Sec. 2-5-16 Mishandling Law Enforcement Records
Sec. 2-5-17 Misuse of Departmental Property
Sec. 2-5-18 Misappropriation of Private Property
Sec. 2-5-19 Use of Intoxicants or Drugs
Sec. 2-5-20 Morality
Sec. 2-5-21 Required Reports
Sec. 2-5-22 Changes in or Release of Address or Telephone Number
Sec. 2-5-23 Interfering with Legal Process
Sec. 2-5-24 Conflicts of Interest
Sec. 2-5-25 Off-Duty Employment
Sec. 2-5-26 Political Activities
Sec. 2-5-27 Use of Safety Belt Harnesses
Sec. 2-5-28 Reporting for Duty
Sec. 2-5-29 Call-In Procedure
Sec. 2-5-30 Temporary Appointment Authority
Sec. 2-5-31 Department Keys
Sec. 2-5-32 Departmental Mailboxes

Sec. 2-5-33 Weapons and Personal Lockers

Sec. 2-5-1 Conduct Unbecoming an Officer.

POLICY:

In general, the policies of this Chapter regulate the conduct of Corrections Officers and employees of the Price County Sheriff's Office while on or off duty, in uniform or not. The policies of this Chapter regulate any conduct or action by a member of the department on or off duty that will bring disrespect, ridicule, or justifiable criticism on members of the department, County of Price and yourself in general.

Sec. 2-5-2 Professional Conduct and Responsibilities Generally.

POLICY:

(a) Members and employees of the Price County Sheriff's Office shall conduct their private and professional lives in such a manner to foster public respect and confidence in the department.

(b) Loyalty to the department and to associates is an important factor in building morale and efficiency. Members and employees shall maintain a loyalty to Price County, the Sheriff's Office and their associates as is consistent with the law and professional ethics.

(c) All members are required to take appropriate action toward aiding a fellow employee exposed to danger or in a situation where danger might be impending.

(d) Members of this department shall not act in such a manner which deprives any person of the equal protection of the law.

(e) Members of this department shall not be overbearing, oppressive, or tyrannical in their relations with members of the public.

(1) This regulation includes within its prohibition all clearly recognizable actions, which serve to foster disrespect for the department and its members. Actions are clearly recognizable if they constitute gross breaches of public support. Examples of gross breaches of public support include:

a. Unreasonable orders given to citizens;
b. Any threats to use authority not clearly available to the member when the threat is made.

(2) Employees shall be as courteous as reasonably possible to the public. Employees shall be tactful in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees shall not use vulgar, violent, profane, or insolent language or gestures and shall not express any prejudice concerning race, religion, politics, national origin, life style, or similar personal characteristics.

(3) Employees must be civil and at the same time not subservient to the public. Proper conduct is not a sign of weakness, but a display of professionalism.

(**Note:** These examples are only illustrative – they are not intended to be all-inclusive.)

(f) Supervisory staff shall not act to exhibit disrespect for subordinate members of the department. This policy is intended to prohibit the overt action or communication that directly displays a Supervisor's disrespect towards a member of this department. To be a direct display, the action must occur during a subordinate-superior transaction or immediately thereafter.

(g) Members of this department shall not ignore flagrant violations of the law, which might come to their attention through citizen complaints, by their own observation, or through their own investigation.

(h) Members of the department shall properly respond to assignments or suspicious circumstances without delay.

(1) Proper response to an assignment dictates the initial response to be carried out with necessary and reasonable dispatch. Any member of this department who fails to take appropriate action on matters brought to his or her attention is guilty of dereliction of duty.

(2) Gross neglect is distinguished from mere mistake or poor judgment, as it consists of willful neglect in the face of obvious conditions warranting investigation, intervention, or other action.

(i) Members of this department shall refrain from engaging in any activity, which does not pertain to departmental business while that member is on duty, unless prior permission has been given by a Supervisor.

(j) Deputies and other department employees shall avoid regular or continuous association or dealings with persons whom they know, or are expected to know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the Corrections Officer.

PROCEDURE:

Whenever a Correction Officer observes or learns of the conduct of another civilian employee or Deputy which is a serious violation of any of these rules, he/she shall take the necessary action and report the incident to his/her immediately Supervisor who shall forward it to the Sheriff (except for oral reprimand actions via chain of command). In the event a Supervisor committed misconduct observed, the Corrections Officer shall forward a report of the same to the Sheriff via sealed envelope.

No department member shall be disciplined, ridiculed, or harassed for complying with this procedure when such compliance is made in good faith and belief the conduct observed or discovered meets the requirements set out above.

Sec. 2-5-3 General Regulations.

(a) The Price County Sheriff's Office is charged with preservation of the peace, enforcement of the law, and protection of life and property.

(b) While on duty, Corrections Officers shall be alert, efficient, businesslike, and neat before the public.

(c) No member of the department shall sleep while on duty. The only exception will be in times of emergency where a Corrections Officers is required to remain on duty for an unlimited period of time.

(d) No member of the Sheriff's Office will show disrespect to, or willfully mistreat any citizen.

(e) No Corrections Officer shall publically criticize the official actions of another department member or engage in any public activity, conversation, deliberation, or discussion, which is derogatory to the department.

(f) Members of the department shall not act in an immoral, indecent, lewd, or disorderly manner.

(g) No Corrections Officer shall fail to give evidence before any court of record, coroner's inquest, or before any governmental administrative body when properly called upon to do so.

(h) Department members are expected to honor all just debts both public and private.

(i) Department members shall not smoke in public view while on duty unless in the area designated by the Sheriff.

(j) Department members shall not smoke in Price County buildings or motor vehicles.

(k) Department members shall not use non-smoking tobacco products in a manner offensive to the public or other members of the department or deleterious to the surroundings or departmental property or equipment.

Sec. 2-5-4 Misuse or Abuse of Official Position or Authority.

STATEMENT OF PURPOSE:

In recognition of the power, authority, and trust vested by the public in the Sheriff's Office, the following policies are established to prevent misuse of that power, authority, and trust. Corrections Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Unsatisfactory performance under this Section might be demonstrated by an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established; the failure to take appropriate action on the occasion of disorder or other condition deserving Law Enforcement attention; or absence without leave. Repeated poor evaluation or a written record of repeated infractions of rules, regulations, directives, or orders of the department shall also be considered unsatisfactory performance.

POLICY:

(a) **Misuse of Authority.** No department member shall use his/her official position or authority for any purpose outside his/her official duties.

(b) **Referrals.** A department member shall not recommend to any person or prisoner any attorney, counsel, bondsman, or any other professional service as a result of any information or connection gained through his/her official duties. Members of this department shall not recommend to any prisoner the employment of any particular person as his/her attorney or counselor, or suggest the name of any lawyer or person to a prisoner with a view to his/her defense; nor shall they either directly or indirectly interfere or interest themselves in any manner whatever in the employment of any attorney to aid any potential litigant.

(c) **Aiding Circumvention of Prosecution.** No department member shall take part or concern him/herself, directly or indirectly, in making or negotiating any compromise between a criminal or suspected criminal and his/her victim with the object of enabling the criminal or suspect to circumvent prosecution or penalty for his/her act.

(d) **Confidential Information.** No member or employee of the department shall give any person information regarding any case or accident, which cannot be gained legally through regular or official channels. Employees of the department shall not discuss, publish, or relate in any manner, any confidential business, occurrence, policy, procedure, or action of the department, to any persons or organizations outside the department without the approval of the Sheriff. Corrections Officers shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures. Department members might remove or copy official records only in accordance with established departmental procedures.

(e) **Cases Involving Family Members.** Corrections Officers shall not investigate in cases where they themselves are a party involved in the incident, either directly or by familial relationships. Familial relationship is intended to include, but are not limited to, father-in-law, mother-in-law, stepbrothers or sisters, grandparents, uncles, aunts, brother and sisters-in-law. In the event the Corrections Officer is uncertain regarding a relationship, he/she will contact a Supervisor.

(f) **Departmental Correspondence.** No employee shall send out any letter relative to department matters except with the approval of the Sheriff, Chief Deputy, or other Supervisor. Correspondence required by statute or Price County Ordinance is deemed approval. The department member requiring such correspondence shall request one of the Administrative Assistants following established procedures to prepare the document.

(g) **Civil Cases.** Corrections Officers shall not render assistance or advice in civil cases. Corrections Officers may; however, pursue civil litigations concerning their own matters or under subpoena.

(h) **Testifying in Civil Cases.** Department members shall not testify in civil cases unless legally subpoenaed to do so, or in the pursuit of their own matters.

(i) **Departmental Stationery.** Employees shall not use departmental letterhead for private correspondence.

(j) **Transmission of Communications.** Any member or employee receiving a written communication for transmission to a higher command shall, in every case, forward such communication. A member receiving a communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval, or acknowledgment.

(k) **Department Mailing Address.** Members and employees shall not use the department as a mailing address for private purposes without a Supervisor's approval. The department address shall not be used on any Deputy's motor vehicle registration or operator's or commercial driver's license.

(l) **Interfere with Legal Process.**

(1) Members and employees shall not interfere with the proper administration of criminal justice and shall not interrupt legal process except where a manifest injustice might otherwise occur; not participate in, or be concerned with any activity, which might interfere with the process of law.

(2) Employees shall submit all necessary reports on time and in accordance with established departmental procedures.

(3) Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false or improper information, wrongfully alter, conceal, destroy, mutilate, obliterate, remove or steal any record of the Sheriff's Office.

(m) **Assisting Criminals.** Members and employees shall not communicate in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which might enable them to dispose of or secrete evidence of unlawful activity or money, merchandise, or other property unlawfully obtained.

(n) **Furnishing Bail.** Members and employees shall not act as bailers for any person in custody, except relatives, except with the approval of the Sheriff, and in no case where any fee, gratuity, or reward is solicited or accepted.

(o) **Criminal Complaints Regarding Injuries or Damages.** All criminal complaints against persons for injuries or damages incurred during the conduct of duty must be brought to the attention of the Sheriff or Chief Deputy.

(p) **Property in Corrections Officer's Possession.** No employee shall neglect to properly secure property which has been confiscated or which has otherwise come under the employee's care, or wrongfully appropriate the same or convert it to personal use.

(q) **Use of Department Facilities as Rent Depository.** The Sheriff's Office shall not be used as a collection agency, or as a depository, for employees who have rental property. Department members who are property owners shall not conduct personal business while on duty.

(r) **Conformance of Laws.** Department members, whether on or off duty, shall obey all laws of the United States and of any state and local jurisdiction in which the Corrections Officers are present.

(s) **Neglect of Duty.** Employees shall not engage in any activities or personal business, which would cause them to neglect or be inattentive to duty.

(t) **Fictitious Illness or Injury Reports.** Department members shall not feign illness or injury, falsely report themselves ill or injured, or intentionally cause themselves to be injured, or otherwise deceive or attempt to deceive any official of the department regarding the condition of their health.

(u) **Leaving Duty Post.** Employees shall not leave their assigned duty posts during a tour of duty, except when authorized by a Supervisor.

(v) **Visiting Prohibited Establishments.** Employees shall not knowingly visit, enter or frequent a house of prostitution, illegal gambling house, or establishment wherein the laws of the United States, the state, country or the local jurisdiction are regularly violated.

(w) **Gambling.** Department members shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a Supervisor.

(x) **Use of Medical Examination, Photographs, and Lineups.** Upon the order of the Sheriff, or the Sheriff's designee, Corrections Officer shall submit to any medical, ballistics, chemical, drug, or other tests, photographs or lineups. All procedures carried out under this Section shall be specifically directed and narrowly related to a particular internal investigation being conducted by the department and shall be carried out in conformance of department policy and procedure.

(y) **Citizen Aid.** Corrections Officer shall not request the aid of any citizen to have him/her restored to any assignment or detail from which he/she has been removed by the order of the Sheriff, Chief Deputy or other Supervisor, or to have him/her promoted to a higher position in the department. Should he/she desire such transfer, restoration, or promotion, he/she may make written request to the Sheriff thereto.

(z) **Funds.** Employees shall, on every occasion when receiving any sum of money from any person, give written receipt thereof, signing their full name, noting the date and the amount received.

Sec. 2-5-5 Display Badge, Name or Present Identification Upon Request.

POLICY:

In order to assure maximum safety and public cooperation to department personnel while pursuing their duties, and at the same time provide the public safety from unauthorized inquiry, or detention, this department has issued proper identification to all members of the department. Corrections Officers shall carry their identification cards on their persons at all times while on duty. The official item of identification is a photo identification card issued and signed by the Sheriff. The badge is a symbol of office and not intended as a sole means of identification.

PROCEDURE:

(a) **Carrying of Proper Identification.**

(1) Every Corrections Officer of the department shall, at all times when in regular uniform, wear in a visible position on the left breast of the outermost garment his/her badge. The only exception to this rule is a situation where Supervisory personnel feel the badge may be removed to protect the Corrections Officer from violence or prevent the badge from being lost or stolen.

(2) While on duty, employees of the Sheriff's Office shall give his/her name, or present his/her official identification upon the request of any citizen except in special cases where to do so would create danger to the employee or to the public.

(b) **Improper Use of Official Position or Identification.** Department members shall not use their official position, official identification cards or badges:

(1) For personal or financial gain.

(2) For obtaining privileges not otherwise available to them except in the performance of duty.

(3) For avoiding consequences of illegal acts.

(c) **Use of Name, Photograph, or Title.**

(1) Department members shall not authorize the use of their names, photographs or official titles which identify them as Deputies in connection with testimonials or advertisements of any commodity or commercial enterprise unless authorized by the Sheriff or Chief Deputy.

(2) Department members shall not lend to another person their Law Enforcement identification cards or badges or permit them to be photographed or reproduced without the approval of the Sheriff or Chief Deputy.

Sec. 2-5-6 Cooperation with Other Members of the Department In Performance of Official Duties.

STATEMENT OF PURPOSE:

Cooperation by department members is essential in the uniform attempt to reach department objectives, conserve time, and prevent duplication of effort. Therefore, violation of the following might lead to disciplinary action.

POLICY:

(a) Any department member or employee of this department who comes into possession of information regarding any offense, which comes under the jurisdiction of the department, and fails to act or transmit such information to the proper authority shall be guilty of a violation of this Section.

(b) No member of this department shall fail to cooperate with all members of the department by withholding information regarding any Law Enforcement matter for personal benefit, gain, or because of spite or selfishness.

(c) No member of the department shall alter or cause to be altered any case reports for the purpose of misleading, discrediting, or impeding the investigation efforts of other members of the department.

(d) No member of the department shall fail to prepare required correspondence, reports, and records relating to the activities of the department.

Sec. 2-5-7 Insubordination.

STATEMENT OF PURPOSE:

The fulfillment of duties, as well as the reputation of the department and its members, shall always be uppermost in the employee's mind. Personal disagreements and arguments between Supervisors and subordinate members, especially in public, can only lead to a breakdown in discipline and efficiency. The failure to show proper respect for the authority and rank of commanding Supervisors or officials constitutes insubordination as set forth by the following rules.

POLICY:

(a) Disrespect by action or language toward any Supervisor will not be tolerated.

(b) Criticism of a superior or of his/her orders shall not be made publicly, except as part of an official inquest or in a court of law.

(c) Complaints regarding a Supervisor shall be made through the proper chain of command for disposition.

(d) Disobedience of lawful order or directive, written or oral, constitutes insubordination.

(e) Members and employees in doubt regarding the nature or details of their assignment shall seek such information from their Supervisors by going through the chain of command.

(f) All department members and employees of the department shall perform their duties as required or directed by law, departmental rules, policies, or orders of Supervisors.

(g) All lawfully required duties shall be performed promptly.

(h) Insubordination by manner as well as by action will not be tolerated.

COMMENTARY:

This department recognizes that its members retain rights to expression and freedom of speech granted by the Constitution whether on or off duty. However, these rights must not allow for conduct, which is disruptive of the proper function of the public's business. Generally, conduct within the prohibition of this regulation includes open public statements or overt actions as opposed to private forms of expression and conversation. Further, more general statements of criticism fall outside the scope of this regulation, while specific criticism of specific employees, orders, or operations, falls within the scope of this policy.

Sec. 2-5-8 Use of Profane or Insolent Language Prohibited.

STATEMENT OF PURPOSE:

Any member or employee of this department who uses abusive, vulgar, profane, or insolent language to any other member or employee of the department, or to the public, may be in violation of this Section.

POLICY:

(a) Corrections Officers and department employees shall not use language of a derogatory, racially offensive, sexually degrading, vulgar, abusive or of a profane nature.

(b) Every department member shall cultivate a calm, businesslike, courteous, professional, and helpful manner in all his/her dealings with the public and members of this department.

Sec. 2-5-9 Policy on Bribes and Gifts.

STATEMENT OF PURPOSE:

Members of this department hold in trust the faith of the public and the expectation of honesty and the highest moral and ethical behavior. With the above thought in mind, the following policy is established.

POLICY:

No member of this department shall accept, or shall allow to be accepted for him/her by any member of his/her family, any gift, gratuity, loan, fee, reward, or any other thing of value or reduced or special "Law Enforcement" prices or receive any special advantages as a result of employment as a member of this department, such not being equally available to members of the general public.

(a) No Corrections Officer or other member of this department shall use his/her position for personal gain.

(b) No Corrections Officer or other member of this department shall accept extra compensation of any kind from any person for services rendered as part of his/her duties.

(c) Whenever any person offers anything to any Corrections Officer or member of this department in an attempt to influence the actions of such Corrections Officer or employee in any Law Enforcement matter, such person shall be immediately arrested for attempted bribery.

(d) Except for recognized civic organizations, no member of this department, while on duty, shall give testimonials, collect or receive money, circulate subscriptions, papers or books, and shall not sell tickets for any purpose whatsoever, except that money posted for bail or bond may be collected and received.

(e) No member of this department shall accept, either directly or indirectly, any article whatsoever, whether as a gift or as a result of purchase or trade for services rendered as part of their duties. This prohibition includes the acceptance of free cups of coffee presented to a café or restaurant or food purveying establishment; it includes the acceptance of any free beer, liquor or other malt or vinous beverage in any quantity whatever, and includes any and all other types of merchandise not previously specifically identified. This regulation will not preclude or prevent any member of this department from accepting a breakfast, lunch or dinner, or any form of gift of reasonable value from any service club, church-sponsored organization, fraternal organization, or other nonprofit organization legally founded under the laws of the State of Wisconsin when such meal or gift is offered the Corrections Officer as a guest of the organization or in consideration for some special extra duty function that he/she has performed for the benefit of all the members of the above organization, or reward for extra duty activities that had been devoted to the interest of the citizens of the County. This Section will not apply to discounts offered by any bona fide organization an employee belongs to or would be eligible for if he/she was not a Corrections Officer.

(f) Any unauthorized gifts, gratuity, loan, fee reward, or other thing falling into these categories coming into the possession of any member or employee shall be forwarded to the department, together with a fully detailed report regarding the circumstances surrounding the possession of any such unauthorized item(s).

(g) No department member shall receive either directly or indirectly any article or gift, or as a result of purchase or trade, which is suspected of having been illegally obtained by a vendor.

(h) Except for authorized charitable activities, no department member shall solicit or accept free admission to theaters or other places of amusement or entertainment for themselves or others. This provision shall include attendance at any athletic event, which is subject to an admission fee.

(i) Any Corrections Officer or department employee who has questions whether something is "of value" as intended in this policy should consult with the Sheriff for clarification.

Sec. 2-5-10 Violations of Criminal Law.

POLICY:

(a) An employee of the Sheriff's Office found guilty of a crime defined as a Class A misdemeanor or any felony shall be subject to immediate dismissal from the department.

(b) An employee of the Sheriff's Office guilty of a crime defined as a Class B (or lesser) misdemeanor shall be subject to disciplinary action.

(c) Failure to submit immediately a written report to the Sheriff or Chief Deputy that a Corrections Officer or any member of the department is under investigation by any Law Enforcement agency and the reason thereof, shall make the Corrections Officer or member so involved, or in possession of such information, subject to disciplinary action.

(d) Any Corrections Officer or department member charged with a Class A misdemeanor or any felony may be immediately removed from active duty pursuant to Section 2-6-20 of this manual.

Sec. 2-5-11 Miscellaneous Prohibited Conduct.

POLICY:

(a) **Disciplinary Action.** Any Corrections Officer or employee of the Sheriff's Office failing to carry out completely the duties and responsibilities of the position, rank, or office to which he/she is assigned may be subject to disciplinary action. (**Note:** The following examples are illustrative and not meant to be all inclusive.)

(b) **Prohibited Conduct.** Violation of the following rules and duties might result in disciplinary action:

(1) Failure to carry out one's duties because of cowardice.

(2) Inattention to duty.

(3) Incompetence or inefficiency in the performance of duty.

(4) Failure to report promptly to the department any information concerning any crime or other unlawful action.

(5) Failure to report to the department any violation of the rules and regulations or improper conduct.

(6) Repeated failure to be prompt for duty assignment, including court appearances.

(7) Leaving a duty assignment without being properly relieved or without proper authorization.

(8) Failure to follow a case from its beginning to its conclusion, unless authorized or relieved by a Supervisor or other competent authority.

(9) Failure to report as required any anticipated absence from duty.

(10) Being absent from duty without proper authorization.

(11) Failure to properly inventory property and process records in conformance with department procedure.

(12) Department members and employees shall treat Supervisors, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another.

(13) Members and employees shall not publicly criticize instructions or orders they have received.

(14) Any action or conduct as outlined above, which impedes the department's efforts to achieve its goals and objectives.

(**Note:** The above examples are illustrative and not meant to be all inclusive.)

Sec. 2-5-12 Conflicting or Unlawful Orders.

POLICY:

No command staff or Supervisor shall knowingly issue an order which is in violation of any law or ordinance or department rules.

PROCEDURE:

(a) Corrections Officers who are given an otherwise proper order, which is in conflict with a previous order, rule, regulation, or directive, shall respectfully inform the Supervisor issuing the order of the conflict. If the Supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility of the conflict shall be upon the Supervisor. Corrections Officers shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

(b) Upon completion of the conflicting order, the Corrections Officers shall notify the Supervisor who issued the initial order of the reason said order was not obeyed. If possible, the Corrections Officers shall carry out the initial order.

(c) Corrections Officers shall not obey any order which they know, or should know, would require them to commit any illegal act. If in doubt regarding the legality of an order, Corrections Officers shall request the issuing Supervisor to clarify the order or confer with higher authority.

COMMENTARY:

Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member or employee is required to obey any order which is contrary to Federal law, State law, or local ordinance. Responsibility for refusal to obey rests with the department member. Corrections Officers shall be strictly required to justify such action. A mistaken opinion by the Corrections Officer that the order was illegal shall not be a defense to a charge of insubordination.

Sec. 2-5-13 Use of Tobacco.

POLICY:

(a) Department members are encouraged to limit the use of tobacco in any form while on duty, during a direct contact with the public, when outside of the squad car or department building. Any use of tobacco products shall be done discretely. Also see Section 2-5-3(i) of this manual.

Sec. 2-5-14 Harassment.

POLICY:

(a) It is the policy of this department to provide a businesslike work environment free from all forms of employee discrimination, including, but not limited to, incidents of sexual harassment. No department employee shall be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Any form of harassment will be treated as misconduct with appropriate disciplinary sanctions.

(b) The purpose of this policy is:

(1) To establish department policy concerning allegations of harassment;

(2) To establish proper reporting procedures for reporting instances of harassment; and

(3) To define instances, happenings and occurrences of harassment.

DEFINITIONS:

The following definitions shall be applicable in this policy:

(a) **Employee.** All department personnel, both sworn and non-sworn.

(b) **Harassment.** An act of or instance of harassing or disturbing, pestering, or troubling repeatedly.

(c) **Sexual Harassment.**

(1) The deliberate or repeated behavior of a sexual nature by one (1) employee toward another that is unwelcome, unasked for or rebuked by the other employee. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute prohibited sexual harassment when:

a. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment;
b. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions; or
c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

(2) Such prohibited behavior can be verbal, nonverbal, or physical in nature. Examples of sexual harassment include, but are not limited to, the following:

a. Sexual comments of a provocative or suggestive nature.
b. Jokes or innuendos intended for and directed to another employee.
c. Suggestive or demeaning looks or leering.
d. Creating an intimidating, hostile or offensive working environment.
e. Making acceptance of unwelcome sexual conduct or advances or requests for sexual favors of any nature a condition of employment or continued employment.
f. Unsolicited gestures, graphic materials or verbal or written comments.
g. Unwelcome physical contact of a sexual nature.
h. Conduct by a Supervisor who uses implicit coercive sexual behavior to control, influence or affect the career, salary, job, or working conditions of a fellow employee.

(3) Examples of such offenses, include, but are not limited to, sexual flirtation; touching; advances or propositions; off-color language or jokes of a sexual nature; slurs or other verbal, graphic or physical conduct relating to an individual's gender; or any display of sexually explicit pictures, greeting cards, articles, books, magazines, photographs or cartoons.

PROCEDURES

(a) **Reporting Procedures.**

(1) An employee who believes he or she has been harassed shall contact the employee's immediate Supervisor, the Sheriff, or the Personnel Department.

(2) The employee shall report allegations of unwelcome harassment immediately.

(3) Until the complaint is found to be valid, the identities of those persons involved shall be kept confidential to the extent possible within the confines of the investigative process.

(b) **Command and Supervisory Personnel.** Command and Supervisory personnel shall:

(1) Be responsible for monitoring the workplace;

(2) Be responsible for reporting instances of harassment;

(3) Be responsible for initiating immediate disciplinary action if the situation warrants the same;

(4) Take immediate action to limit the affected employees from any further work contact. Such limitation shall not affect the employee making the complaint. Any work restrictions shall only affect the employee who is the subject of the complaint, and

(5) Immediately advise the Sheriff, Chief Deputy, and Personnel Department of any complaints.

Sec. 2-5-15 Sexism and Racism Prohibited.

POLICY:

Employees shall not speak against or ridicule the race, sex, color, gender, religion, age, family status, sexual preference, creed, ancestry, marital status, or nationality of any person or group.

COMMENTARY:

This regulation is intended to prohibit omissions as well as specific actions, which are based on a citizen's race, sex, color, gender, religion, age, sexual preference, creed, ancestry, marital status, family status, or nationality. Equality of treatment of all citizens requires that any political or fraternal affiliation, racial and religious identification, national origin, and economic status must be disregarded in favor of the uniform, fair, and similar treatment of all individuals.

Sec. 2-5-16 Mishandling of Law Enforcement Records.

POLICY:

(a) Members of this department shall not divulge the contents of Law Enforcement records to anyone outside the department without first obtaining permission from the Sheriff or Chief Deputy. (**Note:** This shall not pertain to the release of those records pursuant to public record requests made during normal departmental business hours in conformance with Wisconsin State Statutes. Normal business shall be between 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding holidays.) Nor shall any member of the department divulge any matters relating to official Law Enforcement business without first receiving authorization from the Sheriff or Chief Deputy.

(b) No member of this department, unless authorized to do so, shall have access to the official records of this department.

(1) This regulation intends to prohibit all unofficial use of Law Enforcement records.

(2) Tampering of records by members of the department is prohibited.

(3) This regulation does not intend to prohibit the use of official records by members of this department in an official capacity.

(c) No member of this department shall use or cause to be used any electronic device, instrument or equipment whether owned, leased or operated by this department to gain unofficial records, information data or knowledge of an individual when that member is not officially entitled to said records, information, data or knowledge. Nor shall any department member divulge said records, information, data, or knowledge of an individual to any person or entity not entitled to it.

Sec. 2-5-17 Misuse of Department Property.

POLICY:

All members of the department shall properly maintain, use, and take every precaution to protect from loss, theft, damage, tampering, or unauthorized use, any supplies, equipment, or evidence entrusted to them, and shall not convert said items to their private use or use of others not members of the department.

PROCEDURE:

(a) Employees shall be responsible for the good care of department property, whether fixed or mobile, assigned to their use or keeping, and will promptly report the loss of, damage to, or unserviceable condition of such property. The department shall not tolerate roughness or carelessness in the handling of such property.

(b) Any department member who willfully or negligently destroys or damages department equipment or other property entrusted to his/her care, shall be subject to disciplinary action, and may be required to pay all of the cost of repair or replacement.

(c) No member of this department shall use a departmental vehicle for trips outside the County without permission of his/her Supervisor, pursuant to applicable County ordinances and policies. Department vehicles shall not be used for personal use by employees without the knowledge or permission of the Sheriff or Chief Deputy, except in a serious emergency when it is impracticable to communicate such and in this event, the reason for using such vehicle shall be communicated to the Sheriff or Chief Deputy as soon as possible.

(d) All non-expendable and/or accountable items shall be returned when no longer serviceable or needed, when an individual is separated from the department, or when directed by higher authority.

(e) No department equipment or property shall be used in any manner, nor shall it be given or loaned to anyone for personal use or consumption without the permission of the Sheriff or Chief Deputy. Equipment in this Section shall mean anything belonging to the department.

(f) Any employee who loses an official record, or other items of department-owned property shall notify his or her superior by the most expeditious means of communication available.

(g) Members of this department shall not use the Dispatch Center's radio except for official Law Enforcement communications. At no time shall a member of this department use discourteous, obscene, or disrespectful language during the transmission of a radio message. This regulation includes any unwarranted use of any part of the Law Enforcement emergency communication system.

(h) Employees shall not modify, install, or permit modification or installation of any equipment or accessories on any vehicle owned by the County without prior written approval from the Sheriff or Chief Deputy.

Sec. 2-5-18 Misappropriation of Private Property.

POLICY:

(a) Any unjustified seizures of property by members of this department are prohibited.

(b) Members of this department shall take all precautions necessary to guarantee the proper handling of evidence, and any property received or found. This policy is intended to prohibit deviations from property handling procedures and alert members to their responsibility of protecting and keeping track of property taken or received from citizens or prisoners.

(c) Members shall conform to current department procedures for the handling of all evidence. Evidence shall be delivered to the evidence room. Found, received or confiscated property shall be delivered to those areas designated for the reception of such property or as otherwise specified by the Sheriff, Chief Deputy, or other Supervisor. A written record of a property disposition after its initial receipt shall be included in the Deputy's report.

Sec. 2-5-19 Use of Intoxicants or Drugs.

POLICY:

(a) **General Prohibitions.**

(1) No member of this department shall report for duty when intoxicated. Nor shall alcohol be consumed while on duty. Corrections Officers while off duty shall refrain from consuming intoxicating beverages to the extent that it results in illegal or criminal behavior.

(2) No member of this department shall report for duty if he/she has consumed alcoholic beverages (emergency call-out excluded), or be on duty while under the influence of intoxicants to such extent that

it might register to any degree after a breath testing procedure. No odor of intoxicants shall be tolerated on a Corrections Officer's breath.

(3) Should an emergency call out of personnel be activated, the employee shall inform a Supervisor of his/her alcohol consumption if said consumption violates provision (2) above. The Supervisor shall have the option of ordering the Corrections Officer to report for duty if, after adequate inquiry, the Supervisor determines the employee is fit for duty. It remains the responsibility of the employee to inform the Supervisor if he/she believes he/she has a prohibited alcohol content (PAC) preventing the employee from legally operating a motor vehicle.

(4) Employees shall not take narcotics or dangerous drugs except upon the prescription of a physician, nor shall they perform duty while under medication which could impair their performance.

(5) Employees shall not, in uniform or on duty, enter into any place where intoxicating liquor is sold or furnished, except in the performance of duty. (**Note:** This policy excludes appropriately licensed eating establishments and fuel stations for the purposes of acquiring meals and other non-alcoholic related items.)

(6) Members and employees shall not consume intoxicating beverages while in uniform and on duty except in the performance of duty and while acting under proper and specific orders from a Supervisor.

(7) Department members shall not purchase alcoholic beverages in uniform whether on or off duty unless so directed by a Supervisor.

(8) Nothing in this Section is intended or should be construed to prevent the employee from the lawful consumption of alcoholic beverages.

(b) **Alcoholic Beverages and Drugs in Department Facilities.** Department members shall not store or bring into any department facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens, except alcoholic beverages, controlled substances, narcotics or hallucinogens that are taken and held as evidence or for training purposes.

Sec. 2-5-20 Morality.

POLICY:

Members of this department, while on duty, shall not engage in any conduct evincing moral turpitude. Members shall maintain a level of moral conduct in their personal affairs. Immoral conduct shall be that conduct which would be prohibited by Ch. 944, Wis. Stats.

COMMENTARY:

This regulation prohibits amoral or offensive conduct. Such conduct includes the following:

(a) Offensive sexual solicitations.

(b) Offensive or indecent behavior in the presence of a minor.

(**Note:** These examples are illustrative and not meant to be all inclusive.)

Sec. 2-5-21 Required Reports.

POLICY:

(a) Reports shall be properly completed and submitted within the required timeframe.

(b) Members of this department shall report all violations of this department's regulations, policies, orders, or procedures.

(c) Members of this department shall, except as otherwise provided, make all official reports in writing. If sent upon any investigations, they shall report as soon as possible what action was taken in the matter, as prescribed in the current departmental reporting regulations.

(d) Members of the department shall communicate promptly as specified in standard reporting procedures all crimes, deaths, attempted suicides, fires, accidents, complaints, and information of which the department normally takes cognizance:

(1) No member shall withhold tips or information with a view to personal achievement or for any other reason.

(2) All the information of which the department takes cognizance and is impossible to specify. This regulation is intended to be illustrative of the kinds of significant happenings which must be reported.

(3) Members of this department shall be aware that over-reporting is not a violation of the regulations while under-reporting is a violation; therefore, when in doubt, submit a report.

(e) Members of the department shall create a record of their daily activity in a chronological manner in the in-house records system.

(1) Members required to complete said record are Corrections Officers, full and part-time.

(2) Each activity report shall be created at the start of the duty shift and kept current during the duty shift.

(3) The report shall include a comprehensive log of the creator's activities.

Sec. 2-5-22 Changes in or Release of Address or Telephone Number.

STATEMENT OF PURPOSE:

Should a sworn or non-sworn employee of this department become ill or injured, this department has the responsibility of contacting his/her immediate family. In order for this responsibility to be fulfilled, it is necessary

that the department have up-to-date information on an employee's address, telephone number, and the person or persons designated for next-of-kin notification.

POLICY:

All members of this department shall keep on file a current and accurate listing of their telephone number, address, off-duty employment, and the person or persons designated for next-of-kin notification. Corrections Officers shall not use home answering machines or caller identification devices for the purpose of avoiding being recalled to duty.

PROCEDURE:

(a) **Change of Status.**

(1) Notification of a change of status as defined under this policy shall be made within twenty-four (24) hours of occurrence.

(2) Notification shall be provided to:

a. The Sheriff, Chief Deputy or Immediate Supervisor.
b. The Dispatch Center.
c. The Personnel Department.

(3) If there is a change in outside employment, the new employer, telephone number, and hours worked shall be provided as given in Subsection (b) herein. Any such change must be approved in conformance with departmental policy on off-duty employment.

(b) **Home Addresses and Telephone Numbers.**

(1) Home addresses and personal telephone numbers of department members will not be released to any person not a member of this department unless authorized by the Sheriff, Chief Deputy or other Supervisor.

(2) If an individual wishes to contact a department employee, that individual shall be informed that a message would be left for the employee to make contact with the individual.

(3) If the caller indicates that it is necessary to have immediate contact, the department employee receiving the request may telephone the department employee and convey the caller's name, phone number, and message. If authorized by the department member, his/her telephone number may be released.

COMMENTARY:

All members of the department shall maintain a functional telephone and provide the number to the department.

Sec. 2-5-23 Interfering with Legal Process.

POLICY:

Department members are prohibited from interfering in the normal progression of traffic citations through the court system, or otherwise disrupting enforcement of law.

COMMENTARY:

This regulation is intended to protect the members of the department in the discharge of their duties from undue influence by fellow members.

Sec. 2-5-24 Conflicts of Interest.

POLICY:

No employee of this department is to own, operate, or otherwise be connected with a business during off-duty hours which creates, or has the potential of creating, a conflict of interest with departmental duties.

(a) Employees are not to make telephone calls connected with a private business enterprise or otherwise engage in non-Law Enforcement business activities during duty hours.

(b) Employees are not to make use of departmental records for purposes of furthering private business interests or examine departmental records, except in conjunction with department business.

(c) Employees are to conduct themselves in a manner to avoid an actual conflict of interest, or the appearance of a conflict of interest, as either circumstance would compromise the integrity of him/herself or the department.

COMMENTARY:

Conflict of interest is defined as any undertaking that limits, compromises, restricts or tends to limit, either directly or indirectly, the professional duties of employees of this department in their response to the general public or any segment thereof. Thus, any situation where an employee's actions appear or tend to appear to subordinate the public's welfare to that of the employee, there is a conflict of interest.

In addition, a conflict of interest exists when any breach of the fiduciary relationship of a member of this department, held by reason of employment or when there is appearance of any abuse by the employee for his/her benefit, or some other persons. Finally, a conflict of interest will exist when any member of this department becomes involved in any vocation or avocation that tends to be enhanced by the mere fact that he or she is an employee of this department.

Sec. 2-5-25 Off-Duty Employment.

STATEMENT OF PURPOSE:

Based upon the concept that public employment is a conditional privilege and not a constitutional right, and the necessity for employees of this department to be available for and efficiently perform duties when called in, the following policy and guidelines are established.

POLICY:

(a) Full-time employees of this department might hold off-duty employment (including business activities) as long as such off-duty employment does not interfere with the employee's employment with this department. Full-time employees shall not participate in outside employment that will result in a conflict of interest, give the impression of involving a conflict of interest, work long hours that may affect their work while on duty, or affect their ability to report for regular or emergency duty.

(b) It must be recognized that an employee's primary responsibility is serving the citizens of the County and that an employee's duties with the department take priority over all other employment. Outside employment is permissible if the circumstances of such outside employment do not interfere with the employee's performance of his/her duties with the department, including requirements for overtime work or emergency calls to duty.

(c) Employees taking on off-duty supplemental employment will at all times conduct themselves in a manner consistent with all department rules and regulations and befitting their position. All department regulations, policies, and procedures apply to supplemental employment. Any breach of propriety will be considered in the same light, as it would if it had occurred while the employee was on regularly assigned duty at the department.

(d) When accepting off-duty employment, employee shall be aware of the fact that they might not be covered by either worker's compensation or liability insurance from the department. (**Note:** There is case law indicating that if an employee is injured while performing off-duty employment, a County's worker's compensation covers only those injuries that come under the employee's scope of employment [i.e., effecting a lawful arrest].)

PROCEDURE:

(a) Full-time employees desiring to hold off-duty employment shall comply with the following provisions:

    (1) Employees seeking to hold off-duty employment shall first submit a written request for off-duty employment (setting forth where the work will be performed and the number of hours per day) to the Sheriff and their immediate Supervisor for review and possible approval. Approval *must* be granted *prior* to engaging in such employment.

    (2) Employees shall not accept employment in any business involving the sale or distribution of alcoholic beverages, bail/bond agencies, or investigative work for insurance agencies, private guard services, or collection agencies. Outside employment must be scrutinized in light of the above. These kinds of outside employment are presumed to involve an actual or potential conflict of interest and are not allowed. Participation in the above activities might be permitted on a case-by-case basis if the employing business is not within the area in which the employee normally functions.

(3) All part-time work shall be limited to a maximum of four (4) hours per day that the employee is scheduled to be on duty with the department. This limit shall not apply, however, if the work is performed after the last shift immediately before one or more days off. No limit shall apply to off-duty days.

(4) In *no* case will supplemental employment be considered where:

a. A labor dispute is involved.
b. The employer would, in any way, restrict employees from their duties.
c. A Corrections Officer would be involved in pictures or advertising endorsing commercial products while they are identified as Correction Officers.

(5) Use of all department equipment, including issued uniforms, for outside employment is prohibited.

(6) The nature and circumstances of the outside employment *shall not involve an actual or potential conflict of interest* affecting the employee's ability to discharge his/her duties on behalf of the department.

(7) Outside employment (time, schedule, job responsibilities, etc.) *shall neither interfere nor tend to interfere* with the employee's ability to perform his/her departmental duties in an efficient and acceptable manner, nor impair the ability of the department to carry out its public service Law Enforcement responsibilities.

(b) Approval for outside employment might be denied when it appears that such off-duty employment might:

(1) Render the employee unavailable during an emergency.

(2) Physically or mentally exhaust the employee to the point that his/her performance might be affected.

(3) Require that any special consideration be given to scheduling of the employee's regular duty hours.

(4) Bring the department into disrepute or impair the operation or efficiency of the department.

(c) Denial or approval by the Sheriff or Chief Deputy shall be made, in writing, to the requesting employee within two (2) days (excluding weekends and holidays) of receipt of request for approval of outside employment.

(d) An employee engaged in outside employment will submit a report to the Sheriff annually in January, and at any time there are changes in the nature and conditions of employment. The Sheriff or Chief Deputy will review the desirability of permitting said employment to continue. If, at any time the Sheriff or Chief Deputy determine for any reason that it is not in the best interest of the department to permit an employee to continue outside employment, the employee shall be informed of that fact. A report will then be prepared listing the reasons for this determination.

(e) Whenever employees terminate outside employment, a report shall be submitted of notification, in duplicate, to the Sheriff or Chief Deputy.

Sec. 2-5-26 Political Activities.

POLICY:

(a) **Political Participation.**

(1) Every citizen has the right to engage in the political process; however, that right might in some cases be limited due to the unusual nature of an individual's position in society. Members of the department shall not engage in political campaigns to such an extent that their participation detracts from the performance of their official duties, nor shall they engage in such a way that would lead members of the electorate to conclude that the department was taking a position in an election. No department member will be discriminated against in any way due to any political opinions held by the employee.

(2) Department members shall be permitted to:

a. Register and vote in any election.
b. Express opinions as individuals, privately and publicly, on political issues and candidates.
c. Attend political conventions, rallies, fundraising functions, and similar political gatherings.
d. Sign political petitions as individuals.
e. Make financial contributions to political organizations.
f. Serve as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by state and local laws.
g. Hold membership in a political party and participate in its functions to the extent consistent with this Section.
h. Otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

(b) **Political Activity While On Duty.** No member of the department, during the hours that he/she is on duty, shall engage in political activity.

(c) **Political Activity While Off Duty.** Members of the department engaged in political activity while off duty shall clearly act as private individuals and not convey the impression that they are acting on the behalf of the department. No Corrections Officer may wear his/her uniform, badge, or other indications of office while engaging in political activity. No Corrections Officer shall engage in political activity while off duty to such an extent that efficiency during working hours is impaired, tardiness, or absence from work results.

(d) **Soliciting Political Funds.** The use of any department property is prohibited in any way during any political campaign. This includes department owned vehicles, cameras, projectors, audio systems and other property. The only exception would be equipment used for the security or safety of the public.

PROCEDURE:

(a) Any member of this department contemplating running for any office shall request legal advice on whether holding the contemplated office and remaining a department member are compatible within the conflict of interest laws.

(b) Any doubt about the possible conflict of interest or this policy shall be resolved in favor of reporting the possible conflict for consideration by the Sheriff.

(c) Price County and the Price County Sheriff's Office will comply with the regulations regarding candidacy in a partisan election as set out in the Hatch Act which states, in part:

"The Hatch Act (5 U.S. C. §§ 1501 – 1508) restricts the political activity of individuals principally employed by state, county, or municipal executive agencies in connection with programs financed in whole or in party by loans or grants made by the United States or a federal agency. An employee covered by the Act ***may not*** be a candidate for public office in a partisan election, i.e., an election in which any candidate represents, for example, the Republican or Democratic party. Principle employment is that employment to which an individual devotes the most time, and from which he derives the most income. See, e.g., Anderson v. U.S. Civil Service Commission, 119 F. Supp. 567, 576-577 (D. Mont. 1954); Matturi v. U.S. Civil Service Commission, 130 F. Supp. 15, 17-17 (D.N.J. 1955), aff'd, 229 F.2d. 435 (3rd Cir. 1956); Smyth v. U.S. Civil Service Commission, 291 F. Supp. 568 (E.D. Wis. 1968)."

(d) In addition to the above, department employees should familiarize themselves with the Hatch Act provisions as set out in the Price County Employee Handbook policy on Political Activities.

The above Section does not and is not intended to convey all regulations regarding the Hatch Act. Employees of the Price County Sheriff's Office are encouraged to seek out information on their own should they desire to run for elective office in Price County.

COMMENTARY:

The basis for this policy is the avoidance of political favoritism. Close involvement with elected officials could result in interference performance of "duties" for political reasons and partisan political influence upon internal operations. Political favoritism could also undermine the hiring and promoting of individuals on the basis of competence, not political membership. The heavy involvement of members of the department in a campaign could cause the public to lose confidence in their impartiality. Until recently, government employees were held to have waived many of their constitutional rights to participate in political activities because government employment was deemed a privilege rather than a right. Since government employment was a privilege, courts accepted the notion that the government could condition the privilege in any reasonable way, such as requiring public employees refrain from engaging in political activities that would be protected by the First Amendment for the ordinary citizen.

In light of recent court decisions, the issue in determining the protections of the First Amendment, which extend to government employees, is no longer whether public employment *per se* justifies substantial restrictions on the employee's rights, but rather, excepting the First Amendment as broadly applicable, whether the limitations imposed with respect to different types of employment have a supportable basis. In other words, there must be a reasonable relationship between the conduct prohibited to public employees and the maintenance of the efficiency and integrity of the services performed.

This policy does not prohibit merely expressing one's opinion in the normal course of a conversation, since such activity would not be calculated to favor or improve the chance of any political party or persons seeking or attempting to hold political office. However, wearing a campaign button while on duty would be prohibited since the public might construe the button as indicative of a departmental position on the election. Conversations on political matters occur occasionally, while a button is always subject to public view.

This policy attempts to meet the standards for regulation of public employees that the courts have established by striking a reasonable balance between the Corrections Officer's right to engage in the political process and the responsibility of the department to efficiently, fairly and neutrally perform its public services.

By limiting Corrections Officer participation in political activities to off-duty hours, the dangers of undue coercion because of the Corrections Officer's position and the loss of the appearance of neutrality in handling disputes, can be minimized. No attempt is made to prohibit merely expressing one's opinion in the normal course of conversation (so long as a conversation does not detract from the performance of duty) since this activity is not calculated to favor or improve the chance of any political party or persons seeking or attempting to hold political office. However, wearing a campaign button on duty, or placing a bumper sticker on a squad car would be prohibited since this might be construed as representing a departmental position on the election. Conversations on political matters occur occasionally, while a button or bumper sticker is always subject to public view.

It is *not* the intent of this policy and associated procedures to prohibit members of the department from being active in the community. Whether any activity of a political nature comes within the prohibition of this policy must, in questionable cases, be decided on the circumstances of the particular case. It is the responsibility of each Corrections Officer to be aware of any potential conflict of interest that may result from an activity with political implications.

Sec. 2-5-27 Use of Safety Belt Harnesses.

POLICY:

(a) The department is a role model in promoting safety and shall set positive examples of good safety practices. A safe environment for employees shall be provided whenever possible. Therefore, department employees shall use existing safety belts/harnesses when operating department vehicles, or riding in them as a front seat passenger. However, any employee possessing written verification from a physician that for medical or physical reasons the employee is unable to use the safety belt system is exempt from this policy but will insure that passengers abide by it.

(b) Any employee finding the occupant protection equipment to be inoperative or in need of repair shall immediately report it to his/her Supervisor and use a different vehicle if at all possible.

(c) If a vehicle is equipped with rear seat restraints, rear seat passengers shall be required to use such restraints.

COMMENTARY:

Failure to wear a seat belt could result in the loss of worker's compensation to a Corrections Officer if injured.

Sec. 2-5-28 Reporting for Duty.

POLICY:

Corrections Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. Corrections Officers shall be properly equipped and cognizant of

information and equipment required for the proper performance of duty so that they might immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this Section.

Sec. 2-5-29 Call-In Procedure.

POLICY:

In order to provide effective coverage, off-duty Corrections Officers may need to be recalled to work. Corrections Officers shall not use home answering machines or caller identification devices for the purpose of avoiding being recalled to work. All call-in procedures shall conform to department policy and Price County ordinances regulations.

Sec. 2-5-30 Temporary Appointment Authority.

POLICY:

Any member of this department who is temporarily assigned to a position of a higher rank by the Sheriff shall be held responsible in a like manner as if regularly appointed to such a high office. He/she shall be alert not to interfere with or countermand any order issued by the member whose place he/she temporarily occupies, except when the expediency of department business demands such.

Sec. 2-5-31 Department Keys.

POLICY:

Members of this department are prohibited from making or causing to be made any duplicates of departmental keys of any nature without the approval of the Sheriff or Chief Deputy.

Sec. 2-5-32 Departmental Mailboxes.

POLICY:

The department will provide mailboxes for the use of department members. The intended use for departmental mailboxes is for the delivery of notices and departmental communications related to department functions. The mailboxes shall not be used for storage of personal items, department issued equipment or supplies. The mailboxes are the property of the department. The department retains the right to check the mailboxes at its discretion. Department members shall not assume privacy for the contents of an assigned mailbox. Mailboxes should be kept in an orderly fashion.

PROCEDURE:

Department members shall check their mailboxes at the beginning of their duty shift.

Sec. 2-5-33 Weapons and Personal Lockers.

POLICY:

To ensure the safety and security of this department, weapons lockers are provided in two locations. At the entrance to the Safety Building from Sally Port 1 and next to the stairwell leading to the Jail.

PROCEDURE:

(a) When entry to the booking or Jail area becomes necessary, any firearms or other dangerous weapons shall be secured in a weapons locker. The Law Enforcement Officer so securing his/her firearm or dangerous weapon shall secure the locker with the provided padlock. The Law Enforcement Officer shall retain the key in his/her possession and remove the firearm or dangerous weapon upon leaving the booking or Jail area.

(b) The weapons lockers shall not be used for the storage of evidence without the expressed permission of the Sheriff or his/her designee.

(c) Personal lockers located in the Squad Room are provided by the department for use by Corrections Officers and remain the property of the department. Corrections Officers using these lockers have no expectation of privacy by accepting the use of said lockers. The department retains the right to reclaim the use of any or all such lockers as well as the right of unannounced access to same.

Title 2 ▶ Chapter 6

Personnel Allegations/Inquiries; Grievance and Disciplinary Procedures

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Sec. 2-6-1 Personnel Investigations – General Policy.

POLICY:

(a) The five (5) primary objectives of a personnel investigation are:

(1) Protection of the public.

(2) Protection of the department.

(3) Protection of the employee.

(4) Correction of procedural problems.

(5) Removal of unfit personnel.

(b) It is essential that the public confidence be maintained in the ability of the department to investigate and properly adjudicate complaints against its employees. The rights of the employee as well as those of the public must be preserved. Any investigation or hearing arising from the complaint must be conducted in an open and fair manner with the truth as its primary objective. The department accepts complaints against its members and fully investigates such complaints to the appropriate disposition.

PROCEDURE:

(a) The Price County Sheriff's Office Citizen Complaint Form, hereinafter deemed the Citizen Complaint Form, is utilized to record allegations of employee misconduct and inquiries concerning Price County Sheriff's Office policy, procedure or tactics.

(b) For the purpose of this Section, the term "citizen" shall include all adult members of the public, members of other Law Enforcement agencies or governmental bodies or entities. Persons not considered an adult by Wisconsin Statutes may file a citizen complaint via a parent, adult relative, legal guardian, or legal representative.

(c) Allegations of employee misconduct are recorded on the Citizen Complaint Form with specific information relative to an allegation of misconduct against any employee of this department received from any source outside or inside the department.

(d) The information recorded is that which is necessary to begin an investigation into the events surrounding the allegation.

(e) The Citizen Complaint Form concerning alleged misconduct is completed whether the allegation is received in person at the department, by telephone, or at some other location, or by some other means and forwarded to the Sheriff or Chief Deputy.

(f) Based upon the allegation received, allegations of employee misconduct are investigated by the department as a "Formal Investigation", "Informal Investigation" or as an "Inquiry".

(g) If a Supervisor is confronted with a significant allegation of misconduct requiring immediate investigation, the Sheriff or Chief Deputy will be notified immediately.

(h) Employee Cooperation.

(1) All employees are required to cooperate with the investigation of personnel misconduct.

(2) Failure to do so will result in disciplinary action for failure to obey orders.

Sec. 2-6-2 Definition of Formal Personnel Investigations.

POLICY:

(a) A Formal Personnel Investigation is conducted upon receipt of serious allegations of misconduct where an investigator is assigned to obtain formal interview statements from the employees involved.

(b) A personnel investigation is determined to be formal by the Sheriff or Chief Deputy primarily based upon the nature and complexity of the allegation.

(c) Examples of personnel investigations that may be determined as formal include, but are not limited to:

(1) Allegations of violation of the law.

(2) Allegations regarding morals.

(3) Allegations of brutality.

Sec. 2-6-3 Definition of Informal Investigation.

POLICY:

(a) The primary difference between the formal investigation and the information investigation is the manner in which the investigation is conducted.

(b) An informal investigation is conducted on less serious allegations of misconduct where the investigation consists of obtaining memorandums from concerned employees regarding the allegations. Generally, formal interviews or statements are not used. Instead, information is obtained via memorandums and existing records.

(c) A personnel investigation is determined to be informal by the Sheriff or Chief Deputy primarily based upon the nature and complexity of the allegation.

(d) Examples of personnel investigations that may be classified as informal include, but are not limited to:

(1) Complaints of slow response.

(2) Alleged failure to take proper Law Enforcement action.

(3) Alleged failure to assist a department member.

(4) Alleged poor attitude displayed by department employees.

Sec. 2-6-4 Definition of Inquiry.

POLICY:

(a) An "inquiry" concerns a citizen contacting the Price County Sheriff's Office with questions about a policy, procedure, or tactic used by the department.

(b) When a citizen questions the actions of a department employee and it is determined by the receiving Supervisor that the employee acted within prescribed Law Enforcement department policy, procedure or tactics, the matter is handled as an inquiry.

(c) It is the responsibility of the Supervisor receiving the inquiry to review the employee's actions.

PROCEDURE:

(a) The Supervisor receiving the inquiry from the citizen will make every attempt to explain to the citizen the circumstances regarding why a particular policy, procedure, or tactic is sanctioned by the department.

(b) Information concerning the inquiry will be documented on the Citizen Complaint Form in the narrative section and the alleged violation area will be left blank, including the nature of the inquiry and the response to the citizen. Any related reports or documentation concerning the inquiry will be attached to the Citizen Complaint Form.

(c) If the citizen does not appear to be satisfied by the explanation, the Supervisor shall advise the person to contact the next higher appropriate Supervisor who in turn will explain the employee's actions, policy, procedure, or tactic.

(d) If the Supervisor receiving the inquiry determines the employee has not acted within prescribed Price County Sheriff's Office policy, procedure, or tactics, the Citizen Complaint Form alleged violation area shall be completed and all related reports or documentation attached.

(e) Examples of an inquiry include, but are not limited to:

(1) Why did an employee handcuff a prisoner?

(2) Why was a field interrogation conducted?

(3) Why was vehicle emergency equipment used?

(4) Why was a felony vehicle stop made?

(5) Why was no or less than expected action taken on a call for service?

Sec. 2-6-5 Price County Sheriff's Office Citizen Complaint Form.

PROCEDURE:

(a) All sworn personnel are responsible for keeping copies of the Price County Sheriff's Office Citizen Complaint Form available.

(b) The Citizen Complaint Form is not used to record the progress or results of the investigation.

(c) The form in its entirety is (except as outlined below) to be completed by the citizen complainant whenever possible.

(d) Exceptions to item (c) above are outlined on the Citizen Complaint Form.

(e) During the normal working hours of the Sheriff or Chief Deputy, a reporting party appearing in person at the department or making contact by telephone shall be referred to the Sheriff or Chief Deputy. The Sheriff or Chief Deputy shall assist the reporting party to complete the report. If the Sheriff or Chief Deputy is not immediately available, another Supervisor shall assist the reporting party.

(f) While assisting the reporting party, at no time shall a department member suggest, propose, or recommend any particular wording of the citizen complaint. It is of the utmost importance the citizen complaint be formulated by the reporting party in his/her own words.

(g) The assisting department member may explain each section of the Citizen Complaint Form if it is not clear to the reporting party. The summary of the event shall be in the reporting party's own handwriting or printing.

(h) Should the reporting party be unable to write or print the summary of the event, the assisting member may execute the summary in the same manner as when assisting a witness to execute a written statement.

(i) During other than normal working hours of the Sheriff or Chief Deputy a Supervisor shall assist the reporting party.

(j) If a Supervisor is not present and cannot become available within a reasonable time, the form shall be placed in a sealed envelope and placed in the Sheriff's door. The reporting party is to be notified that the form will be referred to a Supervisor as soon as is practicable.

(k) The employee shall then notify a Supervisor as soon as possible and prior to their end of shift.

(l) All citizen complaints taken by an employee will be held in the strictest of confidence. Failure to do so may result in disciplinary action.

(m) Upon notification, the Supervisor will review the Citizen Complaint Form.

(n) It is anticipated the above rules cannot be exactly adhered to at all times. When such circumstances arise, the employee made aware of the allegation shall obtain what information he/she can for follow-up by a Supervisor. (For example, the anonymous caller who quickly hangs up the telephone, or the reporting party who "has no time" to wait for a Supervisor.) It may be necessary in a given case for an employee to complete the entire Citizen Complaint Form if, as in the last example, the reporting party refuses to wait for or be contacted by a Supervisor.

(o) The person completing the Citizen Complaint Form shall advise and assure the reporting party that the circumstances surrounding the allegation will be thoroughly investigated and that the reporting party will be notified by the Sheriff or his/her designee upon completion of the investigation and adjudication of the results.

Sec. 2-6-6 Processing of Personnel Investigations.

PROCEDURE:

(a) Upon the review of an allegation of employee misconduct or inquiry, the Sheriff or Chief Deputy shall review or complete a Price County Sheriff's Office Citizen Complaint Form.

(b) If possible, allegations of employee misconduct are tape recorded when received via telephone, and may be recorded with the permission of the reporting party when allegations are made in person. The caller shall be required to provide some form of identification.

(c) If an allegation of misconduct is extremely serious in nature, the Sheriff is to be notified immediately by the Chief Deputy or other Supervisor.

(d) Upon completion of a Citizen Complaint Form, all copies of the report are filed by the Sheriff or Chief Deputy in the personnel investigations file.

Sec. 2-6-7 Adjudication of Personnel Complaints.

PROCEDURE:

(a) The Chief Deputy, or other Supervisor, shall forward the completed investigation report to the Sheriff for final disposition of the case.

(b) Final adjudication of all allegations of employee misconduct will be made by the Sheriff.

(c) The final disposition of each allegation in a complaint is classified in one (1) of the following ways:

(1) **Sustained.** Proven that fact occurred.

(2) **Not Sustained.** Cannot prove or disprove.

(3) **Unfounded.** No factual basis to complaint.

(4) **Exonerated.** The incident occurred, but it is within acceptable policy and procedure.

Sec. 2-6-8 Concluding Administrative Duties – General.

PROCEDURE:

(a) A letter from the Sheriff or his/her designee will be sent to the reporting party informing him/her of the results of the department's investigation.

(b) Completed inquiries do not ordinarily require a letter to the citizen from the Sheriff, except in such cases where the reporting party cannot be verbally satisfied.

(c) When an allegation in a complaint is found to be either unfounded, exonerated, or not sustained, the involved employee is so informed by the Sheriff via written memorandum.

(d) When an inquiry is completed, the involved employee will be advised regarding the disposition of the inquiry by the Sheriff.

(e) When allegations are sustained or other misconduct is found, the following will occur.

(1) If one (1) or more of the allegations are found to be sustained, or if misconduct not based on the complaint is found, or minor violations of the policy, procedures, or tactics, instructions regarding the appropriate disciplinary measures to be taken will be forwarded from the Sheriff to the appropriate Supervisor.

(2) Documentation of the disciplinary action taken will be included in the case file prior to its being closed.

(3) The documentation (original) of the disciplinary action taken will be included in the employee's personnel file.

(f) Records of allegations.

(1) No record of an allegation or inquiry shall appear in the employee's personnel file unless it has been sustained.

(2) All records of the allegation or inquiry shall be permanently filed in the Sheriff's office.

Sec. 2-6-9 Preparation of Documentation Relating to Personnel Investigations.

PROCEDURE:

(a) When an allegation of employee misconduct is received, it will be noted on the Citizen Complaint Form and all copies will be forwarded to the Sheriff or Chief Deputy.

(b) Documentation.

(1) When any other related documentation is prepared, no copies shall be made, and the original will be forwarded to the Sheriff or Chief Deputy. This includes both handwritten and typewritten documentation as well as taped recordings.

(2) If the Citizen Complaint Form number is known, it is to be placed on the document in the proper section of the report.

(3) An exception to this procedure is that the employee might keep a copy of a requested memorandum for his/her own personal file.

(4) Copies of personnel investigation files will only be prepared at the direction of the Sheriff or his/her designee.

Sec. 2-6-10 Staff Review of Personnel Investigation Files.

PROCEDURE:

(a) Personnel investigation files are ordinarily delivered to Supervisory staff for review.

(b) During the Supervisory staff review, the Supervisors will ensure that the personnel investigation files are properly secured in order to protect the integrity and confidentiality of that file.

(c) A Supervisor who demonstrates a need to know may, with authorization, review the completed personnel investigation file in the office of the Sheriff.

(d) Personnel investigation files are confidential and shall not be released without the approval of the Sheriff or his/her designee.

Sec. 2-6-11 Employee Personnel Files.

POLICY:

(a) Any documentation relating the circumstances of a personnel investigation shall not be placed in the concerned employee's personnel file.

(b) Any disciplinary action such as suspension or written reprimand shall be entered in the concerned employee's personnel file.

Sec. 2-6-12 Internal Affairs Investigations.

PROCEDURE:

(a) Upon receipt of an allegation of employee misconduct or inquiry, the Sheriff or Chief Deputy shall assign the investigation to a Supervisor.

(b) The Sheriff or Chief Deputy shall review the completed Citizen Complaint Form for content and clarity, and determine the priority of the personnel investigation inquiry.

(1) **Immediate Priority.** Extremely serious allegations requiring immediate investigation and extensive use of department resources.

(2) **Routine.** Normal processing via standard investigation procedures.

(c) The Sheriff or Chief Deputy shall determine whether the information received via the Citizen Complaint Form is to be handled as an inquiry, a formal investigation, or an informal investigation.

Sec. 2-6-13 Processing of Formal Personnel Investigations.

PROCEDURE:

(a) The Sheriff or Chief Deputy will log the case and cause a records check to be made on the reporting party. The involved employee's file will also be checked for similar allegations.

(b) The Sheriff or Chief Deputy will determine if an investigator is necessary to complete the investigation.

(c) If an outside investigation is needed, the Sheriff or Chief Deputy will contact the Sheriff of the outside agency for assignment of an investigator. The assigned investigator will be under functional supervision of the Sheriff and/or Chief Deputy of Price County during the personnel investigation process. A letter of such authority shall be issued by the Sheriff prior to the outside investigator beginning the inquiry.

(d) If, after all appropriate interviews are completed and necessary documents are obtained, it appears to the investigator that criminal charges or a civil action could be filed against the employee, the Sheriff and the County's legal counsel will be notified immediately.

(e) When it appears that probable cause exists to substantiate a criminal charge, the case file will then be presented to the District Attorney for review and determination of action.

(f) If it is felt that a civil suit may be pending, the Corporation Counsel's office shall be notified.

(g) When the case is completed by the investigator, it will be forwarded to the Sheriff to be reviewed for completeness and adjudication.

Sec. 2-6-14 Processing of Informal Personnel Investigations.

PROCEDURE:

(a) The Sheriff or Chief Deputy will log and cause a records check to be made on the reporting party. The Sheriff or Chief Deputy may then turn the investigation over to a Supervisor.

(b) The Supervisor will assemble the working file (investigation file).

(c) The Supervisor will complete any appropriate interviews and gather the necessary documents for completion of the investigation and submit the same to the Sheriff for adjudication.

(d) When an investigation is complete, the personnel investigation file will be returned to the Sheriff, who will file the completed investigation reports in the official personnel investigation file.

Sec. 2-6-15 Processing of Inquiries.

PROCEDURE:

(a) If the information is determined to be an inquiry, the Sheriff or Chief Deputy shall determine if the reporting party's questions were answered to the satisfaction of the reporting party. If the reporting party was

dissatisfied with the explanation offered, the Sheriff or Chief Deputy shall make contact and attempt to satisfy the reporting party.

(b) If the reporting party is satisfied by the initial explanation, or later through efforts by a Supervisor, the original Citizen Complaint Form, along with previous reporting party contact information and related reports and a list of past similar inquiries concerning the employee, will be forwarded to the Sheriff for review and final disposition.

(c) When the Sheriff approves the action taken concerning the inquiry, the file will be returned to the Sheriff for the purpose of updating all pertinent files.

(d) The involved employee will be advised by the Sheriff regarding the disposition of the inquiry. The completed report is then closed and filed in the personnel investigation file.

Sec. 2-6-16 Investigation of the Allegation of Employee Misconduct.

POLICY:

The primary responsibility for the proper completion of the investigation of all allegations of employee misconduct lies with the Sheriff.

PROCEDURE:

(a) The Supervisor will commence his/her investigation on the basis of the allegations contained in the Citizen Complaint Form.

(b) If, during the investigation of the initial allegation, it is disclosed that other misconduct not alleged may have taken place, this misconduct will also be investigated, reported upon, and adjudicated.

(c) A Supervisor will investigate and report all aspects of the case in a manner which is fair and impartial to all persons (reporting party, witnesses, and agents) involved.

(d) The Supervisor will complete his/her investigation and submit his/her report to the Sheriff.

Sec. 2-6-17 Personnel Investigation Files Flow.

PROCEDURE:

(a) All Citizen Complaint Forms will be submitted to the Sheriff or Chief Deputy for follow-up.

(b) The Sheriff or Chief Deputy will establish a file for all Citizen Complaint Forms.

(c) The case file will be kept at all times in the Sheriff's office unless it is checked out for the following reasons:

(1) It is being investigated, in which case the investigating Supervisor will have it.

(2) It is being processed for typing, in which case it will be in an Administrative Assistant's custody.

(3) It is outside the Sheriff's office for whatever reason, in which case such is designated by the Personnel Investigation File Worksheet, which is kept with the internal affairs records in the Sheriff's office. The worksheet indicates the date the file was sent out, the location of the file (usually to a specific person), and the reason the file is out.

Sec. 2-6-18 Processing Case Files.

PROCEDURE:

(a) The master log is used to record the following data:

(1) Any assigned case numbers.

(2) The date the case is received.

(3) The reporting party's name.

(4) The date the case is closed.

(b) All other transmittals, processes, and reviews (and the dates of same) are to be noted on the worksheet. This form is maintained in the inside front cover of the file at all times except when the file is outside the physical proximity of the section. As noted above, the worksheet is then maintained in the internal affairs records.

(c) *Every* action taken with the case until it is closed is to be logged on the worksheet in chronological order, using as many pages of the form as are necessary.

Sec. 2-6-19 Access to Personnel Investigation Files.

PROCEDURE:

(a) When an allegation of misconduct against an employee is made, and the details needed to complete the investigation are *unrelated* to any incident report, arrest report or offense report, the investigating Supervisor or his/her designee will solicit the details from the concerned employee(s) via an interview or memorandum.

(b) If the details are related to an incident, arrest or offense report, designees of the Sheriff will generally solicit the details via a supplemental report to the earlier report.

(c) In all personnel investigations, an employee will have access to the statements *they provide* for the personnel investigation. Statements include copies of memoranda, copies of supplemental reports and copies of transcribed interviews.

(d) In personnel investigations where an "in camera review" by a judge provides discovery, the file or portions thereof will be provided to a criminal defense attorney or an attorney for the plaintiff in a civil proceeding. In this case employees will have access to the following parts of the file:

(1) Statements by other employees.

(2) Statements by reporting parties and witnesses.

(3) Copies of medical reports, photographs, letters, laboratory reports, offense and incident reports and other documentation relevant to the file.

(e) Forms upon which the internal affairs investigators and department comment regarding finds are recorded, as well as the personnel investigator's notes, will not be discoverable.

(f) Requests by employees to access personnel investigation files shall be made through the Sheriff.

Sec. 2-6-20 Administrative Leave or Change of Duties.

POLICY:

(a) An employee complained against may be immediately placed on paid administrative leave by the Sheriff or his/her designee when such leave will assist in protecting the best interests of the community, the department, and the employee. This imposition of paid administrative leave shall then be subject to the procedures established in the disciplinary review process.

(b) Administrative leave may be imposed:

(1) When an employee is found by a Supervisor to be under the influence of alcohol or drugs while on duty.

(2) When an employee is found by a Supervisor to be in such a mental or physical state that he/she presents a danger or potential danger to him/herself or others.

(3) When it is alleged that the employee engaged in illegal activity.

(4) When the member's presence on duty could jeopardize the impartiality of an internal investigation.

(5) Other circumstances as deemed appropriate by the Sheriff.

PROCEDURE:

(a) Temporary suspension with pay may be considered in any disciplinary, personnel or discriminatory action adverse to a member regardless of the outcome of the complaint procedure.

(b) A temporary change of duties may be assigned to an employee, according to his/her capabilities, when the new assignment is not closely related to that involved in the origination of a complaint.

(c) A temporary change of duty shall be made when the employee's presence in the original assignment may jeopardize, or appear to jeopardize, the impartiality of the investigation.

(d) An immediate temporary suspension or change of duties will not be considered an act of discipline, and will serve only to protect the integrity of an investigation, the welfare of a member, the community, or the department.

(e) An employee under administrative leave may be required to report to the department on a daily basis for any change in status. Such reporting may be in person, via telephone or other method of communication as determined appropriate by the Sheriff.

COMMENTARY:

Perhaps the most damaging blow to public confidence is a situation in which an employee is accused of misuse of power and the department appears to do nothing about it. Accountability to the community shall be demonstrated while giving the accused employee the rights and recourse he/she is due. Formalizing the procedure for handling citizen complaints will insure that employees are protected from frivolous and unfounded complaints, while protecting the citizenry against misconduct, in competency, and misuse of power by employees of the department.

Sec. 2-6-21 Grievance Procedure.

POLICY:

(a) The following procedures are to be used by department members not covered by a Collective Bargaining Agreement. ***The grievance procedures for any members covered by a Collective Bargaining Agreement shall govern those employees.*** These procedures have been established to ensure each individual an opportunity for an impartial hearing before a Supervisor. A "grievance" is any problem of an employee or group of employees resulting from work requirements or the conditions under which work is performed.

(b) ***Department members covered by a Collective Bargaining Agreement shall have grievances heard in the manner prescribed by such agreement.***

PROCEDURE:

All dealings for non-represented department members shall be governed and controlled by the regulations set out in the Price County Employee Handbook as approved by the Price County Personnel Committee on August 20, 2012.

(a) Copies of the Price County Employee Handbook are available through the Price County Personnel Department. There shall be no cost for the first copy obtained by a department member. Additional copies requested by the same member for any reason may be at the cost of printing.

Sec. 2-6-22 Disciplinary Procedure.

POLICY:

Corrective Action/Discipline of the Price County Employee Handbook shall apply to non-represented members.

Applicability. The following procedures shall be employed in disciplinary matters of the Sheriff's Office, ***unless these procedures are superseded by more specific procedures contained in a current employment or Collective Bargaining Agreement,*** whenever rules and Law Enforcements of the department are violated or the department member performs unsatisfactorily. In each instance, the disciplinary action taken is to be fair, just and in proportion to the seriousness of the violation.

DISCIPLINARY CONSIDERATIONS

(a) **Personnel File Notations.** Letters of reprimand and warning notices shall be placed in the department member's personnel file; shall further violations occur, such warnings shall remain as a basis for progressive disciplinary action.

(b) **Probationary Employees.** Probationary employees can be discharged without recourse to these disciplinary procedures.

(c) **Administrative Policy – Deputy in Charge.**

(1) When no Supervisor will be available, the Sheriff or Chief Deputy shall designate a Deputy-In-Charge. The Deputy-In-Charge shall only perform personnel functions, including disciplinary, under the direction of a Supervisor and then only under emergent circumstances. In times of emergency, the Deputy-In-Charge may activate the mutual aid agreement with other municipalities and counties. The Deputy-In-Charge shall make every effort to notify Supervisory personnel of all major incidents and department personnel and operational issues.

(d) **Supervisors.** Supervisors are authorized and responsible to administer, when appropriate, the following types of discipline consistent with the policies/procedures herein. In all cases, such discipline is to be properly documented and copies filed as indicated:

(1) Immediate Supervisors have the authority to:

a. Issue oral reprimands.
b. Issue written reprimands.
c. Temporarily suspend an employee with pay pending investigation.
d. Recommend reduction in rank.
e. Recommend more severe discipline.

(2) The Chief Deputy has the same disciplinary authority as immediate Supervisors, and may also recommend discharge of employees in the event of extended absence of the Sheriff, but must first attempt to reach and secure concurrence from the Sheriff before doing so.

(3) The Sheriff may impose any discipline consistent with the Wisconsin Statutes.

PROCEDURE:

If, in the opinion of the Sheriff, immediate discharge or suspension is not warranted by the seriousness of the violation, the following disciplinary guidelines will be followed:

(a) **Verbal Warning.** After investigating the violation and discussing the matter with the Deputy (or other subordinate department member), the Deputy will be given a verbal warning from his/her Supervisor. The Supervisor, for purposes of letting the department member know that it is an official warning, shall state, "This is a verbal warning" (same as a documented verbal reprimand). A notation of this shall be placed in the department member's personnel file.

(b) **Written Warning/Letter of Reprimand.** For the next violation, the department member will receive a written notice of the offense with reference to the prior discussion and verbal warning. A copy of said notice shall be placed in the department member's personnel file. The Supervisor shall refer the disciplinary matter to the Sheriff when a written warning is being contemplated after a third offense. The Supervisor or Sheriff shall discuss the matter with the department member prior to issuing a written warning.

(c) **Suspension.** For third or subsequent violations, department members found to be in violation may be suspended by the Price County Board of Supervisors (or designated committee) without compensation. Within fourteen (14) days after the violation, the department member in question shall receive written notice from the Sheriff or Supervisor that the member's violation will be reviewed by the Sheriff or Supervisor at a hearing, that the member is encouraged to appear at the hearing and that suspension without pay is a possible disciplinary measure that may be imposed. The Sheriff may order a suspension without pay after investigation and hearing.

(d) **Discharge.** For fifth or subsequent violations, department members may be discharged by the Sheriff. The notice and hearing procedures used when considering suspensions shall be used when discharge of a department member is being considered.

(e) **State Law.** The requirements of the Wisconsin Statutes shall supersede the provisions of this Section when in conflict.

(f) **Variations.** This Section is meant to reflect the process of progressive discipline. However, variations in the procedure may occur and more severe discipline may be imposed without less severe forms of discipline first being imposed if, in the opinion of the Sheriff, Chief Deputy, or other Supervisor, the circumstances leading to the disciplinary action warrant such greater discipline.

(g) **Void.** Anything in this Section not in agreement with the Price County Employee Handbook shall be deemed null and void.

Title 2 ▶ Chapter 7

Uniforms and Appearance

Sec. 2-7-1 General Policy on Personal Appearance Standards
Sec. 2-7-2 Uniforms
Sec. 2-7-3 When Uniforms are to be Worn
Sec. 2-7-4 Maintenance and Care of Uniforms
Sec. 2-7-5 Personal Appearance Standards

Sec. 2-7-1 General Policy on Personal Appearance Standards.

POLICY:

All department members, as visible representatives of the Price County Sheriff's Office, shall conform to standards of appearance, which are acceptable to the community. During duty hours, personnel shall be well groomed and have their uniforms and civilian clothing neat and clean in appearance.

A Supervisor may authorize departures from these standards when required by the nature of the Corrections Officer's duties.

Sec. 2-7-2 Uniforms.

PURPOSE:

To maintain a professional appearance and promote an image of pride and unity to the public. To inform all sworn and non-sworn employees of the uniform specifications so that purchases can be made accordingly.

POLICY:

All department members, as visible representatives of the Price County Sheriff's Office, shall conform to standards of appearance which are acceptable to the community. During duty hours, personnel shall be well groomed and have their uniforms and civilian clothing neat and clean in appearance.

Members of the department shall wear the official prescribed uniform only when on duty or when going to or from work. The uniform will be worn at all times by all Deputies and Corrections Officers when on general Law Enforcement duties. Official department uniforms and accessories shall be prescribed by the Sheriff. All Deputies and Corrections Officers, regardless of rank, shall wear the prescribed uniform consistent with their rank and assignment while on duty. It shall be the sole responsibility of each Deputy or Corrections Officer to control and maintain all uniform and leather goods regardless of whether purchased by the Deputy or Corrections Officer or

issued by the department. Uniforms are to be kept clean, pressed, tailored to fit and kept in good condition at all times.

Members of the department shall be in complete uniform when on duty and will not be in uniform when off duty except when going to and from work. At no time will any part of the uniform be covered by an unauthorized outer garment. Anytime the uniform is worn, it shall be worn to present a professional appearance; shoes tied, pant legs over the boots, shirt buttoned and tucked in. Public wearing of the uniform when going to and from work shall conform to the same standards as when on duty.

PROCEDURE:

(a) Wearing of the Uniform.

(1) Officer's uniforms and/or civilian clothing should be kept clean at all times when on duty. The uniform and clothing will present a pressed appearance, free of excessive wrinkling as much as possible. They shall be free of defect and shall be in a high state of appearance and serviceability.

(2) It is the responsibility of the individual officer to maintain his/her uniform in a high state of serviceability and appearance and in compliance of this policy. The Sheriff or any Supervisor may challenge the quality, condition, appearance, serviceability, or appropriateness of any uniform, accessory or equipment and may direct the Deputy to bring these items in compliance with this policy.

(3) A member of the department, who neglects to replace any portion of his/her uniform that has been condemned, within a reasonable time after condemnation, may be subject to discipline.

(4) Leather or approved belts and accessories shall match and be kept clean, dyed, and polished. The belt and accessories should match (all basket weave, all plain or all nylon).

(5) Handcuffs and metal attachments on leather accessories and equipment shall be kept clean, free from rust and in serviceable condition.

(6) Generally speaking, when the uniform is worn, it must be worn completely.

(7) The uniform or any portion of it shall not be worn off duty except when otherwise authorized.

(8) All issued items shall be returned to the department upon the retirement, resignation, or termination of employment of the Deputy or Corrections Officer with the exception of those items purchased as optional equipment through the Deputy's or Corrections Officer's clothing allowance. A record of the Deputy's or Corrections Officer's issue shall be kept on file by the Sheriff or his/her designee.

(9) Equipment damaged, lost or stolen shall be reported to an immediate Supervisor in writing stating the circumstances, as soon as possible so the item(s) can be replaced without delay.

(10) When specified by the Sheriff, a Deputy or Corrections Officer on plain clothes duty will wear clothes appropriate for the type of work assigned in order to carry out the official duties. All on duty, non-

uniformed Deputies or Corrections Officers will wear contemporary clothes that are in line with business attire.

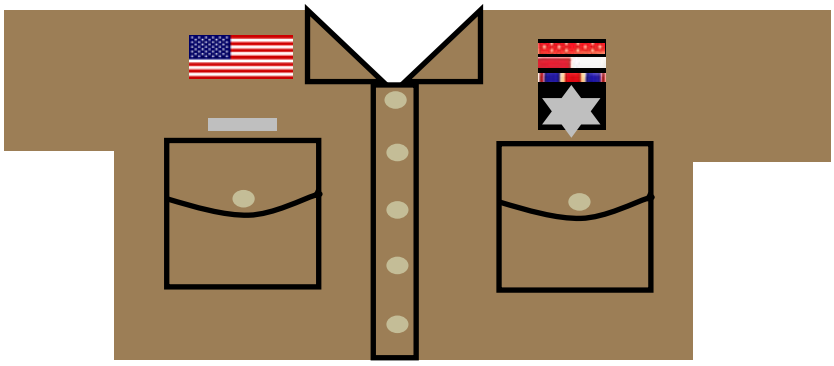
(11) The official identification card will be carried at all times.

(12) The Sheriff or his/her designee may schedule periodic inspections to insure a general standard of maintenance of equipment and clothing.

(13) It shall be the policy of the department that the following described clothing and accessories are the required uniform for the department. Uniforms and accessories are only those items approved by the Sheriff.

(b) Class A Uniform

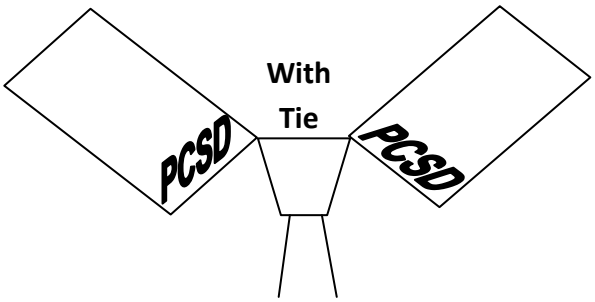
(1) The Class A uniform is mandatory and will be maintained by all Deputies and Corrections Officers. The Class A uniform will be worn at all formal events, court appearances, funerals, honor guards, formal ceremonial events, and any other time when designated by the Sheriff. Award ribbons shall be displayed above the department badge, on a ribbon holder on the outer most garment.



(2) The Class A long sleeve shirt shall be silver tan in color with matching buttons. The shirt shall be a polyester-wool or polyester-rayon blend. The shirt shall have a military press, shoulder epaulets, breast pockets with scalloped or straight flaps, reinforcing for the badge, five (5) military creases; two (2) in front centered on each breast pocket and three (3) in back. Department patches shall be sewn on each upper sleeve one (1) inch below the shoulder seam. The American Flag shall be sewn on one (1) inch above the top of the right pocket flap and centered with the pocket. A tie shall be worn with the Class A uniform.

(3) A one-half (1/2) inch by two and one-half (2 1/2) inch chrome or silver polished nameplate, with the Deputy's or Corrections Officer's first name initial, followed by a period, then last name, written in block letters in black ink, will be worn centered above the right pocket flap of the shirt. A silver colored whistle chain will be attached to the right shirt epaulet button and run into the right shirt pocket.

(4) A silver colored three-eighths (3/8) inch collar brass with the letters "PCSD" will be displayed while wearing the Class A uniform. The collar brass will run parallel to the collar edge and approximately one-quarter (1/4) inch up from the bottom collar edge.



(5) The Class A uniform shirt for a Lieutenant will be the same quality of shirt as a Deputy or Corrections Officer, but white in color with brown breast pocket flaps and epaulets. The name plate and whistle chain will be silver in color and worn in the same location as a Deputy or Corrections Officer. A Lieutenant will wear a three-quarter (3/4) inch silver bar on each shirt collar. The silver bar will be positioned parallel to the collar edge and one-quarter (1/4) inch from the bottom.

(6) The tie worn with the long sleeve shirt shall be dark brown in color, consistent with the uniform trousers. The tie may be one hundred percent (100%) polyester or a wool-polyester blend. Ties shall extend to the belt when standing, and shall be two (2) to three (3) inches in width at the widest point. The tie shall be fastened in a quick release style, such as a clip-on or a Velcro system. A silver colored Sheriff's badge tie clasp shall be worn with the tie and centered on the tie, parallel to the bottom of the shirt pocket flaps. The t-shirt should not be visible while wearing a tie. The department longevity pin may be worn in lieu of a tie clasp. If not worn on the tie, the longevity pin shall be worn centered on the right shirt pocket flap.

(7) The Class A trouser should be four (4) pocket style and can be one hundred percent (100%) polyester, a sixty-five/thirty-five (65/35) polyester-wool blend, a sixty-five/thirty-five (65/35) polyester-rayon blend, or a sixty-five/thirty-five (65/35) polyester-cotton blend. The front cuff of the trouser should touch the top of the shoe when standing.

(8) The Class A trouser for a Lieutenant should be the same color, quality, and style of trouser as a Deputy or Corrections Officer, but shall have a silver one-half (1/2) braid stripe on the outside of each leg extending from the waist to the cuff.

(9) The Class A shoes shall be a black High Gloss Oxford-type. The shoes shall be clean, shined and in good appearance at all times. The socks worn with the Class A uniform shall be black in color. Socks with white bottoms are permissible, providing only black is showing above the shoe when sitting down.

(10) The Class A duty belt shall be a black Sam Browne Clarino (high gloss) belt, containing a Clarino (high gloss) holster, high gloss handcuff holder, and high gloss magazine holder. The buckle snaps on the keepers and accessories should be silver in color. The duty belt shall be clean, shined, and in good appearance at all times.

(11) The Class A uniform hat is a dark brown Sheriff's-style straw Stetson with silver braid and a brown head strap. The double round silver braid ending in silver acorns will be worn immediately above the brim of the bottom of the crown. The department hat badge will be centered on the front of the hat. This hat can be worn with the Class A and Class B uniform.

(c) Class "B" Uniform

(1) The Class B uniform is the duty uniform and will be worn whenever the Class A uniform is not required. Award ribbons may be worn on the Class B uniform and shall be displayed above the departmental badge on a ribbon holder.

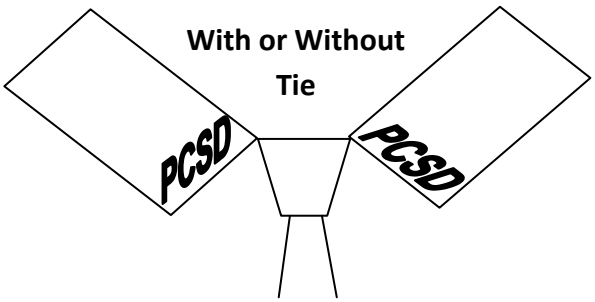
(2) Shirts.

a. Long Sleeve: The long sleeve shirt shall be silver tan in color with matching buttons. The shirt shall be a polyester-wool, polyester-rayon, or polyester-cotton blend. The shirt shall have a military press, shoulder epaulets, breast pockets with scalloped or straight flaps, reinforcing for the badge, five (5) military creases; two (2) in front centered on each breast pocket and three (3) in back. Department patches shall be sewn on each upper sleeve one (1) inch below the shoulder seam. The American Flag shall be sewn on one (1) inch above the top edge of the right pocket scallop and centered with the pocket. If not wearing a tie with the long sleeve shirt, the shirt shall be worn open at the neck, with only the collar button undone. If an undergarment is visible, it shall be a black or white non-sagging crew neck t-shirt.

b. Short Sleeve: The short sleeve shirt shall be silver tan in color with matching buttons. The shirt shall be a polyester-wool, polyester-rayon, or polyester-cotton blend. The shirt shall have a military press, shoulder epaulets, breast pockets with scalloped or straight flaps, reinforcing for the badge, five (5) military creases; two (2) in front centered on each breast pocket and three (3) in back. Department patches shall be sewn on each upper sleeve one (1) inch below the shoulder seam. The American Flag shall be sewn on one (1) inch above the top edge of the right pocket scallop and centered with the pocket. No tie is to be worn with the short sleeve shirt and the shirt shall be worn open at the neck, with only the collar button undone. If an undergarment is visible, it shall be a black or white in color non-sagging crew neck t-shirt.

c. When wearing the long sleeve or short sleeve shirt, a one-half (1/2) by two and a half (2 1/2) inch chrome or silver polished nameplate with the officer's name will be centered above the right shirt pocket flap. A silver colored whistle chain will be attached to the right epaulet button and run into the right shirt pocket.

d. When wearing the long sleeve or short sleeve shirt, a silver colored three-eighths (3/8) inch collar brass with the letters "PCSD" will be displayed on each shirt collar. The collar brass will run parallel to the collar edge and approximately one-quarter (1/4) inch up from the bottom collar edge.



(3) Pants.

a. The Class B uniform pants shall be dark brown in color and replaced when faded. The uniform trouser can be cotton or a polyester-cotton blend BDU or utility style. Uniform trousers having pleated fronts, more than six (6) pockets, hidden pockets, hooks, buckles or straps are prohibited.

(4) Socks.

a. All visible portions of socks or hosiery worn with the Class A or Class B uniform shall be black in color.

(5) Footwear.

a. Shoes or boots must present a neat appearance (shined, polished, etc.) Pac-type boots (i.e. Sorrels) may be worn during inclement weather. Any deviation from type of shoes, boots, etc. shall require prior approval from the Sheriff. At no time are western-style boots (cowboy boots) to be worn with the uniform.
b. Oxfords – low quarter chukka-style, military-type boot, black with plain toe.
c. Boots – Wellington-type, black, with plain toe.
d. No shoe or boot shall be worn which has a buckle, tassel or strap. The following style shoes are prohibited.

    1. Cowboy-type boots.
    2. Loafers.
    3. Wingtips.
    4. Other dress style shoes with visible decorative style stitching.

(6) Neckwear.

a. A dark brown or black dickey, mock turtle neck, or turtle neck will be allowed during the fall and winter months with the Class B uniform. If any embroidery is on the collar, it should read “PCSD”. Under Armor wear will be an exception to this during the extreme cold winter months.
b. A dark brown or black scarf may be worn at the Deputy’s discretion during the cold weather months providing it does not create a safety hazard.

(7) Sweaters.

a. The Commando sweater shall be dark brown in color with V-neck, vertical ribs and reinforced shoulder and elbow patches.
b. The uniform shirt, along with a brown tie, dickey, mock turtle neck, turtleneck, or black under garment shall be worn beneath the Commando sweater.
c. The Commando sweater shall only be worn with the Class B uniform and shall display department arm patches, American Flag, badge, and name plate.

(8) Jacket.

a. Dark brown squad jacket with zip out liner and silver “S” buttons (summer, fall, winter).
b. Dark brown parka with silver “S” buttons (winter).
c. All jackets will have shoulder patches, jacket badge, American Flag, and name tag affixed to them when worn.

(9) Duty Belt.

a. An approved duty belt and all accessories worn with the belt must be maintained in such manner that ensures a uniform black color. Duty belt may be plain leather, basket weave leather or nylon, but a mix-matched style shall be avoided if possible.
b. A black trouser belt must be worn under the duty belt. Velcro-type belts are also permissible.
c. The duty belt shall be worn over the trouser belt in such a manner to prevent the trouser belt from showing.
d. Mandatory equipment items to be worn with the Correction Officer's duty belt:

1. Portable radio in black case.
2. Issued handcuffs contained in black case.
3. Approved oleo capsicum (pepper spray) in black holster.
4. Black pouch for carrying search gloves.
5. Black key ring holder.
6. Approved Taser and holster.

(10) Stab Proof Vests – Issued. Stab Proof vests shall be worn at all times unless a written doctor's order is provided to a Supervisor.

(e) Optional Items.

(1) Instructor Pin: Active members of the Sheriff's Office who instruct may wear the approved pin.

(2) FTO Pin: Active members who are Field Training Officers and Field Training Supervisors may wear the authorized Field Training Officer pin.

Sec. 2-7-3 When Uniforms are to be Worn.

(a) Deputies and Corrections Officers shall wear the prescribed uniform at all times when on duty unless authorized for plain clothes duty.

(b) Winter and summer uniforms shall be worn as designated by the Sheriff. Generally weather conditions will govern the wearing of the uniform.

(c) Uniforms will be worn in court; Deputies and Corrections Officers testifying in court will be well groomed and neatly attired. Ties will be worn at all times while in court.

(d) The uniform shall not be worn when the Deputy or Corrections Officer is off duty, unless the Deputy or Corrections Officer is involved in a public relations talk, has received special permission from the Sheriff, or is enroute to or from work.

(e) The uniform will not be worn under circumstances in which the Deputy or Corrections Officer is partaking or appears to be partaking in alcoholic beverages.

Sec. 2-7-4 Maintenance and Care of Uniforms.

POLICY:

All parts of the uniform will be kept in the most presentable condition possible.

(a) The shirt shall be cleaned and pressed.

(b) The trousers shall be cleaned and pressed.

(c) Shoes will be clean and well-polished.

(d) Outer wear shall be clean and unwrinkled.

(e) Uniforms that do not fit, are badly faded, or torn in such a manner that they cannot be properly repaired shall not be worn by Deputies or Corrections Officers.

Sec. 2-7-5 Personal Appearance Standards.

POLICY:

Department members, while on duty, shall conform to the following appearance standards as herein prescribed. They shall always strive to present a professional appearance. It is the responsibility of all supervisors to regularly monitor their subordinate's general appearance to ensure conformity with this policy. In doing so, supervisors shall use their discretion with an emphasis placed upon presenting a professional appearance. Supervisors finding a subordinate member who is not in compliance with any of the following sections shall take prompt, appropriate action to correct any deficiency.

PROCEDURE:

(a) **Neat Appearance.**

(1) Employees shall, at all times, maintain a neat, clean, and well groomed personal and physical appearance with personal hygiene beyond reproach. All employees shall maintain themselves in good physical condition so they can adequately perform the required duties and present a professional image.

(2) It is important for employees to bathe/shower regularly for body and hair hygiene and to practice good oral hygiene. The use of strongly scented perfumes, colognes or after shaves shall be avoided. A clean odor-free uniform shall be worn daily.

(b) **Compliance With Regulations.**

(1) Every member of the department, while on duty, shall have proper haircuts and dress in conformity with the rules and regulations of the department.

(2) Members of the department shall always present a positive image and demonstrate their interest in their work. Corrections Officers shall be subject to inspection by Supervisory personnel at any time while on duty.

(c) **Hair.**

(1) **Males.**

a. Hair shall be neat, clean and shall not interfere with full vision.
b. The length of hair for males shall not extend past the bottom of the shirt collar at the center of the back.
c. Hair may extend over the ears, but shall be no longer on the sides than the middle of the ear.
d. Hair must be neatly clipped and shaped at the top and sides to present a well groomed appearance and shall, if the member is in uniform, not interfere with the proper wearing of the uniform cap.
e. Hair color, if dyed, should present a natural appearance. Colors such as green, blue, purple or any other color that does not occur naturally are prohibited.

(2) **Females.**

a. Hair shall be neat, clean and shall not interfere with full vision.
b. Female members shall arrange their hair so it does not extend past the bottom edge of the shirt collar.
c. Hair may extend over the ears, but shall be no longer on the sides than the bottom of the shirt collar.
d. If the hair is worn over the ears, it shall not be arranged in a way that would be advantageous for a suspect to grab.
e. Female hairstyles, if the member is in uniform, shall not interfere with the proper wearing or alter the original shape of the uniform hat.
f. Hair color, if dyed, should present a natural appearance. Colors such as green, blue, purple or any other color that does not occur naturally are prohibited.

(3) **Sideburns.**

a. Sideburns may be worn if they are neatly trimmed and do not extend below the bottom of the ear lobe.
b. Sideburns shall be straight and of even with (not flared) and end in a clean shaven horizontal line.

(4) **Mustaches.**

a. Mustaches shall be neatly trimmed, groomed, and present a professional appearance.
b. The mustache shall not extend further down than the jaw line.
c. No handle bar mustaches or waxing of the mustache will be allowed.

(5) **Beards and Goatees.**

a. Beards and goatees will be neatly trimmed, groomed, and present a professional appearance.
b. The length of beards and goatees shall not exceed one half (1/2) inch in length.
c. The beard should not prevent the wearing of any safety gear or create a work hazard.

(6) **Jewelry – Uniformed Members.**

a. No jewelry or personal ornaments shall be affixed to the uniform or personal equipment of an officer.
b. Any jewelry that represents a safety hazard or interferes with the performance of one's job is not allowed.
c. One (1) watch, one (1) ring per hand, and medical alert bracelets/neck jewelry are allowed.
d. If worn, neck jewelry shall not be visible on uniformed officers.
e. Female officers only will be allowed to wear a single post-type earring in each ear. No hoops or dangling earrings or any other form of visible body piercing will be allowed.
f. Visible body piercings and tongue piercings are prohibited.
g. Simply covering facial or ear jewelry or visible body piercings (e.g. eyebrow, nose, mouth piercings, etc.) with a bandage or other disguise does not constitute compliance with this standard.

(7) **Tattoos.**

a. If tattoos are exposed and visible on the arms or hands, the tattoo shall not cover more than twenty-five (25) percent of the arm or hand and will not be obscene or offensive in nature.
b. No tattoos are allowed from the base of the neck up.

(d) **Judicial Proceedings.**

(1) All Department members giving testimony in any judicial proceeding will be required to wear their Class A uniform or civilian clothing that will include a suit or sport coat, shirt, tie, and dress shoes. Female employees wearing civilian clothes shall choose modest-appearing clothing conducive to the serious, business-like atmosphere of a courtroom. Unless otherwise authorized by the Sheriff, all uniformed personnel will appear in court in a clean, neat, seasonal uniform, plus complete leather gear and duty weapon. Shoes will be polished and shined. Situations involving an apparent conflict of assignment shall be reported to an employee's immediate superior as soon as possible for resolution and disposition.

(2) Department members appearing in court are to be punctual in attendance and all except the Sheriff, Chief Deputy and Investigators shall appear in uniform. They shall have the cases in which they are to testify properly prepared and evidence to be used suitably arranged for presentation to the court. Members shall observe the utmost attention and respect towards court personnel at all times. When giving testimony they shall speak clearly and explicitly so regarding be easily heard by court personnel and the jury. They shall testify with the strictest accuracy confining themselves to the case before the court and neither suppress or overstate the slightest circumstances with the view of favoring or discrediting any person or case. When cross-examined they shall answer with the same readiness and civility as when testifying in support of the charge remembering that the ends of justice will be served by showing a desire simply to tell the whole truth whether it be in favor or against the defendant or any party in a civil action.

(e) **Schools, Seminars, Conferences, Department Meetings, Etc.** All Deputies and non-sworn personnel will be required to wear either full uniform or appropriate civilian clothing such as dress slacks, dress jeans, sport shirt and shoes. Deviation from this standard may be authorized by the Sheriff prior to the function. The only exception is when there is a need to wear foul weather gear or appropriate clothing for range use, physical training, etc. These exceptions will be announced in advance.

(f) **Non-Sworn Personnel.** All non-sworn personnel will be required to follow the general standards established for Deputies and Corrections Officers when attending functions. Female non-sworn personnel must wear

attire such as a dress, dress jeans, skirt and blouse or dress slacks and blouse and dress shoes. Deviation from this standard may be approved by the Sheriff prior to the function.

(g) **Special Assignment Exception.** Specialized units engaging in operations requiring surveillance and/or undercover work are exempt from the contents of this regulation when specifically authorized by the Sheriff or Chief Deputy.

COMMENTARY:

This policy shall be interpreted with a flexibility that reflects changes in the "standards of appearance which are acceptable to the community". An attempt shall be made to give the individual the greatest amount of freedom in dress and appearance possible, within the limits of the community opinion and department directives.

TITLE 3

Corrections Officer Techniques

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Title 3 ▶ Chapter 1

Admissions Procedures

Sec. 3-1-1 Admission Procedures Generally
Sec. 3-1-2 Legal Commitments
Sec. 3-1-3 Condition of Prisoner
Sec. 3-1-4 Foreign Language Admissions

Sec. 3-1-1 Admission Procedures Generally.

POLICY:

No prisoner will be admitted to the custody of the Price County Jail unless the transporting officer is positively identified. The transporting officer and the arresting officer, if not the same officer, shall complete a Request for Detention form. All prisoners should be handcuffed with their hands behind their back prior to being admitted to the booking area.

PROCEDURE:

(a) The Booking Officer will request to see positive identification of the transporting officer, if the transporting officer has not been previously identified. Such identification shall include:

(1) A badge and photo ID for law enforcement officers identifying the agency and signature of department head.

(2) An official photo ID for any agent of any Department of Corrections.

(3) Such other identification as the Booking Officer deems necessary to establish positive identification.

(b) If the transporting officer cannot or will not produce proper identification, or if the identification procedure does not conform to the officer's person, the Booking Officer will refuse to accept custody and will contact a Supervisor.

(c) If custody is refused, the facts and circumstances surrounding the refusal will be included in a detailed written incident report.

Sec. 3-1-2 Legal Commitments.

PROCEDURE:

(a) Immediately following the review of the transporting officer's identification, the Booking Officer will obtain from the transporting officer the legal documents authorizing custody.

(b) The Booking Officer will review the documents for proper execution. Such documents may include:

(1) Court orders.

(2) Arrest warrants.

(3) Transfer papers or hold orders from the Federal Bureau of Prisons or the State Department of Corrections.

(4) Orders for Commitment issued by the Clerk of Court.

(5) Warrants signed by the proper authority.

(6) Remanding form from a competent authority documenting an arrest and need for incarceration pending appearance in court, i.e. 48-hour Probable Cause Affidavit, Bail Denial Request, Victim Notification of Contact Prohibition form, Conditional Release and Contact Prohibition form or Domestic Abuse Victim Waiver of Contact Prohibition form.

(c) If the transporting officer is unable to produce valid commitment documents, the Booking Officer shall not accept the prisoner and will immediately contact a Supervisor.

(d) If the admission of the inmate is refused due to lack of proper documentation, a supervisor shall be immediately notified. The facts and circumstances of the refusal will be included in a written report to the Supervisor.

Sec. 3-1-3 Condition of Prisoner.

POLICY:

It is the policy of the Price County Jail that no person will be admitted in an unconscious state, and that any evidence of illness, mental health problems, detoxification or injury will be given prompt attention prior to acceptance of custody.

PROCEDURE:

(a) The Booking Officer will carefully observe the physical condition and behavior of the prisoners prior to acceptance into the Jail.

(b) If an individual is incapacitated, that individual shall be transported to the hospital by the arresting/transporting Officer or ambulance and a Supervisor notified.

(c) If the injury, illness, or emotional state of the prisoner appears to be serious, the Booking Officer will seek immediate medical attention for the prisoner and notify a Supervisor.

(d) If the prisoner's behavior appears to be affected by the use of drugs or alcohol, the Booking Officer shall determine if treatment and services should be provided in accordance with the provisions of Sec. 51.45(1), Wis. Stats. and Sec. 51.15(1), Wis. Stats.

(e) If the prisoner's injuries appear minor in nature, refer to Title 4 Chapter 13 on Standing Medical Orders.

Sec. 3-1-4 Foreign Language Admissions.

PROCEDURE:

(a) The Booking Officer shall try to ascertain the origin of the Country and language being spoken.

(b) The Booking Officer shall utilize Language Line Solutions to complete the booking process.

(c) In the case of Foreign Nationals:

(1) Have the individual turn over their identification for inspection.

(2) Have the individual call their Consulate in St Paul or Chicago.

Personal Search Procedure

Sec. 3-2-1 Conducting Personal Searches
Sec. 3-2-2 Definitions
Sec. 3-2-3 Strip Searches on Inmates in Custody At Least 12 Hours
Sec. 3-2-4 Strip Searches on Inmates in Custody for Less Than 12 Hours
Sec. 3-2-5 Body Cavity Searches
Sec. 3-2-6 Searches on the Physically Disabled

Sec. 3-2-1 Conducting Personal Searches.

POLICY:

In order to ensure safety and security, and in order to prevent introduction of contraband, Corrections Officers shall conduct a full search of every person brought into the Jail for incarceration. This should be done as a routine part of the booking procedure.

A full search shall involve thoroughly patting down the individual's body on the outside of the clothing, and thorough examination of articles of clothing and possessions.

In addition to the full search at booking, Corrections Officers may conduct full searches of inmates at any time there is reason to suspect such a search may be necessary.

PROCEDURE:

(a) In conducting a full search of an individual, Corrections Officers will:

(1) Don disposable gloves prior to beginning any personal search.

(2) Direct the person to be searched to place his/her hands against the wall and spread his/her fingers apart.

(3) Direct the person to spread his/her feet apart and move them back until they are off balance and must rely on the wall for support.

(4) Hold their clothing or belt in your hand from the rear (as a means of contact) and place your right foot next to their left foot.

(5) Begin searching the individual with your right hand on their right side only, in this order:

a. Wrist, fingers, arms and armpits.
b. Hair and neck.
c. Body torso.
d. Belt and waist area.
e. Groin and crotch.
f. Legs, ankles, socks and shoes (including bottoms of shoes).

(6) Repeat the process from the left side, using the opposite hand and foot.

(7) In addition to searching the individual, thoroughly search any packages or loose clothing that has been carried into the Jail.

Sec. 3-2-2 Definitions.

(a) **Strip Search.** A search in which a person's genitals, pubic area, buttocks or anus, or a detained female's breast, is uncovered and exposed to view. This includes individuals that are changed out of street clothes and put into Jail uniforms.

(b) **Body Cavity Search.** A strip search which involves either a digital (finger) or instrument intrusion into a person's anus and rectum or into the vagina of a female.

(c) **Physically Disabled Person.** In this context, a person who requires an assistive device for mobility, including, but not limited to, a wheelchair, brace, crutch or artificial limb.

Sec. 3-2-3 Strip Searches for Inmates in Custody At Least 12 Hour.

POLICY:

In order to ensure safety and security of inmates and staff and to prevent introduction of contraband, strip searches may be performed on all individuals who have been in custody for at least twelve (12) hours and will be put into population, i.e. with other inmates in the Jail.

PROCEDURE:

(a) In conducting a strip search, Correctional Officers will:

(1) Don disposable gloves prior to beginning any strip search.

(2) Take the individual into an enclosed room, away from the general view of other people.

(3) Direct the individual to remove all clothing and place the clothing to one side.

(4) Begin the search with the head; check the hair, using either hand, or preferably, a long-toothed comb.

(5) Next, examine the ears, mouth and nose; a flashlight may be used for this.

(6) Inspect the armpits, arms and hands. Have the subject open and fully extend their hands in order to check between the fingers.

(7) Examine the torso for tape or bandages that may conceal injuries or contraband; carefully remove any bandages and then replace them with clean ones.

(8) Inspect the rectum; ask the person to bend over and spread his/her buttocks and inspect with a flashlight and have them cough. DO NOT TOUCH! If contraband is suspected, request a body cavity search.

(9) Inspect the vagina of a female in a similar fashion.

(10) Inspect the feet, including the spaces between the toes.

(11) Make a visual inspection of the entire body for bruises, scars, injuries, tattoos, birthmarks or any other identifying marks; record these.

(12) Following the examination of a person, carefully examine each article of clothing before returning it to the person.

(13) REMEMBER – a strip search can be embarrassing; respect the person's feelings and conduct the procedure in a professional manner.

Sec. 3-2-4 Strip Searches for Inmates in Custody for Less Than 12 Hours.

POLICY:

In order to ensure safety and security of inmates and staff and to prevent introduction of contraband, strip searches shall not be performed on individuals who have been in custody for less than twelve (12) hours and who are the entering the jail population, i.e. with other inmates in the Jail, unless they have met the following criteria:

(a) They have been charged with a felony, or

(b) They have been charged with one of the following misdemeanors:

(1) 167.30 - Use of Firearms, Bow/Arrows near a park.

(2) 940.19 - Battery, Aggravated Battery.

(3) 941.20(1) - Reckless Use of a Weapon.

(4) 941.23 - Carrying a Concealed Weapon.

(5) 941.237 - Carrying Handgun Where Alcoholic Beverages May be Sold or Consumed.

(6) 941.24 - Possession of a Switchblade Knife.

(7) 948.60 - Possession of a Dangerous Weapon by a Child.

(8) 948.605(2)(a) - Possession of a Firearm in a School Zone.

(9) 948.61 - Dangerous Weapons Other Than Firearms on School Premises.

(10) 961.41 - Drug Offenses

PROCEDURE:

(a) In conducting a strip search, Correctional Officers will:

(1) Don disposable gloves prior to beginning any strip search.

(2) Take the individual into an enclosed room, away from the general view of other people.

(3) Direct the individual to remove all clothing and place the clothing to one side.

(4) Being the search with the head; check the hair, using either hand, or preferably, a long-toothed comb.

(5) Next, examine the ears, mouth and nose; a flashlight may be used for this.

(6) Inspect the armpits, arms and hands. Have the subject open and fully extend their hands in order to check between the fingers.

(7) Examine the torso for tape or bandages that may conceal injuries or contraband; carefully remove any bandages and then replace them with clean ones.

(8) Inspect the rectum; ask the person to bend over and spread his/her buttocks, inspect with a flashlight and have them cough. DO NOT TOUCH! If contraband is suspected, request a body cavity search.

(9) Inspect the vagina of a female in a similar fashion.

(10) Inspect the feet, including the spaces between the toes.

(11) Make a visual inspection of the entire body for bruises, scars, injuries, tattoos, birthmarks or any other identifying marks; record these.

(12) Following the examination of a person, carefully examine each article of clothing before returning it to the person.

(13) REMEMBER – a strip search can be embarrassing; respect the person's feelings and conduct the procedure in a professional manner.

Sec. 3-2-5 Body Cavity Searches.

(a) Body cavity searches may be conducted as part of a strip search if there is reason to suspect that the subject is secreting contraband or evidence in a body cavity. Body cavity searches shall only be conducted by a physician, physician's assistant, or registered nurse licensed to practice in Wisconsin. However, Corrections Officers of the same sex as the person being searched may assist in conducting a body cavity search if necessary, e.g. if the subject is belligerent or physically aggressive.

(b) Corrections Officers conducting strip searches shall prepare a written report identifying the detainee, all officers conducting the search, the time, date and place of the search and the written authorization of a Supervisor and provide a copy of the report to the detainee.

Sec. 3-2-6 Searches on the Physically Disabled.

(1) Strip searches on physically disabled persons shall conform to the policy guidelines for strip searches of non-disabled persons, except that if the search requires the removal of an assistive device or involves a person lacking sensation in some portion of his/her body, the search shall only be performed by a physician, physician's assistant, registered nurse, licensed practical nurse, osteopath or physical therapist.

Notification of Incarceration

Sec. 3-3-1 Telephone Calls for Newly Admitted Prisoners

Sec. 3-3-1 Telephone Calls for Newly Admitted Prisoners.

POLICY:

Corrections Officers shall afford reasonable opportunity for newly-admitted prisoners to contact persons to secure release, seek legal advice, and to provide notification of incarceration to family or friends.

PROCEDURE:

(a) Following the search procedures and completion of the admission process, the newly-admitted prisoner will be allowed access to the telephone and the directory located in the booking room as soon as practical. Outgoing telephone calls shall be restricted to notification of relatives and employers, calls relative to acquiring bond, or attorney/client calls. All outgoing long distance telephone calls shall be made collect or billed to a calling/credit card or another telephone number.

(b) If, after completion of the admission process, the prisoner is unable to contact parties by telephone, the prisoner will be allowed to place additional calls as soon as practical after being placed in an assigned cellblock. Telephone calls will only be allowed from assigned cellblocks during regularly authorized times.

(c) Corrections Officers may prohibit an inmate from making telephone calls under special circumstances as deemed appropriate by a Supervisor.

Title 3 ▶ Chapter 4

Identification Procedures

Sec. 3-4-1 Photographing and Fingerprinting Prisoners
Sec. 3-4-2 Uncooperative Prisoners

Sec. 3-4-1 Photographing and Fingerprinting Prisoners.

POLICY:

Every prisoner who is taken into custody will be photographed. All prisoners will be fingerprinted.

PROCEDURE:

(a) Photographs.

(1) The booking officer will:

a. Instruct the prisoner to take the proper position for photographs.
b. Take one (1) full face photo, one (1) side view (right), and one (1) side view (left) of the prisoner.
c. Take any other required in-facility identification photographs.

(b) Fingerprints.

(a) The booking officer will take the required fingerprints and palm prints for all prisoners.

Sec. 3-4-2 Uncooperative Prisoners.

(a) In the event a prisoner refuses to be photographed or fingerprinted, the booking procedure will be suspended until such time as the prisoner desires to cooperate.

(b) Any time that booking is suspended due to lack of cooperation on the part of the prisoner, the booking officer will make a written report in the Jail Log and notify the Jail Administrator - Lieutenant and/or other Supervisor when appropriate via report or messaging system if a Supervisor is not immediately available.

Title 3 ▶ Chapter 5

Inmate Classification

Sec. 3-5-1 Inmate Classification

Sec. 3-5-1 Inmate Classification.

POLICY:

To establish policy and procedures for the classification of inmates within the Price County Jail facility to comply with 2005 Wisconsin Act 295 and Sec. 350.21, Wis. Stats. It will be the policy of this agency to classify each individual housed within the facility and to segregate individuals appropriately according to the classification system being utilized.

PROCEDURE:

(a) All inmates to be housed for more than twenty-four (24) hours within the Price County Jail facility shall be classified prior to being placed into the jail population. Inmates being held for less than twenty-four (24) hours will not be classified.

(b) Booking officers will do preliminary classification. Designated officers will do final classification.

(c) The classification officers will request dispatch run a complete criminal history background to be utilized along with court documentation, probation and parole documentation, Price County Jail records, a severity of offense scale and any other information available to complete the classification.

(d) Booking officers will utilize the current Spillman classification system to classify inmates.

(e) Reclassification of inmates will be done on an as needed basis.

(f) Reclassifications and decision tree overrides need Supervisory approval.

Title 3 ▶ Chapter 6

Confiscation of Personal Clothing

Sec. 3-6-1 Confiscating Personal Clothing
Sec. 3-6-2 Transfer of Clothing

Sec. 3-6-1 Confiscating Personal Clothing.

POLICY:

For the health, safety and security of the Jail, inmates will not be allowed to wear personal clothing, while confined, unless stipulated elsewhere in this manual.

PROCEDURE:

(a) **Removal of Clothing.** The booking officer will escort the inmate to a receiving cell and instruct the inmate to remove all items of personal clothing for placement into storage.

(b) **Inspection of Clothing.** The booking officer will inspect each separate item of clothing for contraband. If contraband is found, the procedures set forth in Title 3 Chapter 9 – Contraband, are to be followed.

(c) **Itemizing Inmate Clothing.** All clothing will be appropriately documented and will be securely placed in storage. A complete inventory of the inmate's clothing will be made, showing the type and quantity of the clothing, colors, damage, etc. Small items, including wallets, watches, jewelry, valuables, etc., will be securely placed in a storage container specifically assigned to that inmate.

(d) **Inmate's Signature.** The inmate will be requested to sign the Receipt for Property Stored generated by the booking officer. If the inmate refuses to sign, a second officer shall sign and make the notation that the inmate refused to sign.

Sec. 3-6-2 Transfer of Clothing.

(a) Any inmate may transfer clothing to someone outside the Jail if the Property Release Form is filled out.

(b) Additional clothing, for court appearances, may be accepted by the Jail, but only with the authorization of the Jail Administrator – Lieutenant or other Supervisor.

Title 3 ▶ Chapter 7

Issuing Inmate Uniform, Linens, Hygiene Items and Informational Guide

Sec. 3-7-1 Uniform
Sec. 3-7-2 Bedding and Linens
Sec. 3-7-3 Personal Hygiene Items
Sec. 3-7-4 Informational Guide

Sec. 3-7-1 Uniform.

POLICY:

To maintain a healthful environment and to protect the personal property of inmates, all inmates will be required to wear a Jail uniform. It is the department's responsibility to provide all necessary hygiene items for those persons who cannot afford to purchase such items.

PROCEDURE:

(a) The booking officer will obtain a clean inmate uniform of the appropriate size.

(b) The booking officer will instruct the inmate to wear the uniform at all times except in the shower and bed.

(c) The booking officer will issue a pair of jail slippers of the appropriate size.

(d) The booking officer will issue underclothing and socks of the appropriate size.

Sec. 3-7-2 Bedding and Linens.

(a) The booking officer will give the inmate the following:

(1) One (1) mattress.

(2) One (1) pillow.

(3) One (1) fitted sheet.

(4) One (1) flat sheet.

(5) One (1) pillow case.

(6) One (1) towel.

(7) One (1) washcloth.

(8) One (1) blanket

(b) All bedding, linens, uniforms and underclothing will be cleaned to maintain sanitary conditions.

(1) Blankets shall be laundered or sterilized before re-issue. Blankets used with sheets shall be laundered at least every month and blankets used without sheets shall be laundered at least weekly.

(2) Sheets, pillowcases and mattress covers shall be changed and washed at least weekly.

(3) Towels, washcloths and underclothing shall be laundered three (3) times per week.

(4) Uniforms will be laundered two (2) times per week.

(5) Mattresses will be cleaned and sanitized before reissue.

(6) Footwear will be cleaned and sanitized before reissue.

(7) Personal storage containers and drawers will be sanitized between each use.

Sec. 3-7-3 Personal Hygiene Items.

(a) After twenty-four (24) hours, inmates shall be provided with toilet articles sufficient for the maintenance of cleanliness and hygiene, including toothpaste and toothbrush, soap, comb and toilet paper. Shaving materials and feminine hygiene products shall be provided to inmates upon request. There shall be no common use of items specified in this subsection except electric razors.

(b) Jail razors are not to remain in a cell area after use. Any Corrections Officer distributing a Jail razor shall personally ensure that the razor is promptly acquired after use during the shift. Under no circumstances shall a Jail razor remain in a cell area from one shift to another. Electric Jail razors shall be properly disinfected by the issuing Corrections Officer.

Sec. 3-7-4 Informational Guide.

(a) All new inmates will be issued a Price County Jail Inmate Rules & Regulations guide

Title 3 ▶ Chapter 8

Control of Inmates' Funds

Sec. 3-8-1 Inmates' Funds

Sec. 3-8-1 Inmates' Funds.

POLICY:

No inmate will be permitted to keep money on his/her person or in his/her cell while in the Jail. All inmates' funds will be controlled by Corrections Officers in a fair, ethical and honest manner.

PROCEDURE:

(a) Inmates' Funds in General.

(1) At booking, Corrections Officers shall inventory and itemize all funds belonging to the inmate and shall accurately record same in the computer booking report.

(2) The Corrections Officer shall enclose the funds in an inmate funds envelope and fill out an inmate funds quarter (¼) sheet with name, date, and amount. The envelope shall then be turned over to the Trust Fund Regulator.

(3) The Trust Fund Regulator shall enter the appropriate amount into the inmate's canteen account, entering the date and in what manner the funds were received, i.e. cash, check, money order, etc.

(4) Corrections Officers shall be prohibited from transferring or receiving money or items of value to/from inmates' accounts when such transactions may personally benefit the Corrections Officer.

(5) Inmates must fill out a Property Release Form for transfers of funds to another person.

(b) Deposits.

(1) If a deposit is made on behalf of the inmate, the Corrections Officer shall:

a. Prepare a receipt for the person depositing the money.
b. Place the money in the appropriate locked/secure place for transfer to the Trust Fund Regulator.
c. Enter the amount deposited in the inmate's computer log.

(c) Release/Return of Inmate Funds

(1) The remaining balance of money in the inmate's fund after paying any arrears will be returned to the inmate upon release or mailed to him/her in the form of a check.

(d) Expenditures.

(1) Inmates may release money to third parties, except in the event the third party is housed in the custody of the Jail. If money is released to a third party, the Corrections Officer shall have the receiving party sign the back of the Property Release Form which is labeled "Acceptance of Property".

(2) An inmate may spend money for canteen services and any other reason deemed necessary by corrections staff.

Title 3 ▶ Chapter 9

Contraband

Sec. 3-9-1 Definition
Sec. 3-9-2 Confiscation and Reporting
Sec. 3-9-3 Search and Shakedown

Sec. 3-9-1 Definition.

POLICY:

The introduction of contraband into the Jail or the possession of contraband is a severe threat to the security of the Jail and the safety of its staff, inmates and visitors.

(a) Definition.

(1) Any item not appearing on the approved item list or otherwise approved by a Supervisor shall be considered contraband.

Sec. 3-9-2 Confiscation and Reporting.

(a) When contraband is found on an inmate or in the Jail, the Corrections Officer who first discovered the item shall:

(1) Remove the contraband from the inmate or location.

(2) Place the inmate on lockdown status, if possession constitutes a major or serious violation.

(3) Report the contraband to a Supervisor and complete a written report.

(4) Determine whether the possession of the item in question is in violation of State law and, if so, shall generate a complaint and case file pertaining to same through the jail module, have the Dispatcher on duty assign a deputy and shall ensure that a detailed incident report is prepared and copies are submitted to a Supervisor and/or the District Attorney.

(b) A Supervisor may elect to begin disciplinary procedures. The contraband shall not be destroyed until such time as all charges or proceedings surrounding the incident are resolved.

(c) If the contraband items include money, such money shall be credited to the inmate's account at the conclusion of all related proceedings.

Sec. 3-9-3 Search and Shakedown.

(a) The discovery of contraband in the possession of any inmate may be grounds for an immediate strip search of the inmate and search of his/her cell.

(b) Strip searches will be conducted in accordance with Title 3 Chapter 2 Personal Search Procedure of this manual.

(c) The discovery of contraband in any part of the Jail may be cause for an immediate shakedown of that area. Inmates who have been in the area in which contraband is found may be subject to search, including their cells, determined by the type of contraband, circumstances and the reasonable justification for the search.

(d) To ensure officer safety, Corrections Officers shall request such assistance from other officers as deemed necessary to conduct a search or remove inmates from cell areas.

Title 3 ▶ Chapter 10

Inmate Personal Property

Sec. 3-10-1 Confiscating Personal Property
Sec. 3-10-2 Property Storage
Sec. 3-10-3 Money

Sec. 3-10-1 Confiscating Personal Property.

POLICY:

The personal property of inmates will be respected by staff and will be handled with care to prevent loss, theft or damage.

Inmates will only be allowed to keep with them those items of personal property authorized by the administration. All other items will be stored in a safe place pending the inmate's release.

PROCEDURE:

(a) The Corrections Officer will, at any time an inmate is admitted to the Jail and during the search procedures, confiscate all personal property of the inmate, including:

(1) Money.

(2) Inmate's clothing.

(3) Inmate's valuables, i.e. wallet, purse, jewelry, etc.

(4) Other items as authorized by the administration.

(b) Luggage or bulky belongings of the inmate should not be brought to the Jail. The Corrections Officer shall instruct the transporting officer to arrange for these items to be turned over to some other person designated by the inmate or to keep them in the arresting department's property until the release of the inmate.

(c) On the prisoner's property list, the booking officer will list and describe all items taken from the inmate that will be stored in the Jail.

Sec. 3-10-2 Property Storage.

(a) All items should be securely placed in the inmate's storage container, except money, which will be deposited into the inmate trust account. If any item is too large to be placed in the container, it will be listed and described on the property list and a property tag will be attached to each item.

(b) The inmate's name and date of admission, booking number, and a brief description of the item will be noted on the property tag and the prisoner's property list.

(c) Any inmate's property which could be used as a weapon will be securely stored in a locked location and returned to the inmate upon his release.

(d) Property storage containers shall be sanitized before reuse.

Sec. 3-10-3 Money.

(a) The booking officer will count the inmate's money in the presence of the inmate when practical and place the amount of money on the prisoner's property list.

(b) When the inmate is unable to witness the counting of their money, another officer shall be present and verify the amount received and initial the receipt.

(c) The money will be placed in an inmate deposit envelope and turned over to the Trust Fund Regulator (refer to Control of Inmates' Funds Title 3 Section 8). Receipts for money shall be signed by the Corrections Officer receiving the money. All money will be accurately deposited into the inmate's canteen account by the Trust Fund Regulator.

Title 3 ▶ Chapter 11

General Release Procedures

Sec. 3-11-1 Non-Emergency Transfers and Emergencies
Sec. 3-11-2 Accountability of County Property
Sec. 3-11-3 Inmate Property
Sec. 3-11-4 Inmate Complaints
Sec. 3-11-5 Release and Update of Records

Sec. 3-11-1 Non-Emergency Transfers and Emergencies.

POLICY:

No inmate of the Price County Jail will be released or transferred unless the legality of the action is clearly established and the identity of the inmate is certain.

PROCEDURE:

(a) All documents providing for the release of an inmate shall be forwarded immediately to the Jail Administrator – Lieutenant or on-duty personnel by the recipient officer or staff member.

(b) Before the Corrections Officer begins the formal release proceedings, the Corrections Officer must verify the legality of the action.

(c) If the Corrections Officer has no reason to question the validity of the documents presented for transfer or release, the general release procedures shall be carried out.

(d) The Corrections Officer will make certain that no detainers, holds or warrants are pending which might prevent the release or transfer by:

(1) Checking the inmate's file and booking record.

(2) Checking NCIC and CIB.

(e) If any release detainers, holds or warrants are discovered, the Corrections Officer will notify by teletype the agency from which the detainer, hold or warrant was issued.

(f) If the agency wishes to take custody, the inmate will be returned to his/her cell to await pickup.

(g) If there is a request for victim/witness notification, the Corrections Officer shall attempt to contact the appropriate parties. The Corrections Officer will note the date and time of the notification or attempted notification in the inmate's file.

Sec. 3-11-2 Accountability of County Property.

(a) The Corrections Officer will instruct the inmate to gather his personal belongings from the cell and to clean the cell.

(b) The Corrections Officer will then inspect the cell for damage. Any damage found will be the responsibility of the inmate to repair, replace or be charged with a criminal offense.

(c) All county property (bedding, clothing, etc.) will be gathered and turned in prior to release.

Sec. 3-11-3 Inmate Property.

(a) All inmates being released shall be issued their personal property in the following manner:

(1) The Corrections Officer will secure the inmate's property from the inmate's locker box in the booking room and inventory the items.

(2) The inmate will sign the prisoner's Receipt for Property Stored Report to acknowledge receipt of all property and monies.

(3) The booking officer will inform the inmate that his/her funds will be sent to them in the form of a check, if a check cannot be given to them at book out time.

(4) If the property is not taken by the inmate at the time the inmate leaves, a notification must be sent to the inmate advising that they have five (5) days from the time they receive the notice to pick up their property or it will be disposed of.

(b) In the event an inmate refuses to sign to verify receipt of his/her property/money, the officer will summon another office to sign and date the form witnessing the return of the listed items.

Sec. 3-11-4 Inmate Complaints.

(a) If the inmate wishes to complain in any way about allegedly missing or damaged property/money, he/she shall be informed that the complaint must be made in writing within forty-eight (48) hours and addressed to the Jail Administrator – Lieutenant. The Corrections Officer shall complete an incident report and forward it to the Jail Administrator – Lieutenant as soon as possible. If the Jail Administrator – Lieutenant is also the releasing officer, the report should be forwarded to a Supervisor.

Sec. 3-11-5 Release and Update of Records.

(a) Make sure the inmate has a ride and somewhere safe to go and document in the inmate's computer file.

(b) When the inmate is ready to be released, the Corrections Officer shall escort the inmate to the front entry/exit door of the Safety Building.

(c) When an inmate is released from custody, such action shall be noted on all appropriate forms, in the inmate's file and in the inmate's computer file.

Title 3 ▶ Chapter 12

Release Criteria

Sec. 3-12-1 Release by Bond
Sec. 3-12-2 Bail Denial Conditional Hold
Sec. 3-12-3 Served Sentence
Sec. 3-12-4 Probation Holds
Sec. 3-12-5 Furlough

POLICY:

Every prisoner will be given all reasonable opportunities to secure legitimate release after the admissions process. No personnel will release a prisoner without proper authorization.

Sec. 3-12-1 Release by Bond.

(a) Once the Corrections Officer has been notified that bond has been authorized, the Corrections Officer will:

(1) Being the release procedures if no other prisoners are going through the admissions process.

(2) Release the prisoner from custody.

(b) Inmates should not be held any longer than necessary after an authorized release has been received.

Sec. 3-12-2 Bail Denial Conditional Hold.

(a) An officer must request a person be held on bail denial. The officer must fill out the Bail Denial Request form and the procedures on the form must be followed.

(b) A subject must be held until the condition justifying denial of release ends or until the accused appears before a judge pursuant to Wis. Stat. 970.01, whichever occurs first. If the arrest occurs on a weekend or holiday, the subject shall be brought before the judge as soon as possible on the first business day following the day of the arrest.

Sec. 3-12-3 Served Sentence.

(a) An inmate in custody must be released when they have fully served their sentence.

Sec. 3-12-4 Probation Holds.

(a) An inmate in custody on a Probation Hold must be released from custody when a cancellation of the hold is obtained.

Sec. 3-12-5 Furlough.

(a) In inmate in custody must be released when a Judge issues a furlough.

Title 3 ▶ Chapter 13

Records and Reports

Sec. 3-13-1 Creating an Inmate's Master File
Sec. 3-13-2 Content of Inmate's Master File
Sec. 3-13-3 Availability of Inmate Records

Sec. 3-13-1 Creating an Inmate's Master File.

POLICY:

Accurate and complete records will be maintained for all inmates to verify that all laws, standards and procedures have been followed. A master file on each inmate housed in the jail shall be maintained.

PROCEDURE:

(a) Before the inmate is moved from the booking area to the housing area of the Jail, the following records shall be completed:

(1) In-house computer system Booking Summary Sheet Report.

(2) In-house computer system Jail Observation Reports, if warranted.

(3) In-house computer system mug shot photos.

(4) Finger and palm print submission.

(5) Jail Rules & Regulations Acknowledgement Form.

(6) TIME System check.

(7) Cell assignment board.

(8) Any additional forms that may be required for that specific inmate.

(b) Corrections Officers will restrict questioning to the information necessary to complete the admissions records. Under no circumstances will the Corrections Officer question the prisoner about the offense for which the prisoner is incarcerated.

(c) At no time during the admission process will the prisoner be allowed to have booking documents in his/her possession. Throughout the process, all forms, documents and other records will be in the sole possession of the Corrections Officer.

(d) If the Corrections Officer suspects that information given by the prisoner is inaccurate, he/she will attempt to verify the information by:

(1) Checking NCIC/CIB.

(2) Checking existing jail files/department record files.

(3) Calling other law enforcement agencies.

(4) Calling probation or parole agencies.

(5) Calling family members named by the prisoner.

(e) At the completion of the admission process, the records and reports listed above will be placed in the inmate file.

Sec. 3-13-2 Content of Inmate's Master File.

POLICY:

(a) All reports concerning the inmate, with the exception of the medical report, shall be filed in the inmate's active master file which is kept in the Jail office.

(1) Medical records shall be turned over to the Jail Nurse.

(2) Inmate medical files are a confidential record.

(b) Reports to be filed are:

(1) Discipline reports and disposition.

(2) Grievances and disposition.

(3) Letters to and from the administration.

(4) Authorization slips and other requests.

(5) Other records relating to the inmate.

Sec. 3-13-3 Availability of Inmate's Master File.

POLICY:

(a) Records in the inmate master file are subject to the open records law.

(b) The inmate's master file is open to the public upon receipt of an open records request.

(c) Records concerning inmates or copies of same will not be removed without a Supervisor's approval.

Title 3 ▶ Chapter 14

Jail Log

Sec. 3-14-1 Content of the Jail Log
Sec. 3-14-2 Maintenance of the Jail Log

Sec. 3-14-1 Content of the Jail Log.

POLICY:

It is the policy of the Price County Jail that permanent records shall be kept of daily operations and occurrences. In addition to other written records, a Jail Log will be maintained on a continual basis.

PROCEDURE:

(a) The Jail Log shall contain a chronological account of notable activities occurring within the Price County Jail. Corrections Officers shall record the following information into the Jail Log:

(1) Information pertaining to the safety and security of the Jail and all persons within.

(2) Inspections completed and information pertaining to locks, doors, and access controls and monitors.

(3) Information pertaining to all inmates placed into administrative confinement.

(4) Information pertaining to all disciplinary incidents, actions taken, and punishment received arising out of such incidents.

(5) Administrative decisions made relative to operations occurring within the Jail.

(6) Any significant information which needs to be disseminated to other corrections personnel for efficient operation.

(b) The Jail Log will be maintained from shift to shift and documentation will be maintained in the log indicating activities and occurrences during the shift including the date, times, persons/inmates involved and Corrections Officer's name.

Sec. 3-14-2 Maintenance of the Jail Log.

(a) Responsibility to Maintain.

(1) It is the responsibility of the on-duty Corrections Officers to maintain the log as indicated above.

(2) The Jail Log shall be maintained from shift to shift and the Corrections Officers maintaining the log shall not complete his/her tour of duty until all entries in the log are completed.

(3) Failure to complete or maintain the Jail Log will be cause for disciplinary action.

(b) Responsibility to Review.

(1) It is the responsibility of all on-duty jail personnel to review the Jail Log at the beginning of each shift. Corrections Officers shall review all log entries since the last shift he/she worked.

(2) Failure to review the Jail Log as indicated above will be cause for disciplinary action.

Title 3 ▶ Chapter 15

Inmate Telephone Access

Sec. 3-15-1 Access to Telephone Service by Inmates

Sec. 3-15-1 Access to Telephone Service by Inmates.

PURPOSE:

Every reasonable effort shall be made to ensure adequate access to telephone service by inmates.

POLICY:

(a) Inmates in general population shall be restricted to the inmate telephone system. Inmates in general population shall not have access to or use departmental telephones unless so authorized by staff.

(b) Newly-admitted prisoners will be allowed access to the booking room telephone and directory upon completion of the admission process (refer to Title 3 Chapter 3 - Notification of Incarceration).

(c) The inmate telephone system shall be activated each day at nine o'clock in the morning (9:00 a.m.) and deactivated each day at nine o'clock at night (9:00 p.m.).

(d) A copy of the Inmate Telephone System Rules and Regulations shall be posted in a conspicuous place in each cellblock in general population.

(e) No Corrections Officer shall allow inmates to charge telephone calls to the personal telephone number of any department member.

Title 3 ▶ Chapter 16

Huber/Work Release

Sec. 3-16-1 Huber/Work Release

Sec. 3-16-1 Huber/Work Release.

POLICY:

Those inmates granted Huber/work release status by a judge will be allowed to pursue those privileges providing that proper department procedures have been followed.

PROCEDURE:

(a) Inmates granted Huber/work release privileges will be allowed out of the jail for the following purposes:

(1) Employment.

(2) School.

(3) Child care.

(4) Medical appointments.

(5) Legal/probation appointments.

(6) Special circumstances ordered by a judge.

(7) Electronic monitoring program.

(8) Hour for Hour Earned Release Program.

a. Qualified inmates may be allowed to participate in the Hour for Hour Earned Release Program wherein they get an hour off their sentence for every hour worked. Staff will decide where work will be performed.

(b) The release Corrections Officer shall ensure that specific release and return times have been appropriately approved, verified and documented.

(c) Huber/work release for activities conducted outside of the county will not be allowed without court order or approval of a Supervisor.

(d) Prior to release for employment, the releasing Corrections Officer shall ensure that a copy of the following items are on file within the inmate's jail file:

(1) A copy of the inmate's valid driver's license, if the inmate will be operating a motor vehicle, or a copy of a valid driver's license of any other person providing transportation for the inmate.

(2) A copy of the valid registration of the vehicle in which the inmate will be transported to and from work.

(3) A copy of proof of insurance on the inmate's vehicle or the vehicle being used to travel to and from the place of employment.

(4) A copy of the employer's worker's compensation policy showing expiration date.

(5) A copy of the employer's liability policy showing expiration date.

(6) Two (2) week's advanced Huber payment if sentenced to fourteen (14) days or more or the appropriate amount required to fully cover a sentence of less than (14) fourteen days.

(7) A copy of the Application For Huber Release signed by the employer and the inmate.

(8) An approved EMP Rules & Regulations form signed by the Sheriff.

(e) If any of the above items are not on file with this department, the inmate will not be released to pursue his/her employment until such items are acquired and placed in the inmate's file. Exceptions to this shall only be allowed by approval from a Supervisor.

(f) Corrections Officers shall record the inmate's release and return time in the Jail Events for that inmate.

(g) If a Huber/work release inmate violates any of the Huber/work release rules, the Corrections Officer who first becomes aware of the incident shall:

(1) Notify the Jail Administrator – Lieutenant or a Supervisor.

(2) Prepare a detailed written incident report.

(3) Place a hold on the inmate, thus not allowing the inmate out of the jail until disciplinary action can be taken.

(4) Notify the inmate's probation agent, when applicable.

(h) If a Huber/work release inmate fails to return from work, the Corrections Officer shall:

(1) Check with the inmate's employer to ascertain if the inmate has left the place of employment at his/her scheduled time.

(2) Ascertain if the inmate had received approval to work beyond his/her scheduled return time.

(3) Notify the Jail Administrator – Lieutenant or other Supervisor.

(4) Follow escape procedure as outlined in Title 3 Chapter 26 Escapes.

Title 3 ▶ Chapter 17

Electronic Monitoring Program

Sec. 3-17-1 Eligibility
Sec. 3-17-2 Application Procedures
Sec. 3-17-3 Complaints
Sec. 3-17-4 Inmate Appeal Process
Sec. 3-17-5 Sheriff's Directive

Sec. 3-17-1 Eligibility.

PURPOSE:

The purpose of the policy is to provide Law Enforcement and Corrections Officers with guidelines for the use of the Electronic Monitoring Program (EMP).

POLICY:

In accordance with Wisconsin State Statute 302.425, inmates of the Price County Jail may be screened and placed on electronic monitoring as a replacement for traditional incarceration. All inmates placed on the Electronic Monitoring Program shall be placed under the authorization of the Sheriff. The Sheriff shall possess sole discretion in determining the criteria and qualifications necessary for participation in this program. This program shall be administered by the Jail Administrator – Lieutenant, who may enlist the assistance of designated correctional staff as approved by the Sheriff.

PROCEDURE:

(a) Inmates serving a court imposing facility/work release sanction may be eligible to serve a portion of their sentence on the Electronic Monitoring Program.

(b) The Sheriff and Jail Administrator – Lieutenant shall determine all eligibility.

(c) In order to be eligible to participate in the Electronic Monitoring Program, inmates must meet all of the prescribed standards that are dictated by this policy. If the inmate fails to meet any of the criteria, then he/she shall be considered to be ineligible for the program. The criteria for the program are:

(1) The inmate must be sentenced for a criminal traffic offense or a non-violent misdemeanor.

(2) The inmate shall have Huber/work release privileges.

(3) The inmate shall be free of any hold, detainer or warrant from another jurisdiction.

(4) The inmate shall have a verifiable address in Price County.

(5) The inmate shall have a functional home telephone. Such telephone shall be free from any attachment, equipment or telecommunication enhancement which will interfere with monitoring equipment.

(6) The inmate's past and present behavior while incarcerated must demonstrate that the inmate is appropriate for participation in the Electronic Monitoring Program.

(7) The inmate shall not have a history of escape, walk-away, or failure to report to jail.

(8) The inmate shall not be on a probation or parole hold.

(9) If an inmate is currently on probation, the inmate shall have prior approval for participation in the Electronic Monitoring Program by his/her probation agent.

(10) The inmate shall be current with all court ordered fines or payments.

(11) The inmate shall not have been convicted of, or have pending, any criminal charges relative to assaultive behavior.

(12) The inmate shall not have been convicted of, or have pending, any offense that relates to the use of, attempt or actual delivery of a controlled substance.

(13) The inmate shall not have been convicted of, or have pending, any sexual assault offenses.

(d) The Sheriff may authorize any exceptions to the listed criteria. Any exceptions granted in reference to the aforementioned criteria shall be specific to the participant and shall not be deemed a change to this policy unless so adopted.

(e) Information on past criminal history, previous incarcerations and the appropriateness of the home may also be used in determining participation.

Sec. 3-17-2 Application Procedures.

(a) The inmate shall complete an Electronic Monitoring Program Rules & Regulations.

(b) After completion the Electronic Monitoring Program Rules & Regulations shall be reviewed by the Jail Administrator – Lieutenant and then forwarded to the Sheriff for final approval.

(c) The Sheriff and Jail Administrator – Lieutenant shall have the authority to return the application to the inmate for necessary corrections.

(d) The inmate must agree to the rules and guidelines that are outlined in the Electronic Monitoring Program Rules & Regulations before the inmate may be allowed to participate in the Electronic Monitoring Program.

Sec. 3-17-3 Complaints.

(a) When an inmate has a grievance, complaint or request, it is required that he/she make written notification to the on-duty Corrections Officer.

(b) When the written grievance, complaint or request is received by a Corrections Officer, excluding routine Authorization Form requests, it will be forwarded to the Jail Administrator – Lieutenant as soon as possible. It should be noted that if the Jail Administrator – Lieutenant is unavailable, a Supervisor shall be contacted.

(c) If the Jail Administrator – Lieutenant is the subject of the grievance, it should be given to the Sheriff or Chief Deputy.

(d) The date and time will be noted on the grievance, complaint or request when it is received by the Jail Administrator – Lieutenant.

(e) The Jail Administrator – Lieutenant shall make personal contact with the inmate as soon as possible to discuss the grievance, complaint or request.

(f) The Jail Administrator – Lieutenant will inform he inmate of his verbal decision on the matter. Further, the Jail Administrator – Lieutenant will note the date and time of the personal contact on the written grievance, complaint or request and will indicate all actions taken or not taken related to the matter.

(g) Inmate grievances, complaints or requests shall be placed in the inmate's file.

Sec. 3-17-4 Inmate Appeal Process.

(a) When the reply is not deemed satisfactory by the inmate, the inmate is free to express dissatisfaction through appeal to the Sheriff.

(b) The appeal to the Sheriff must be presented in writing.

Sec. 3-17-5 Sheriff's Directive.

(a) By order of the Sheriff, the Electronic Monitoring Program shall be based on a "one strike and you're out" policy. Therefore, any one (1) violation could result in the inmate's removal from the Electronic Monitoring Program.

(b) Any violation of the Electronic Monitoring Program may result in the immediate revocation of electronic monitoring privileges.

Title 3 ▶ Chapter 18

Mail

Sec. 3-18-1 Incoming Mail
Sec. 3-18-2 Outgoing Mail
Sec. 3-18-3 Correspondence Between Inmates
Sec. 3-18-4 Correspondence from Inmates to Supervisory Staff
Sec. 3-18-5 Privileged Mail

Sec. 3-18-1 Incoming Mail.

POLICY:

Corrections Officers shall ensure that all inmates have the opportunity to maintain written contact with family, friends, attorneys, courts and government officials.

PROCEDURE:

(a) Inmates shall be granted the right to send and receive mail, subject to the policies and regulations herein set forth.

(b) Mail service will be provided Monday through Friday, excluding legal holidays.

(c) There will be no censoring of inmate mail.

(d) Inmate mail may be read if there is reasonable cause to believe that the inmate is using the mail to transmit escape plans, smuggle contraband, carry on with criminal activities or is a suicide note.

(e) Corrections Officers shall open and inspect all incoming non-privileged mail prior to delivery to individual inmates. All stamps should be removed prior to passing out mail.

(f) After being inspected, Corrections Officers will promptly distribute, personally, the mail to each inmate. No inmate shall be allowed to read, distribute, or otherwise handle the mail unless it belongs to him/her.

(g) Contraband or foreign substances detected in mail shall be destroyed or retained for evidentiary purposes.

(h) Corrections Officers shall prepare and submit a written incident report pertaining to any contraband or foreign substances detected in inmates' mail.

(i) A notice of undelivered or withheld mail shall be given to inmates if a letter was withheld.

(j) Corrections Officers shall adhere to departmental procedures related to the care, custody and control of items seized for evidentiary purposes.

(k) Money received by mail will be deposited in the inmate's account. A receipt shall be provided to the inmate indicating the amount of the deposit.

Sec. 3-18-2 Outgoing Mail.

(a) Corrections Officers shall personally collect mail from inmates. Non-privileged mail shall only be received in unsealed envelopes.

(b) Corrections Officers shall inspect all outgoing non-privileged mail prior to sealing same.

(c) After inspection of non-privileged mail, all mail shall be logged and placed with other outgoing mail in the communications center.

(d) Indigent inmates shall be advised that postage-free mail will be provided to their attorney, the courts, both State and Federal Departments of Correction, and periodically to immediate family.

Sec. 3-18-3 Correspondence Between Inmates.

(a) Written correspondence between inmates in this facility is prohibited. The only exception is correspondence between a husband and wife or other immediate family member with pre-approval from the Sheriff. This mail will be handled the same as all other outgoing or incoming mail.

Sec. 3-18-4 Correspondence from Inmates to Supervisory Staff.

(a) All correspondence from inmates to Sheriff's Office Supervisory staff will be delivered promptly. Such in-facility correspondence shall be delivered personally or placed in the Supervisor's mailbox.

(b) Corrections Officers shall not determine which correspondence will be delivered and which will not.

Sec. 3-18-5 Privileged Mail.

(a) All incoming privileged (court, judges, attorneys and public officials) inmate mail shall be opened in the presence of the inmate.

(b) Incoming privileged mail shall not be read by departmental personnel.

(c) Outgoing privileged mail shall be received sealed and will not be opened, unless there is reasonable cause to believe that escape plans are being passed, contraband is being passed, or other such illegal activity is being conducted.

Title 3 ▶ Chapter 19

Prison Rape Elimination Act (PREA)

Sec. 3-19-1 Definitions
Sec. 3-19-2 Reporting Requirement for Staff
Sec. 3-19-3 Reporting Requirement for Inmates
Sec. 3-19-4 Actions to be Taken
Sec. 3-19-5 Investigation
Sec. 3-19-6 Follow Up Documentation
Sec. 3-19-7 Employee Assistance Program
Sec. 3-19-8 Education
Sec. 3-19-9 Booking Questionnaire

Sec. 3-19-1 Definitions.

POLICY:

To protect the inmates of the Price County Jail from sexual misconduct, there shall be no sexual activity between staff and inmates or inmates with inmates. Price County will comply with the Prison Rape Elimination Act (PREA) PREA is a Federal law established to address the elimination and prevention of sexual assault and rape in correctional systems. PREA applies to all federal, state and local jails, police lock ups, private facilities, and community settings such as residential facilities, to ensure that sexual misconduct, harassment, or inappropriate behaviors are reported immediately, accurately, and completely.

DEFINITIONS:

(a) **Staff.** For the purpose of this policy, staff includes all Price County Sheriff's Office employees, vendors, contracted employees, volunteers and those with facility access.

(b) **Sexual Misconduct.** Any behavior or act of a sexual nature directed toward an inmate, detainee, victim, witness, complainant, or offender by an employee, volunteer, vendor, contractor, visitor or agency representative. This includes acts or attempts to commit such acts including, but not limited to, sexual assault, sexual abuse, sexual harassment, sexual contact, conduct of a sexual nature or implication, obscenity and unreasonable or unnecessary invasion of privacy. Sexual misconduct also includes, but is not limited to, conversations or correspondence that suggests a romantic or sexual relationship involving any person mentioned above.

Sexual misconduct is not limited to unwanted sexual contact. Sexual misconduct is also a range of behaviors or situations that include inappropriate remarks, sexualized name-calling, correspondence, conversations,

inappropriate displays, fondling, inappropriate viewing and sexual contact with individuals vulnerable to the authority of the justice system or any other person in a work setting.

Sexual romantic relationships between Supervisors and those under their supervision are presumed to be coercive and may be deemed sexual harassment or misconduct.

(c) **Inmate/Inmate Sexual Assault/Conduct.** One or more inmates engaging in, or attempting to engage in, a sexual act with another inmate, or the use of threats, intimidation, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act.

(d) **Inmate/Staff Sexual Assault/Conduct.** Any type of sexual assault/conduct as defined in Wisconsin State Statutes. Any types of consensual sexual activity or contact between inmates, even when no objections are raised, are prohibited acts.

(e) **Zero Tolerance.** For purpose of this policy, zero tolerance means the department will respond to every allegation of sexual misconduct. All cases will be investigated and all guilty parties will be disciplined or prosecuted according to law.

Sec. 3-19-2 Reporting Requirement for Staff.

(a) Any employee or staff member who knows or reasonably suspects that any employee may be or has been involved in sexual misconduct is required to report and inform the Jail Administrator – Lieutenant or other Supervisor. To protect the reputations and integrity of all persons engaged in such a process, including the accuser, the accused, and the alleged victim, all such reports shall be dealt with as matters of highest discretion both before and after they have been submitted to appropriate authorities.

(b) Retaliation in any form against those who report misconduct is strictly prohibited and is protected by federal law.

(c) False reports or allegations may result in discipline and potential prosecution.

(d) Upon receiving a report of alleged sexual misconduct, the Jail Administrator – Lieutenant will initiate the necessary investigation and notify the appropriate parties as required.

Sec. 3-19-3 Reporting Requirement for Inmates.

(a) Any inmate in the Price County Jail who believes they have been sexually assaulted or harassed or has knowledge of such acts, shall report this violation in the following manner. The inmate shall report the violation to any officer or other staff member directly. In case of sexual assault, the inmate will be instructed not to shower or wash until examined by medical staff. If the inmate is not comfortable with this reporting option they may request a Complaint/Request Form from any officer, make their complaint and have it sealed and sent directly to the Jail Administrator – Lieutenant or other Supervisor for review. The inmate will be asked to provide a written account of the accusations listing any facts wished to be considered.

(b) Retaliation in any form against those who report misconduct is strictly prohibited and we have a duty to protect.

(c) False reports or allegations may result in discipline and potential prosecution.

(d) Upon receiving a report of alleged sexual misconduct, the Jail Administrator – Lieutenant will initiate the necessary investigation and notify the appropriate parties as required.

Sec. 3-19-4 Actions to be Taken.

(a) The following actions will occur:

(1) Separate the accused and victim.

(2) Notify medical staff so a medical exam can be completed if appropriate.

(3) An internal investigation will be completed to determine if the complaint has merit.

(4) Secure any property, physical evidence, or the crime scene.

(5) Law Enforcement (outside police agency) will be notified for follow up investigation.

(6) The victim will be advised of contact procedures and services available for mental health counseling.

Sec. 3-19-5 Investigation.

(a) All reported violations of sexual misconduct, including sexual assault and harassment, will be investigated and, as warranted, will be resolved through appropriate disciplinary processes and/or criminal proceedings in accordance with applicable state and federal laws.

(b) The rights of both the accused and the complainant shall be protected, and the confidentiality of proceedings will be maintained to the fullest extent possible. A thorough and competent investigation into the allegations will be conducted to clearly support or refute the allegations, by evidence, information gathered from witnesses, and documentation. Primary consideration will be to safeguard the well-being and security of the complainant and the subject, thus ensuring the integrity and credibility of the process and the Price County Sheriff's Office.

(c) In addition to this policy on sexual misconduct, Wisconsin Statutes make it a criminal offense for correctional staff members to have sexual contact with an individual confined in a correctional institution.

(1) Staff members who are found to have engaged in staff sexual assault of offenders will be disciplined to the fullest extent possible up to and including termination from employment.

(2) Under Wisconsin Statutes, consent is not an element in a criminal case of staff sexual assault of an offender. The law presumes that consent is impossible because of the unequal power relationship between staff and offenders

Sec. 3-19-6 Follow Up Documentation.

(a) The findings of the appropriate investigative authority are released to the Jail Administrator – Lieutenant or other Supervisor for any follow up.

(b) A review of the placement status of the victim and accuser will be completed.

(c) A copy of all reports will be distributed according to law. Once the Price County Jail receives an allegation of sexual misconduct, a course of action will be determined and it will be investigated to determine the action to be taken including criminal and/or administrative action.

Sec. 3-19-7 Employee Assistance Program.

(a) The Employee Assistance Program (EAP) can be accessed for help and guidance when employees believe they are blurring the professional boundaries and need assistance in maintaining those boundaries.

(b) The EAP can provide needed support to staff members who have reported misconduct, are witnesses, or are even the subject of the investigation. It is recommended that any employee who is notified that he/she is the subject of an investigation be reminded of the EAP and provided with contact information.

Sec. 3-19-8 Education.

(a) All persons being booked into the Jail shall be given a Preventing Sexual Assault and Harassment Inmate Guide.

(b) Upon employment, all correctional staff and volunteers shall be given a Preventing Sexual Assault, Misconduct and Harassment, A Guide for Correctional Staff & Volunteers.

(c) All new correctional staff members and volunteers will be trained on this policy and handouts within thirty (30) days using the Educorr on-line PREA training program.

Sec. 3-19-9 Booking Questionnaire.

(a) The booking officer will complete the PREA questionnaire.

(1) If any of the questions are answered in the affirmative, the officer will use the information in the classification process.

(2) If immediate action is required, the officer will take appropriate action by following up or reporting to an investigator.

Title 3 ▶ Chapter 20

Suicide Prevention

Sec. 3-20-1 Screening Procedures

Sec. 3-20-1 Screening Procedures.

POLICY:

Corrections Officers shall make every attempt to identify inmates who may be at risk of seriously injuring themselves.

PROCEDURE:

(a) Upon entry into the jail and prior to cell assignment, all inmates will be screened by the Corrections Officer. Screening will include obtaining written reports from arresting/transporting officers. A check of the Jail files will be made for repeat offenders in an attempt to determine prior mental health and suicide behavior. The inmate questionnaire will be completed and the Corrections Officer's visual observations will be documented.

(b) If an inmate appears to be a suicide threat, the Corrections Officer will contact the Counseling & Development Center and have a worker come to the Jail to do a crisis evaluation of the inmate. The name, date, and time of referral to mental health professional shall be documented on the Jail Log.

(c) A Supervisor shall be contacted prior to making the decision to place the inmate in a "watched status". The Supervisor is to be informed of the Corrections Officer's observations or any other information pertaining to the inmate's behavior. The Supervisor will make a determination as to the level of supervision required of the inmate. Active supervision will require ten (10) minute checks, and constant supervision would require a continuous clear view of the selected inmate. The individual initiating the suicide watch, shall document the date and time the watch was initiated, the reason the watch was initiated, the name of the supervisor contacted and the date and time the supervisor was contacted on the Jail Log.

(d) Should further restraints be required, such as humane restraints and protective helmets, a Supervisor must be notified for authorization.

(e) If a determination is made to place the inmate in a "watched status", the Corrections Officers shall ensure that all relief Corrections Officers are notified of such determination by placing the information on the Jail Log and pass on pad. The Counseling & Development Center shall be briefed daily if available but as soon as possible when business hours resume.

(f) A separate housing chart will be maintained for all inmates on a "watched status". This chart will document eating and sleeping patterns, conduct and moods.

(g) Articles and clothing that could be used to inflict self-harm shall be taken from the inmate until such time as it can be reasonably determined that the inmate is no longer a threat to him/herself.

(h) In cases where the cell is stripped of items generally provided, the Corrections Officer will generate an incident report indicating the reasons for such stripping and items removed.

(i) Only a qualified mental health professional may remove the inmate from a suicide watch by conducting a face to face on-site assessment. Written documentation from the mental health professional removing an inmate from a suicide watch including their name, date and time, will be placed in the inmate's medical file.

(j) In the event that an attempted suicide in progress is discovered, the Corrections Officer shall immediately intervene and provide any immediate action that may be required. This shall include the administration of first aid and CPR procedures and the summoning of additional assistance and/or emergency medical services. If the inmate is found hanging, the Corrections Officer shall immediately use the rescue knife to cut the noose. Rescue knives are located in the Rescue Pouch in the jail office and booking room desk drawer.

(k) In the event of a potential, attempted, or completed suicide, the Correction Officer shall summon the following persons and/or agencies (the need of the particular situation will dictate the order in which the contact is to be made). The following list is not in order of importance:

(1) Supervisor – Potential, attempted or completed suicides.

(2) Emergency Medical Services (Central Price Co Ambulance Service) – Attempted or completed suicides.

(3) Mental Health Services (Counseling & Development Center) – Potential or attempted suicides.

(4) Regional Jail Inspector – Attempted or completed suicides.

(5) Price County Coroner – Completed suicides.

(l) Names and phone numbers of the above persons and/or agencies will be available in the communications center. It may be necessary for the communications center to page one (1) or more of the above persons or agencies for immediate notification.

(m) All personnel involved in the incident will prepare and submit detailed written incident reports.

(n) All personnel will have access to debriefing and support services.

(o) All personnel shall receive two (2) hours of annual, documented staff training regarding suicide and suicide prevention and identification of risk factors.

(p) A debriefing and access to support services will occur as soon as possible in the case of serious attempts or completed suicides.

(q) An operational review following a suicide or significant suicide attempt shall be performed.

Title 3 ▶ Chapter 21

Trust Fund Accounting Procedures

Sec. 3-21-1 Expenditures

Sec. 3-21-1 Expenditures.

POLICY:

The department shall ensure that all inmate funds held in trust at this facility are accurately accounted for and expenditures taken in the proper order.

PROCEDURE:

(a) Huber payments will be taken first. One hundred five dollars ($105) (fifteen dollars times seven ($15 x 7) shall be deposited up front. Thereafter, payments will be made to cover the cost of Huber charges on each day. One hundred percent (100%) of uncollected Huber charges will be collected when the inmate receives his paycheck.

(b) Upon verification at the time of booking, and at the inmate's request, payment shall be made to cover any child support obligations owed by said inmate.

(c) Upon verification at the time of booking, and at the inmate's request, payment shall be made to cover any court payment plans owed by said inmate.

(d) Arrearages for Pay to Stay and Booking expenses, medical and dental expenses, over the counter medication charges, nursing charges or any other operational charges shall be reimbursed at one hundred percent (100%) if the entire amount is available in the inmate's account OR twenty-five percent (25%) of the inmate's account balance shall be applied to the charge. When money is deposited for the inmate, one hundred percent (100%) shall be collected up front for any uncollected Huber charges and twenty-five percent (25%) shall be collected up front for any remaining uncollected charges.

(e) Inmates may request expenditures for payment of bills, family support or canteen purchases with the remaining balance.

(f) Upon release, all remaining monies will go toward arrearages, or, if none, to the inmate in the form of a check sent to them at their last known address.

Title 3 ▶ Chapter 22

Same Sex Supervision of Inmates

Sec. 3-22-1 Admissions and Searches
Sec. 3-22-2 Supervision of Inmates

Sec. 3-22-1 Admissions and Searches.

POLICY:

After the booking process, male and female inmates will be separated from each other in appropriate cell areas.

PROCEDURE:

(a) Admissions.

(1) Corrections Officers will book inmates of the same sex unless an emergency exists.

(b) Search.

(1) Prisoners will be searched in accordance with the procedures outlined in Title 3 Chapter 2 Personal Search Procedures of this manual.

(2) Female prisoners will be searched and fingerprinted by a female staff member only.

(3) Male prisoners will be searched and fingerprinted by male staff members only.

(4) If both a male and a female Corrections Officer are present, either officer may fingerprint the inmate.

Sec. 3-22-2 Supervision of Inmates.

(a) Same sex Corrections Officers will be on duty at all times.

(b) If exigent circumstances exist in which a female Corrections Officer is temporarily unavailable, male Corrections Officers may be allowed to enter the female cell areas. The male Corrections Officer must announce himself before entering a cell if the females are not visible through the port windows. The male Corrections Officer shall document the circumstances existing which necessitated the need to enter the female cell areas.

(c) If the female prisoner is being transported from the Jail and no female Corrections Officer is available, two (2) male Corrections Officers will be required to accompany the female prisoner.

(d) One of the male Corrections Officers will radio dispatch with beginning car mileage at departure and ending car mileage upon arrival at the destination if within radio range. The same procedure will be used on the return trip.

Title 3 ▶ Chapter 23

Supervision of Inmates

Sec. 3-23-1 Prisoner Checks

Sec. 3-23-1 Prisoner Checks.

POLICY:

It is the affirmative duty of the Sheriff and Corrections Officers to maintain twenty-four (24) hour supervision of inmates and their activities to ensure the safety and security of the corrections staff, inmates and visitors.

PROCEDURE:

(a) Prisoner checks will generally be completed by the on-duty Corrections Officers.

(b) A Corrections Officer shall check every prisoner in the jail at least twice per hour. Each prisoner check shall be conducted at frequent irregular intervals. Corrections Officers conducting such checks shall make a visual observation of each occupied cell. Corrections Officers shall also inspect the dayroom area, showers and bathrooms of the cellblocks when applicable.

(c) If prisoner checks are not conducted, the Corrections Officer shall provide a written explanation on his/her Jail Log as to the reasons why the check was not conducted as required.

(d) A formal prisoner count shall be completed and documented at least three (3) times per day with a minimum of one (1) count per shift. One (1) formal count should be performed on day shift, one (1) on night shift and one (1) randomly throughout the course of a twenty-four (24) hour period.

(e) Audio or visual (closed circuit television) electronic monitoring is insufficient for the purpose of prisoner checks.

(f) Corrections Officers shall be alert to the following:

(1) Strange, suicidal, violent, disorderly and inappropriate inmate behavior.

(2) Physical (medical) well-being of the inmates.

(3) Any disrepair or malfunction of the physical plant.

(g) Recording/documenting prisoner checks:

(1) Each prisoner check shall be appropriately documented using the pipe and on the Jail Log.

(h) Monthly monitoring of cell and inmate checks:

(1) Twice each month the inmate checks will be monitored by the Jail Lieutenant. The Jail Lieutenant will sign the Monthly Cell Check Verification Report.

Title 3 ▶ Chapter 24

Preparing Inmates for Transport

Sec. 3-24-1 Transporting Inmates

Sec. 3-24-1 Transporting Inmates.

POLICY:

It is the responsibility of the Price County Jail to initiate safe transport of inmates.

PROCEDURE:

(a) Whenever a Corrections Officer or other officer of the Sheriff's Office must take an inmate out of the Jail for any reason, i.e. funeral visit, medical treatment, work detail, court appearance, etc., he/she will:

(1) Never allow the inmate out of his/her sight.

(2) Always use the restraint equipment necessary to ensure that the inmate will not escape.

(3) Never turn the custody of the inmate over to another person, especially a relative.

(4) Always search the inmate before leaving the Jail and after returning to the Jail.

(5) Always search the car that is being used for inmate transport.

(6) Always treat the inmate as a potential escape risk.

(7) Remain alert at all times.

(8) Not allow the inmate to communication with any person prior to transport or outside of the Jail.

Preparation and Escort of Inmates to Court

Sec. 3-25-1 Court Escort
Sec. 3-25-2 First Floor Escort

Sec. 3-25-1 Court Escort.

POLICY:

Inmates shall be prepared and escorted to Court appearances in a timely manner in strict accordance with the orders of the Court.

PROCEDURE:

(a) Each weekday morning the Corrections Officer assigned to day shift shall review departmental records to ascertain which inmates are to appear in Court.

(b) The on-duty Corrections Officer shall request any additional personnel as necessary for inmate escorts and Court security.

(c) Personnel providing inmate escort shall remain with the inmate at all times, insuring safety and supervision.

(d) Inmates shall make court appearances wearing the standard issue Jail uniform. Inmates shall be allowed to wear personal clothing at all jury trials in which they appear as the defendant and at other times pursuant to the direction of the Court.

(e) All inmates escorted outside of Jail areas for Court shall be handcuffed and put into shackles and waist restraints. A Supervisor may direct the use of additional restraints.

(f) Inmates shall have Jail slippers or shoes to appear in Court. No inmate will be taken to Court barefoot.

(g) If any of the following factors apply to an inmate, he/she is to be considered a potential escape risk:

(1) History of escape or attempted escape.

(2) History or indication of violence during transportation or escort.

(3) Refusal to cooperate with the officer during arrest, incarceration or procedures associated with Court appearances.

(4) The severity of the crime for which the inmate is incarcerated.

(h) All inmates' movements to Court will be recorded in the Jail Log.

(i) Upon return to the Jail, the court officer will provide documents and information necessary to update the Jail records.

(j) The Corrections Officer shall update the inmate's file and other departmental records as needed.

(k) The court officer shall always inform the Corrections Officer of any event occurring during the Court appearance which may negatively affect the behavior of an inmate, i.e. severe sentence, denial of bond, unexpected verdict, etc.

Sec. 3-25-2 First Floor Escort.

PROCEDURE:

(a) Before moving an inmate from the first floor to the second floor or to court, the escorting Corrections Officer shall notify the Dispatcher so the counter area hallway can be secured. All doors leading to unsecured areas of the Safety Building should be closed and civilians removed.

(b) Inmates shall be handcuffed and belly restrained.

(c) If going from Holding Cell to the two (2) man first floor max cell, inmates will be handcuffed.

Title 3 ▶ Chapter 26

Escapes

Sec. 3-26-1 Escapes

Sec. 3-26-1 Escapes.

POLICY:

Since the custody of inmates is the primary responsibility of the Price County Jail, whenever such custody is breached, the officers and personnel shall give the highest priority to the apprehension of the escapee.

PROCEDURE:

(a) Discovery.

(1) The Corrections Officer who first discovers an escape will immediately advise the Dispatcher.

(2) The Corrections Officer will then proceed to:

a. Secure all areas in the Jail.
b. Initiate a total lock-down – all inmates returned to their cells – and conduct a head count.
c. Notify a Supervisor of the escape.

(b) Notification.

(1) The Corrections Officer will provide all pertinent escape information to the Dispatcher so information can be disseminated via teletype, radio and telephone.

(c) Investigation.

(1) A Supervisor shall initiate an immediate investigation and order that all personnel involved file a written report as soon as possible.

Title 3 ▶ Chapter 27

Use of Physical Restraining Devices

Sec. 3-27-1 Handcuffing Inmates
Sec. 3-27-2 Protection from Self-Harm

Sec. 3-27-1 Handcuffing Inmates.

POLICY:

Restraining devices, handcuffs, leg chains, waist chains, will never be used for purposes of punishment, but only for the prevention of escape, the protection of inmates from self-injury, or the prevention of an inmate from injuring others.

PROCEDURE:

(a) All pre-sentenced inmates will be handcuffed prior to movement within the Jail.

(b) All incoming inmates should be handcuffed before being allowed access to the booking area.

(c) Any inmate being transported will be handcuffed. Additional restraining equipment, i.e. belly chains and ankle cuffs, shall be applied whenever possible to ensure that the inmate will not escape or pose a threat to transporting officers.

(d) Inmates will remain handcuffed in doctor's offices, hospitals, clinics, or other such locations unless medical staff requires the cuffs be removed to aid treatment or examination.

Sec. 3-27-2 Protection from Self-Harm.

(a) Restraints: If the inmate's behavior is indicative of self-harm, the inmate will be placed in physical restraints. When restrains are used in such a manner, they will be used to restrict the movement of the inmate only to the degree necessary and will be affixed in such a way as to cause minimal discomfort and avoid their injuring the inmate.

(b) Restraint devices are not to be applied longer than necessary.

(c) Supervision: Inmates placed in restraints will be subject to more frequent observation by department staff.

(d) It will be the decision of a Supervisor to either remove or continue with the restraints.

(e) A written report will be filed prior to the completion of the shift concerning the incident.

Title 3 ▶ Chapter 28

Inmate Discipline

Sec. 3-28-1 Jail Rules and Regulations
Sec. 3-28-2 Minor Rule Violations
Sec. 3-28-3 Major Rule Violations
Sec. 3-28-4 Disciplinary Hearings and Appeals
Sec. 3-28-5 Disciplinary Dispositions
Sec. 3-28-6 Criminal Activity

Sec. 3-28-1 Jail Rules and Regulations.

POLICY:

In order to maintain a safe, secure and orderly facility, inmates are required to abide by all Jail rules, regulations and all applicable state and federal laws. Inmates who fail to abide by Jail rules and applicable laws are subject to disciplinary action and/or criminal prosecution.

Discipline shall be applied by corrections staff in a fair and impartial manner.

PROCEDURE:

At booking, all inmates will be provided with a copy of the Price County Jail Inmate Rules & Regulations. In addition, a current copy of the Inmate Rules and Regulations shall be conspicuously displayed in each cell area.

Sec. 3-28-2 Minor Rule Violations.

(a) Minor violation means a violation of the Jail's rules of behavior for which a minor penalty or penalties may be imposed. A minor penalty is a verbal or written reprimand, restriction of privileges for twenty-four (24) hours or less or placement in punitive segregation for twenty-four (24) hours or less.

(b) A Corrections Office made aware of an inmate violation of the Inmate Rules and Regulations will immediate take corrective action.

(1) A Corrections Officer who observes an inmate committing a minor violation shall inform the inmate of the rule that he/she has violated, the contemplated penalty and the disciplinary procedures for minor rule violations.

(2) The Corrections Officer shall give the inmate an opportunity to make a verbal statement about the alleged violation to the Corrections Officer.

(3) The Corrections Officer may impose a minor penalty if he/she finds that a violation has occurred. Corrections Officers may impose a verbal or written reprimand, restriction of privileges for twenty-four (24) hours or less or placement in punitive segregation for twenty-four (24) hours or less.

(4) The Corrections Officer shall prepare and complete an Incident report in the inmate's master file and shall personally deliver a copy of same to the inmate. One (1) copy of the report shall immediately be forwarded to a Supervisor and one (1) copy shall be placed into the inmate's file.

(5) The Corrections Officer shall complete a supplementary report detailing the alleged violation and actions taken.

(6) The Corrections Officer shall inform a Supervisor of the incident and the penalty administered as soon as a Supervisor is available. The Supervisor shall review the incident and penalty administered. If the Supervisor concludes that the violation is a major violation, the alleged infraction shall be handled in accordance with procedures pertaining to major rule violations. If the Supervisor finds that no violation has occurred, the inmate shall receive written notification that the charge has been dismissed.

(7) The inmate may appeal the Supervisor's decision. The inmate shall be informed that an appeal of the Supervisor's decision may be made by submitting a written request for appeal to the Chief Deputy. The Chief Deputy shall then review the Supervisor's decision and will submit a written response back to the inmate. A copy of the response will also be forwarded to the inmate's file.

(8) Information about the incident, the penalty administered and the Supervisor's decision shall be made a part of the inmate's file and shall be entered in the incident report. If the Supervisor finds that no violation occurred and if the Chief Deputy, upon reviewing an appeal submitted under (6) above, finds that no violation occurred, record of the incident shall be removed from the inmate's file.

Sec. 3-28-3 Major Rule Violations.

(a) Major violation means a violation of the Jail's rules of behavior for which a major penalty or penalties may be imposed. A major penalty is restriction of privileges for more than twenty-four (24) hours, placement in solitary confinement for more than twenty-four (24) hours in accordance with Sec. 302.40, Wis. Stats., loss of good time in accordance with Sec. 302.43, Wis. Stats., restrictions affecting Huber law privileges in accordance with Sec. 303.08, Wis. Stats., or restrictions affecting work release in accordance with Sec. 303.065, Wis. Stats.

(b) A Corrections Officer who observes, or is made aware of an inmate committing a major violation shall submit a detailed written supplementary report to a Supervisor within twenty-four (24) hours of the incident. The supplementary report shall include:

(1) A formal statement of the charge or charges, including the specific rule or rules violated.

(2) A detailed description of the facts concerning the incident, including the date and time of the incident.

(3) Any unusual inmate behavior.

(4) Staff and inmate witnesses.

(5) The disposition of any physical evidence.

(6) Any immediate action taken, including the use of force, pre-disciplinary hearing detention, medical attention provided and suspension of privileges.

(7) The Corrections Officer's signature and the time and date of the report.

(c) A Supervisor will review the Corrections Officer's supplementary report to ascertain if there is cause for disciplinary action which would include major penalties.

Sec. 3-28-4 Disciplinary Hearings and Appeals.

(a) A due process disciplinary hearing shall be held unless that inmate waives his/her right to a hearing. An inmate may waive the right to a due process hearing in writing at any time. If the inmate waives the right to a due process hearing, the violation shall be disposed of in accordance with procedures pertaining to major/minor penalties. A waiver does not constitute an admission of the alleged violation.

(b) The due process hearing shall be held within seven (7) calendar days unless the inmate waives his/her right to a hearing.

(c) Inmates shall be provided with at least twenty-four (24) hours notice of the due process hearing. The twenty-four (24) hour limit may be waived by the inmate. If the inmate is not prepared within the twenty-four (24) hour period, he/she may request additional time.

(d) An impartial hearing examiner will conduct the due process hearing. The hearing may not be conducted by a person who may review an appeal made relative to the action or who has personally observed, been part of or investigated the incident which is the subject of the hearing.

(e) The inmate has the right to be present at the hearing to present relevant evidence and relevant witnesses, and to make a statement on his/her behalf. Witnesses must be material witnesses and not character witnesses. Witnesses may be excluded from the hearing if the witness poses a threat to the safety or security of the Jail or persons within. The reason for the absence of the witness shall be documented.

(f) A Miranda Warning shall be provided by the hearing examiner if the violation is also a violation of law, and prosecution of the inmate is being pursued.

(g) If the inmate is illiterate or the issues are complex, the inmate has the right to a staff advocate or adequate substitute aide to assist him or her in understanding the charges and preparing a defense.

(h) The hearing examiner may hear testimony of a witness outside the presence of the accused inmate if there is a significant risk of bodily harm to the witness in testifying in front of the accused inmate. The reason for the accused inmate's absence shall be documented.

(i) If the inmate refuses to attend the hearing or disrupts the hearing, the hearing may be conducted without the inmate being present.

(j) The hearing officer or committee may consider the inmate's mental illness, developmental disability or other emotional or mental disability as a mitigating factor in imposing the discipline.

(k) The hearing examiner, after examining all relevant evidence, reports, and testimony, shall issue a written decision including disciplinary sanctions, if appropriate. The inmate shall be provided with the decision in writing and will be advised of his/her appeal rights.

(l) Information on the incident, the punishment administered, and the hearing examiner's decision shall be made part of the inmate's file and shall be entered in the incident report. If the hearing examiner or the reviewer (upon appeal) finds that no violation occurred, the record of the incident shall be removed from the inmate's file.

(m) The inmate may appeal the decision of the hearing examiner to the Chief Deputy. A final appeal of the Chief Deputy's decision may be made to the Sheriff.

(n) The Chief Deputy (or Sheriff, if final appeal) shall review all reports and the decision of the hearing examiner and may refer the matter back to the hearing examiner, sustain the findings and punitive action, or reduce or increase the punitive action. The Chief Deputy and/or Sheriff may take whatever other action is deemed appropriate.

(o) The inmate shall receive written notification of the Chief Deputy's (or Sheriff's, if final appeal) decision. All documents relating to the disciplinary process shall be placed in the inmate's jail file.

(p) An inmate may be evaluated for custody classification following the imposition of discipline.

Sec. 3-28-5 Disciplinary Dispositions.

(a) Types of Disciplinary Dispositions.

(1) Solitary Confinement/Lockdown may not exceed ten (10) days per rule violation without approval from the Sheriff. Time may run consecutively to one another for more than one (1) violation. While serving solitary confinement/lockdown, all privileges normally afforded an inmate are suspended, including visitation, telephone and canteen privileges. Solitary confinement shall not include loss of basic hygiene products, religious reading or correspondence to attorneys/courts.

(2) Restriction of telephone.

(3) Restriction of television.

(4) Restriction of visitation.

(5) Restriction of canteen.

(6) Loss of good time earned (not to exceed two (2) days per violation).

(7) Loss of Huber Law privileges, not to exceed five (5) days per violation per 303.08(10), Wis. Stats.

(8) If there are continual violations of Huber Law/work release, the corrections staff will petition the Court of sentencing and request that Huber Law/work release be revoked.

(9) Counseling and written notices placed in the inmate's file (warnings).

(b) Disciplinary Disposition May Not Include.

(1) Restriction of food.

(2) Restriction of health or sanitary conditions.

(3) Restriction of hygienic implements.

(4) Restriction of clothing (except if the inmate is suicidal).

(5) Restriction of medical access.

(6) Restriction of reading materials (religious and legal only).

(7) Restriction of law library, legal correspondence.

(8) Use of corporal punishment.

(c) Each disciplinary disposition shall be for a prescribed maximum time. If the inmate receives solitary confinement/lockdown as a disciplinary disposition, it will be limited to ten (10) days maximum confinement for each distinct violation.

(d) Any loss of privileges will be limited to five (5) or ten (10) days maximum, depending on the violation.

Sec. 3-28-6 Criminal Activity.

(a) A violation of Jail rules which also involves criminal activity will be referred to the Price County District Attorney in addition to any disciplinary action taken by the corrections staff. A department complaint and criminal case file shall be prepared for all criminal violations which occur within the Jail.

Title 3 ▶ Chapter 29

Administrative Confinement

Sec. 3-29-1 Placement
Sec. 3-29-2 Review and Evaluation
Sec. 3-29-3 Records

Sec. 3-29-1 Placement.

POLICY:

To provide for the non-punitive, segregated confinement of an inmate in his/her cell or other isolated area, solely because he/she is dangerous, to ensure personal safety and security within the Jail.

PROCEDURE:

(a) An inmate may be placed in administrative confinement only if the inmate's continued presence in the general population:

(1) Presents a substantial risk of physical harm to the inmate, another person or property.

(2) Threatens the security and order of the Jail.

(3) Inhibits a pending disciplinary investigation.

Sec. 3-29-2 Review and Evaluation.

(a) Supervisory Review.

(1) A Corrections Officer shall inform a Supervisor of any incident that may require the administrative confinement of an inmate and the Supervisor shall determine whether to place the inmate in administrative confinement.

(2) In the absence of a Supervisor, a Corrections Officer may place an inmate in administrative confinement. A Supervisor shall review that placement decision within twenty-four (24) hours.

(3) A Corrections Officer shall prepare a written supplementary report detailing the circumstances relating to any administrative confinement and all actions taken.

(b) Medical Evaluation.

(1) Refer to Title 4 of this policy manual.

(c) Periodic Review.

(1) An inmate's progress in administrative confinement shall be documented by a Supervisor every seven (7) days.

(2) A Supervisor shall determine when the inmate no longer presents a threat to the safety, security and order of the Jail and may be released to the general population.

(3) This review shall include an evaluation of the inmate's classification.

Sec. 3-29-3 Records.

(a) The reason an inmate is placed in administrative confinement shall be entered in the inmate's file and in the Jail Log by the Corrections Officer.

Title 3 ▶ Chapter 30

Inmate Deaths

Sec. 3-30-1 Discovery
Sec. 3-30-2 Identification and Investigation
Sec. 3-30-3 Follow-Up
Sec. 3-30-4 Reports

Sec. 3-30-1 Discovery.

POLICY:

In the advent of an apparent inmate death, Corrections Officers and personnel of the Price County Jail shall take all action necessary to provide appropriate medical assistance and to preserve the scene, cooperating with all medical and investigative authorities.

PROCEDURE:

(a) The Corrections Officer who first discovers what appears to be an inmate death shall immediately:

(1) Advise the Dispatcher what has occurred and request immediate emergency medical and law enforcement assistance.

(2) Ensure that inmates are secure in the affected cell area.

(3) Immediately administer appropriate emergency medical procedures (including CPR) when it is safe to proceed without waiting for back-up officers.

(4) While awaiting assistance, the officer may request the assistance of inmates if, in his/her opinion, such request for inmate assistance will not threaten security.

(5) Assist emergency medical personnel in entering the cell area and providing security to same.

Sec. 3-30-2 Identification and Investigation.

(a) Seal off the scene of the incident in order to preserve evidence. Secure or remove other inmates from the cell area to prevent scene contamination.

(b) Upon verification of death, the on-duty Corrections Officers will assure that the following people are notified:

(1) The Sheriff or other ranking Supervisor.

(2) The Price County Coroner.

(3) The Regional Jail Inspector.

(c) Names and telephone numbers of the above persons and/or agencies will be available in the Communications Center. It may be necessary for the Communications Center to page one (1) or more of the above persons or agencies for immediate notification.

Sec. 3-30-3 Follow-Up.

(a) The Sheriff or other ranking Supervisor will assign personnel to complete the following tasks:

(1) If the deceased is a state, federal, immigration, or military inmate, notify the appropriate agency immediately to advise them of the death.

(2) If the deceased is being housed for another jurisdiction, or is being held on a warrant from another jurisdiction, notify that jurisdiction.

(3) Obtain the name, address and telephone number of a relative shown in the inmate's file (if a relative is not shown on any form in the file, check the visitor's register to determine a name of an appropriate person to notify).

(4) If cleared or directed by the coroner, the appropriate relative will personally be informed of the death. Notification shall be made by the law enforcement agency or coroner/medical examiner's office located in the jurisdiction in which the relative resides. In all cases, every attempt will be made to notify the relative in person.

(5) Notify the Court in which the inmate's case is assigned.

(6) Complete all "book-out" procedures, noting the death, in order to complete records.

(7) Collect and package all personal property of the deceased, if it is to be released to relatives.

Sec. 3-30-4 Reports.

(a) All personnel involved in the incident will dictate detailed incident reports.

Title 3 ▶ Chapter 31

Receipt of Inmates' Property from a Third Party

Sec. 3-31-1 Receipt of Inmates' Property from a Third Party

Sec. 3-31-1 Receipt of Inmates' Property from a Third Party.

POLICY:

Inmate property and supplies received from a third party shall be properly inspected and recorded at the time of receipt. Only approved/authorized property and supplies shall be received or stored within the Price County Safety Building.

PROCEDURE:

(a) The Dispatcher on duty shall summon an on-duty Corrections Officer, who will inspect and verify the items delivered. The Corrections Officer will return or confiscate any items determined to be contraband or otherwise unauthorized.

(b) If the on-duty Corrections Officer is not immediately available, the Dispatcher shall inform the party that he/she may wait in the front lobby of the Safety Building or return at a later time.

(c) Under no circumstances shall any items be received without inspection and verification from the on-duty personnel.

(d) After receiving the items, the Corrections Officer will properly deliver the items to the appropriate inmate or, if appropriate, store the items in an appropriate location. The Corrections Officer will accurately document the delivery and/or disposition of said items.

(e) If money is received, the Corrections Officer shall provide the delivering party with a completed receipt from the jail receipt book and shall follow proper procedures as outlined in this Manual in Title 3 Chapter 8 Control of Inmates' Funds.

Title 3 ▶ Chapter 32

Release of Inmates' Property to a Third Party

Sec. 3-32-1 Release of Inmates' Property to a Third Party

Sec. 3-32-1 Release of Inmates' Property to a Third Party.

POLICY:

Inmates may be allowed certain control over personal property, but may not transfer any personal property item held by the Jail to other inmates in the Jail. Staff shall exercise due care in recording the release and transfer of inmate property.

PROCEDURE:

(a) Request.

(1) The inmate must submit a Property Release form to the on-duty Corrections Officer. The request shall specify:

a. The particular item to be released.
b. The name, address, telephone number and relationship of the person to whom the items are to be transferred.
c. The inmate's signature.
d. The date of the request.

(b) Pick Up.

(1) When the person designated by the inmate appears to pick up the items, the Corrections Officer shall:

a. Verify the identity of the person.
b. Obtain the items to be released from the inmate's property or other place of storage.
c. Require the person receiving the property to sign the Property Release form indicated as acceptance of property.
d. The Corrections Officer shall sign his/her name as a witness.
e. The Corrections Officer will then place the signed request in the inmate's file.

Title 3 ▶ Chapter 33

Inmate Complaint & Grievances

Sec. 3-33-1 Inmate Grievances, Complaints or Requests
Sec. 3-33-2 Inmate Appeal Process

Sec. 3-33-1 Inmate Grievances, Complaints or Requests.

POLICY:

It is the policy of the Price County Jail that inmates are free to submit grievances, complaints or requests concerning operations of the Jail.

PROCEDURE:

(a) When an inmate has a grievance, complaint or request, it is required that he/she make written notification to the on-duty Corrections Officer.

(b) When the written grievance, complaint or request is received by a Corrections Officer (excluding routine Request Slip requests), it will be forwarded to the Jail Administrator – Lieutenant as soon as possible. (It should be noted that if the Jail Administrator – Lieutenant is unavailable a Supervisor shall be contacted).

(c) If the Jail Administrator – Lieutenant is the subject of the grievance, it should be given to the Chief Deputy first and then the Sheriff.

(d) The date and time will be noted on the grievance, complaint or request when it is received by the Jail Administrator.

(e) Once received the matter will be reviewed and investigated by the Jail Administrator – Lieutenant.

(f) The Jail Administrator – Lieutenant shall make personal contact with the inmate as soon as possible to discuss the grievance, complaint or request with the inmate.

(g) The Jail Administrator – Lieutenant will inform the inmate of his verbal decision on the matter. Further, the Jail Administrator – Lieutenant will note the date and time of the personal contact on the written grievance, complaint or request and will indicate all actions taken or not taken related to the matter.

(h) Inmate grievances, complaints or requests shall be placed in the inmate's file.

Sec. 3-33-2 Inmate Appeal Process.

(a) When the reply is not deemed satisfactory by the inmate, the inmate is free to express dissatisfaction through appeal to the Sheriff.

(b) The appeal to the Sheriff must be presented in writing.

Title 3 ▶ Chapter 34

Visitation

Sec. 3-34-1 Visitation

Sec. 3-34-1 Visitation.

POLICY:

The department shall ensure that all inmates of this facility are afforded the opportunity to maintain contact with immediate family.

PROCEDURE:

(a) A Price County Jail Family/Visitor Informational Guide will be available to visitors in the lobby. This Guide contains instructions on all visitation, bond and property issues as well as other general information.

(b) Visitation is restricted to immediate family only unless otherwise authorized by the Sheriff. Immediate family consists of spouse, parents, grandparents, children, siblings, in-laws and step-family. Visitors must be eighteen (18) years old or older to visit.

(c) Visitation is limited to Wednesdays from 7:00 p.m. to 9:00 p.m., Sundays and Holidays from 9:00 a.m. to Noon and 1:00 p.m. to 4:00 p.m. Visitation days and times will be determined by the Sheriff.

(d) Visitation schedules shall be posted in a conspicuous place near the front door of this facility. Visitation schedules shall also be part of the regular Jail rules and regulations posted in each cellblock.

(e) Attorneys, probation/parole agents and clergy will be allowed unrestricted access to inmates during reasonable hours. Corrections staff shall conduct a personal search of inmates before and after each such visit.

(f) Special visits will only be allowed under authorization from the Sheriff.

(g) All visitors will be registered on the visitor's log which will be kept in the Communications Center.

(h) All visitors are subject to a search of their person and/or possessions.

(i) Visits will be limited to fifteen (15) minutes unless otherwise authorized by the Sheriff.

(j) Handicapped visitation shall be conducted on the main floor of the Sheriff's Office by putting the inmate in the downstairs two-man max cell and the visitor outside the cell door.

Title 3 ▶ Chapter 35

Jail and Religious Programing

Sec. 3-35-1 Jail Programs
Sec. 3-35-2 Access to GED Instructor
Sec. 3-35-3 Religious Programming
Sec. 3-35-4 Volunteer Background Check and Orientation
Sec. 3-35-5 Department of Public Instruction Access

Sec. 3-35-1 Jail Programs.

POLICY:

It is the policy of this department to ensure that all inmates of this facility, have the opportunity, on a voluntary basis, and to the extent that it is practicable and reasonable, to attend a number of jail self-help and educational programs.

PROCEDURE:

(a) Corrections officer shall make inmates aware of programming available within the jail by providing the inmate with the Price County Jail Inmate Rules & Regulations.

(b) An inmate's attendance at jail programs is voluntary.

(c) Requests for such programs must be submitted in writing on the proper form no later than noon on the day of that specific program.

(d) Disorderly and disrespectful behavior during jail programming is prohibited and may result in the inmate's removal from future programs.

(e) Jail staff shall ensure that inmates due not take personal items to jail programs.

(f) Jail staff shall ensure that inmates are quiet and orderly while being escorted to and from programs.

(g) Jail staff may prevent any inmate from attending programs for security or disciplinary reasons.

(h) Attendance at jail programs is subject to approval of Jail staff following one (1) week of good behavior.

(i) Maximum security inmates shall not be allowed to attend programs; however, ministry visits may be made available.

Sec. 3-35-2 Access to GED Instructor.

PROCEDURE:

(a) Corrections officers shall only allow minimum and medium classification inmates to see the GED instructor.

(b) The GED instruction will be held on Tuesdays and Thursdays. Inmates must turn in a Request Slip to Jail staff by noon the day of the visit.

Sec. 3-35-3 Religious Programing.

POLICY:

The department shall ensure that all inmates of this facility have the opportunity, on a voluntary basis, to practice their religion to the extent that is practical and reasonable in conformity with Wisconsin Statute 350.32.

PROCEDURE:

(a) Bibles and Korans will be supplied upon request.

(b) Regular clergy visits shall be available to inmates on Wednesday's. Inmates may request their preferred minister, subject to the availability of the minister and time constraints of the jail schedule.

(c) Clergy must show proof of being a minister and those credentials must be on file in the Jail office.

(d) Inmates may keep on their person or in their cell religious items consistent with the safety and security of this facility.

Sec. 3-35-4 Volunteer Background Checks and Orientation.

(a) Background checks will be done on all volunteers and clergy.

(b) An orientation consisting of our operational procedures and a Preventing Sexual Assault, Misconduct and Harassment – A guide for Correctional Staff & Volunteers shall be provided to all volunteers and clergy.

Sec. 3-35-5 Department of Public Instruction Access.

(a) All school age inmates will be provided access to school or school materials to insure continuation of education.

Title 3 ▶ Chapter 36

Recreation and Exercise

Sec. 3-36-1 Recreation and Exercise

Sec. 3-36-1 Recreation and Exercise.

POLICY:

Indoor recreation within the Price County Jail is limited to section dayrooms and/or cubicles.

PROCEDURE:

(a) Due to limited staffing and facilities, outdoor recreation will not be allowed.

(b) Indoor recreation for those inmates held in solitary confinement will be limited to one (1) hour per day in a dayroom setting if possible. If no in a dayroom, inmates can do calisthenics in their cubicles.

(c) Inmates shall have access to section dayrooms at all times unless confined for disciplinary reasons or in jail lockdown status. Inmates may do calisthenics, i.e. push-ups, jumping jacks, etc., play cards, board games and watch television. Activities which interfere with the sleep or rest of other inmates shall not be allowed during evening hours designated for inmate sleeping.

(d) All inmates will have at least one (1) hour of recreation per day.

Title 3 ▶ Chapter 37

Library and Legal Material Access

Sec. 3-37-1 Use of Library
Sec. 3-37-2 Reading Materials

Sec. 3-37-1 Use of Library.

POLICY:

The department shall provide inmates access to reading materials to promote constructive use of time.

PROCEDURE:

(a) Upon request, inmates shall have access to the Jail library as time permits.

(b) Inmates shall be allowed to return to their cells with reading materials borrowed from the Jail library.

(c) Inmates will have access to the latest version of the Wisconsin State Statute Books and a computer with legal software installed.

Sec. 3-37-2 Reading Materials.

(a) Visitors will not be allowed to bring in newspapers, magazines and other reading materials for inmates.

(b) Only items received via US Mail and subscriptions will be allowed.

(c) Prohibited items include pornography, drug manufacturing, weapon manufacturing or any publication promoting statutory violations and will not be provided to an inmate. Such items may be stored in the inmate's personal property bin, discarded or used as evidence against the inmate.

(d) Inmates will be notified of any restricted publication.

(e) Inmates can grieve the decision to withhold a publication to the Jail Administrator – Lieutenant and then to the Chief Deputy or Sheriff.

Title 3 ▶ Chapter 38

Canteen

Sec. 3-38-1 Request for Canteen
Sec. 3-38-2 Purchases and Delivery

Sec. 3-38-1 Request for Canteen.

POLICY:

Inmates shall have the opportunity to make purchases of items through the Jail canteen program. The department retains the right to limit the nature and amount of such purchases for operational and security reasons.

PROCEDURE:

(a) Canteen purchases will be allowed only on Sundays. The on-duty Corrections Officers will provide inmates with a Canteen Order Form.

(b) Requests for items and authorization for the withdrawal of inmate funds to cover these requests shall be submitted in writing on the appropriate Canteen Order Form.

Sec. 3-38-2 Purchases and Delivery.

(a) Inmates shall be limited to those items provided in the Jail canteen program.

(b) Inmates requesting canteen shall prepare an appropriate Canteen Order Form. The form shall be submitted to an on-duty Corrections Officer.

(c) Upon receipt of an appropriate Canteen Order Form, the Trust Fund Regulator shall enter the canteen order and deduct the appropriate amount of money from the inmate's account. (Refer to Title 3 Chapter 8 Control of Inmates' Funds.)

(d) Upon delivery of the canteen order, the on-duty Corrections Officer shall deliver the designated items and shall note completion and delivery of same on the appropriate Canteen Receipt form.

(e) No officer or employee of the department shall make purchases of items out of the canteen program for inmates without Supervisory approval.

(f) Inmates will not be permitted to make canteen purchases for other inmates. (Refer to Title 3 Chapter 8 Control of Inmates' Funds and Title 3 Chapter 32 Release of Inmates' Property to a Third Party.)

(g) Inmates are allowed to possess no more than:

(1) Powdered drinks: One (1) of each item in category in possession.

(2) Chips, candy and snacks: Twelve (12) different items with a maximum of two (2) of the same item in possession for a total of twenty-four (24) items.

(3) Miscellaneous: One (1) of each in possession. Exceptions are:

a. Stamped envelopes – twelve (12).
b. Folders – two (2).
c. Pencils – two (2).
d. Legal pads – two (2).

(4) Hygiene: One (1) item from each product category, i.e. one (1) soap, one (1) shampoo, etc. in possession.

(h) An inmate's access to canteen may be restricted based upon inmate classification or status.

Title 3 ▶ Chapter 39

Food Services

Sec. 3-39-1 Meal Schedule and Refusal of Meals
Sec. 3-39-2 Record
Sec. 3-39-3 Special Diets
Sec. 3-39-4 Cleanliness and Sanitation
Sec. 3-39-5 Kitchen Inspections

Sec. 3-39-1 Meal Schedule and Refusal of Meals.

POLICY:

It is the responsibility of the Price County Jail to maintain the health of inmates by providing a nutritionally adequate diet in compliance with the State of Wisconsin Division of Corrections recommended basic daily servings, including providing special diets for required medical, dental and religious purposes.

PROCEDURE:

(a) Three (3) meals per day shall be served to all inmates housed within the Price County Jail, two (2) of which will be hot. Meals will be served at the following times:

(1) Breakfast: Between 0430 and 0630 hours.

(2) Lunch: Between 1100 and 1300 hours.

(3) Dinner: Between 1500 and 1700 hours.

(b) The meal schedule may vary, but in no case shall more than fourteen (14) hours elapse between dinner and breakfast.

(c) An inmate may abstain from any foods that violate the inmate's religion.

(1) Consistent with available resources, the jail shall provide a substitute from other available foods from the menu served at the meal. The substitutions shall provide a nutritionally adequate diet in compliance with the State of Wisconsin Division of Corrections recommended basic daily servings.

(d) Any inmate's refusal to accept any meal offered will be recorded in the Jail Log.

(e) In the event that an inmate refuses three (3) consecutive meals, a Supervisor shall be notified.

Sec. 3-39-2 Record.

(a) The Corrections Officer responsible for ordering meals shall call the count in to the Taylor County Jail Kitchen, including any special diets. The Corrections Officer shall then log the counts and special diets into the Jail Log.

Sec. 3-39-3 Special Diets.

(a) Requests for special diets shall be recorded and reported during initial inmate health screening and at all other times when so requested by an inmate in writing.

(b) A Corrections Officer receiving a request for a special diet is authorized to order such a diet until the request can be reviewed by medical and/or Supervisory staff. This is to ensure that any inmate shall receive needed dietary items in a timely fashion.

(c) Corrections Officers shall ensure that special diet meals prepared by the food service provider have been specifically tagged or marked and are delivered to the appropriate inmates at routine meal times.

Sec. 3-39-4 Cleanliness and Sanitation.

(a) The Corrections Officer shall provide for the maintenance of high standards of cleanliness, sanitation and hygiene while providing food services.

(1) The Corrections Officer and other personnel shall refrain from using any tobacco products in food preparation and in food service areas.

(2) The Corrections Officer shall adhere to strict standards of personal grooming and cleanliness when handling food, drinks, utensils or equipment.

(3) Hands shall be properly washed prior to engaging in food service activities.

(4) Food preparation facilities and equipment shall be cleaned thoroughly after each meal. After dishes and utensils have been collected, Corrections Officers will ensure that they are counted and returned to the kitchen to be washed. Dishes and utensils shall be properly run through a dishwasher/sanitizer cycle. Trash shall be promptly disposed of in proper receptacles.

(b) All persons who work in the food service areas shall wear clean garments and clean caps or hairnets and shall keep their hands clean at all times when engaged in the handling of food, drink, utensils or equipment. Particular attention shall be given to the cleaning of fingernails.

(c) Food and drank shall be protected from contamination and meals shall be covered during transit to and within the facility.

Sec. 3-39-5 Kitchen Inspections.

(a) The kitchen shall be inspected by jail staff one time per month. The inspection shall take place on the 1st day of each month and the Kitchen Inspection Report shall be filled out and signed by the inspecting staff member.

(b) An annual inspection shall be conducted by an outside source. This inspection shall be documented and an Inspection Report shall be on file.

(c) Kitchen food storage and dishwashing equipment temperatures shall be routinely monitored and documented on the Kitchen Inspection Report.

(d) Garbage containers shall be covered, emptied daily and kept clean.

(e) Cleaning agents shall be stored separately from food service items.

(f) No sharps items will be stored in the Jail kitchen.

Title 3 ▶ Chapter 40

Professional Visitors

Sec. 3-40-1 Professional Visitation
Sec. 3-40-2 Use of Visitation Room
Sec. 3-40-3 Visitation Movement
Sec. 3-40-4 Searches of Inmates After Visitation
Sec. 3-40-5 Religious Ministry and Counsel
Sec. 3-40-6 Restrictions on Visitation

Sec. 3-40-1 Professional Visitation.

POLICY:

For the purposes of this section, professional visitors include, but are not limited to, Attorneys, Public Defender Representatives, Probation and Parole Agents, religious visitors, Price County Health & Human Services Representatives, teachers, and previously approved members of AA. Attorneys and other professionals must meet the following criteria.

(a) **Attorney:** Must be retained by the inmate.

(b) **Probation/Parole Agent:** Must be an active probation agent.

(c) **Mental Health Doctor:** Must be previously scheduled with Jail.

(d) **Court Appointed Counselors:** Must have a letter from the Court indicating assignment to the inmate.

(e) **Clergy:** Must be a member of the Department Chaplain Program.

PROCEDURE:

(a) Visitor arrives at Safety Building. Visitors must have a Professional ID and a picture ID with birth date.

(b) Dispatch will observe the Visitor and confirm the identity of the Visitor.

(c) Dispatch will notify a Corrections Officer of the Professional Visitor.

(d) Dispatch will open the door to allow the Visitor into the building.

(e) The Visitor will sign the Professional Visitor's Register, utilizing all areas designated.

(f) If it is the Visitor's initial visit, the Corrections Officer will provide the Visitor with a Rules of Conduct for Professional Visitors form. Visitors will be required to sign the Rules of Conduct Professional Visitors Acceptance Log before being allowed into the Jail.

(g) All Visitors must be completely sober. If there is a need to check for sobriety, the Corrections Officer will assist Dispatch.

(h) A PBT will be done on the Visitor and the visit will be denied if the PBT detects any alcohol. The Visitor will be directed to leave the building and the information passed onto the on duty Dispatcher for a possible OWI investigation.

(i) If the Visitor is approved, the Corrections Officer will instruct the Visitor to leave all personal property, including cell phones, in the lockers provided for them and to retain the key so they may remove their property after their visit.

(j) The Corrections Officer will escort the Visitor to the Visitation Room.

(k) Professional Visitors will be allowed to take only the necessary paperwork and writing instruments into the visitation area. Corrections Officers will scan, search, or check items taken into visitation.

Sec. 3-40-2 Use of Visitation Room.

(a) If a Professional Visitor desires to use the Visitation Room, an appointment must be made through Jail Administration.

(b) Appointments will be logged in the Jail's scheduled events log.

(c) A Corrections Officer will check the scheduled events log at the beginning of their shift to alert all Jail staff to any special appointments for the day.

(d) Professional Visitors will be allowed to take only the necessary paperwork and writing instruments into the visitation area. Officers will scan, search, or check items taken into visitation.

(e) Professional Visitors are entering a secure area of the Jail, and may be searched at any time before or after their visit.

(f) Any available Corrections Officer will use his/her key to open the door and allow the Visitor into the Jail.

(g) The Corrections Officer and Visitor will enter the secure portion of the Jail and the Corrections Officer will open the visitation door with the assigned key.

(h) The Visitor will enter the Visitation Room and the Corrections Officer will assist in admitting inmates into the Visitation Room.

(i) Any available Corrections Officers will escort inmates in Receiving or Max area.

(j) The Corrections Officer will admit the Inmate to the Visitation Room.

(k) Corrections Officers will open the door to the Visitation Room with the assigned key and close the door behind the inmate.

(l) Professional Visitors will alert Jail staff when their visit is completed.

(m) Inmates will be returned to their cells, reversing the procedure for entering the Visitation Room.

Sec. 3-40-3 Visitation Movement.

(a) The Corrections Officers will instruct inmates to proceed to the visitation area and release them from their cells.

(b) The Corrections Officer will open the door to admit the inmate to the visitation area.

(c) All Inmates will be escorted by Corrections Officers. Classification level will determine if two (2) Officers are needed for the escort. They will be placed in the Professional Visitor area for visits.

(d) At the end of visitation, the Visitor will inform Corrections Officers that the visit has ended.

(e) The Visitor will wait for all Inmates to be placed back in their cells.

(f) A Corrections Officer will escort the Visitor back to the Lobby to sign out.

(g) Visitors will pick up their belongings from the lockers and exit the building.

Sec. 3-40-4 Searches of Inmates After Visitation.

(a) A pat down search may be done after any visit.

(b) Strip searches may be done after any visit following jail policy and in accordance with Statute 968.255 at the Corrections Officer's discretion.

Sec. 3-40-5 Religious Ministry and Counsel.

(a) Only members of the Price County Sheriff's Office Chaplain List will be allowed contact visits without prior approval from the Jail Administrator – Lieutenant or other Supervisor.

(b) Special visits must have prior approval by the Jail Administrator – Lieutenant.

(1) Inmates will request the visit on a Price County Inmate Request Slip, stating the reason why a special visit is being requested.

(2) The Jail Administrator – Lieutenant may grant requests if reasons are deemed acceptable for a visit to occur outside of regular hours.

(3) The Jail Administrator – Lieutenant will notify Jail Staff of any special visits.

(4) All Visitation Rules will be followed for special visits.

Sec. 3-40-6 Restrictions on Visitation.

(a) If an inmate's visitation privileges have been restricted due to a jail disciplinary hearing, that fact will be noted on the Disciplinary Hearing Major Rules Violation report under the appropriate section. In such case, Jail Staff will note such restrictions on the Jail Log and on the pass on pad.

(b) If disruptive behavior from either the inmate or the visitor occurs during the visitation, Jail Staff may advise both parties that visits may not be permitted if the disruptive behavior persists. Visitation may be terminated at any time during the visit if there is disruptive behavior. Jail Staff will write an Incident Report and notation of the incident made on the Jail Log.

Title 3 ▶ Chapter 41

Weapons

Sec. 3-41-1 Securing Weapons

Sec. 3-41-1 Securing Weapons.

POLICY:

To ensure the safety and security of the Price County Jail and persons within, no firearms or other weapons shall be worn or carried in or near any cell areas. This shall exclude the wearing or carrying of approved Oleoresin Capsicum gels carried by corrections or law enforcement personnel.

PROCEDURE:

(a) Department members shall require those wishing to enter any cell area to remove and deposit their firearms or other weapons in a departmental gun locker.

(b) Additional assistance shall be summoned immediately if any person refuses to comply with such security precautions.

(c) Persons refusing to secure weapons in a gun locker shall not be permitted inside of the Jail and shall be asked to leave the premises immediately.

(d) A Supervisor shall immediately be contacted and advised of the details surrounding any refusal to allow access to the Jail for reasons specified above. A detailed incident report shall also be prepared and submitted pertaining to the incident.

Title 3 ▶ Chapter 42

Electronic Control Device (ECD)

Sec. 3-42-1 General Policy
Sec. 3-42-2 Duties After Deployment
Sec. 3-42-3 Documentation
Sec. 3-42-4 Storage of Electronic Control Device
Sec. 3-42-5 Maintenance of Electronic Control Device
Sec. 3-42-6 Accidental Deployment

Sec. 3-42-1 General Policy.

POLICY:

It is the policy of this department to provide the tools necessary for its personnel to do their job in a productive, effective and safe manner. The use of an Electronic Control Device (ECD) is classified as a use of force and will be governed by this policy. The authorized members of this department will be provided with an ECD so they may successfully defend themselves from combative, resisting and/or violent individuals while reducing the risk of inflicting or receiving injury. An ECD is not necessarily a replacement or substitute for other authorized devices and techniques and; therefore, should be used only when it is the best choice for the circumstances (in the authorized user's opinion). The ECD is another tool that can be used at the discretion of the authorized user when the decision is made that the use of force is objectively reasonable under the circumstances. As with any use of force, the authorized user shall be accountable to this department for the use of an ECD.

DEFINITIONS:

(a) **Electronic Control Device (ECD).** A less lethal force utilized by trained personnel which causes neuromuscular incapacitation to a combative or potentially combative subject. The use of this device is intended to cause the immediate, temporary cessation of violent behavior with minimal potential for causing death or great bodily harm.

PROCEDURE:

(a) All members of this department who carry and/or use an ECD must first successfully complete an ECD familiarization program, to include written and practical tests. Re-familiarization programs will be completed as required.

(b) An ECD will be routinely carried by trained authorized users within the performance of their duties, if not prohibited by law.

(c) Authorized users shall use a holster specially designed to carry the ECD. The holster must be a department issue.

(d) As an exception to (c) an authorized user, with prior approval of the Sheriff or his/her designee, purchase and use his/her own ECD holster.

(e) The approved ECD holster shall be of such style as is designed to be worn on the authorized user's off gun hand side, to wit; the opposite side on which the duty pistol is carried.

(f) Authorized users will be responsible for checking out an ECD at the beginning of each duty shift unless assigned. A record log with corresponding ECD serial number will be located near the checkout location. Each authorized user is to log the time, date, his/her name and badge number, along with the battery power readout upon each ECD checkout. Corrections Officers must be familiar with the storage location on the first and second floors of the Safety Building and will also be required to log the time, his/her name, and the battery power readout on each ECD.

(g) An authorized user may only display, present, or threaten to use the ECD if the authorized user reasonably believes that the potential for its authorized use exists.

(h) The ECD is not a substitute for deadly force – in cases where a subject is believed to be armed with a dangerous weapon; an authorized user may not arm him/herself with an ECD unless another authorized user at the scene has the immediate ability to deliver deadly force. Authorized users armed with an ECD should continuously monitor and evaluate the ability of the other authorized users present to deliver deadly force. **Note:** Use of the ECD in the Safety Building setting would be exempt from the second authorized user with deadly force requirement.

(i) Deployment of the ECD will be evaluated using the criteria in this policy and within the framework of the Disturbance Resolution Model. The ECD may only be used under the following circumstances.

(1) To overcome violent or assaultive behavior or its threat.

(2) To control persons in order to prevent them from harming themselves or others.

(j) Users of the ECD should avoid prolonged extended, uninterrupted discharges or extensive multiple discharges whenever practical. Use of the ECD should be combined with physical restraint techniques to minimize the total duration of the struggle and minimize the total duration of the ECD stimulation.

(k) Use of the ECD under the following circumstances is prohibited, unless exigent circumstances are present:

(1) Against handcuffed subjects.

(2) Against subjects operating a motor vehicle.

(3) Against subjects that have been sprayed with Oleoresin Capsicum (OC).

(4) From a moving vehicle.

(5) In an environment containing flammable materials or solvents.

(6) Against a subject in an elevated situation, i.e. in a tree stand.

(7) Against a small child or a subject with a low body mass index, i.e. small stature.

(l) The ECD will not be used under the following circumstances:

(1) For coercion or intimidation.

(2) To forcibly escort or prod subjects.

(3) To awaken unconscious or intoxicated subjects.

(4) Against subjects who are offering only passive resistance and are not a danger to themselves or others.

(5) Against a pregnant woman.

(m) ECD probes may not be intentionally fired at the face, head, neck, groin, or the breast area of females, unless use of deadly force would be justified.

(n) Authorized users shall evaluate all subjects against whom the ECD has been deployed, and should provide medical treatment, if necessary. If the ECD probes have penetrated the skin in a sensitive area (face, head, neck, groin, or breast area of a female), or if the subject is showing signs of Excited Delirium, the subject will be conveyed to an emergency room for removal. If the probes are embedded in non-sensitive areas, a trained authorized user may remove them. The same procedure applies to any outside agency bringing in a subject(s) to the jail who have been exposed to an ECD.

Sec. 3-42-2 Duties After Deployment.

POLICY:

Immediate action should be taken to care for the injured, to stabilize any subjects, and to protect the scene.

PROCEDURE:

(a) Once the suspect is restrained or has complied, the ECD shall be turned off.

(b) Transport the subject to a medical facility, if necessary.

(c) Photographs shall be taken of the subject's injuries as soon as practical. The photographs should show the location of the injury.

(d) The expended munitions shall be collected and placed into evidence and retained until the adjudication of the case and the appeals process has been exhausted.

(e) The ECD shall be taken out of service at the end of the authorized user's shift and placed in a secure locker. The key to said locker shall be given to the ECD Administrator.

(f) The ECD Administrator shall download data stored within the ECD and place an electronic copy in the associated case file. The ECD shall then be placed back in service.

Sec. 3-42-3 Documentation.

POLICY:

On each occasion of an ECD use, an Electronic Control Device (ECD) Use Report must be completed in a timely manner and must be turned in prior to the end of an authorized user's current duty shift on the day the ECD was deployed or as soon as possible. This report includes intended as well as accidental uses. Appropriate copies of the form shall be forwarded to those designated on the form.

Sec. 3-42-4 Storage of Electronic Control Device.

POLICY:

ECD units will be kept in a locked cabinet located outside the dispatch area unless assigned. Authorized users will check out ECD units upon arrival for their duty shift each day and will check in the same ECD unit upon the end of their duty shift each day. All ECD checkouts shall be logged in and out using the log book located on the top of the storage cabinet where the ECD are held. The ECD cabinet is to be kept locked at all times.

Sec. 3-42-5 Maintenance of Electronic Control Device.

POLICY:

(a) Authorized users are to ensure the ECD is functioning properly and the battery power is adequate for use. The ECD shall be spark checked prior to the beginning of shift or when signed out. If the ECD is not functioning properly and/or battery power is below twenty percent (20%), authorized users are to change batteries before taking an ECD from storage.

(b) Corrections Officers should check the battery charge level at the beginning of each duty shift and log the check on their Jail Log.

Sec 3-42-6 Accidental Deployment.

(a) If an accidental deployment occurs, remedial training will occur with the ECD instructor. The date, time, and duration of remedial training will be determined by the ECD instructor. The authorized user will be allowed to carry and use the ECD prior to remedial training.

Title 3 ▶ Chapter 43

Oleoresin Capsicum Aerosol

Sec. 3-43-1 General Purpose and Policy
Sec. 3-43-2 Definitions
Sec. 3-43-3 Departmentally Approved OC Sprays
Sec. 3-43-4 Training
Sec. 3-43-5 Effects of Oleoresin Capsicum
Sec. 3-43-6 Decision to Use Oleoresin Capsicum
Sec. 3-43-7 Use of Oleoresin Capsicum
Sec. 3-43-8 After-Use Procedures
Sec. 3-43-9 After Use Reports
Sec. 3-43-10 Miscellaneous OC Procedures

Sec. 3-43-1 General Purpose and Policy.

PURPOSE:

To establish policy and procedures for the training, certification, availability, use, decontamination, maintenance, and storage of Oleoresin Capsicum (OC) aerosol sprays by employees of this department.

POLICY:

It is the policy of the Price County Sheriff's Office to provide the necessary tools for its trained employees to perform their duties in a productive, safe, and effective manner. The use of OC is classified on the Disturbance Resolution Model. Empty Hand Control and requires active resistance or the threat of active resistance from subject to be used. The use of OC by trained employees of this department is to successfully defend themselves from combative, resistant individuals, or passive resistant individuals who display actions or words showing intent to physically resist. As with any use of force, trained employees shall be accountable to this agency for the use of OC.

Sec. 3-43-2 Definitions.

DEFINITIONS:

The following definitions shall be applicable in this Chapter on the use of oleoresin capsicum (OC) aerosol:

(a) **Oleoresin Capsicum (OC).** A derivative of cayenne pepper and a mixture of essential oil and a resin found in nature. OC is classified as an inflammatory (the propellant may be flammable). However, most OC manufacturers now use nitrogen to minimize the chance of flammability.

(b) **Active Ingredient.** The live agent that causes the physical effects on the body.

(c) **Inactive Ingredient.** The carrier which transports the active ingredient to the target.

(d) **Propellant.** The substance used to propel the ingredients in an aerosol from the can to the target. OC

Sec. 3-43-3 Departmentally Approved OC Sprays.

The departmentally approved OC product is gel. This determination has been made by the department after considering the issues pertinent to the nature and capability of OC products and their use.

Sec. 3-43-4 Training.

OC aerosol gel will be authorized to sworn officers and corrections officers of the Price County Sheriff's Office who have completed the four (4) hour State of Wisconsin training program and any required departmental training on the Use of Force policies. Training will include, but is not limited to:

(a) Tactical use and applications of OC, including:

(1) Attitudinal changes of person(s).

(2) Body contact, specific contact points.

(3) Effects of OC use and duration of effects.

(b) Specific tactics (hands on training):

(1) Basic defensive tactics.

(2) Duration of application.

(3) Use against attacks.

(4) Fight intervention.

(c) OC use on animals.

(d) OC safety considerations (cross contamination).

(e) OC civil liability.

(f) OC maintenance and storage considerations.

OC training will be documented and include:

(a) Name(s) of trainers.

(b) Date of training.

(c) Hours of training.

(d) Training location.

Sec. 3-43-5 Effects of Oleoresin Capsicum.

COMMENTARY:

(a) **Generally.** Effects of OC vary from person to person and in the way the OC has been produced by the manufacturer. The concentration level and the method of use by the trained employee will also affect the outcome. Although OC has a history of having extremely high and positive results, it is not effective one hundred percent (100%) of the time. Proper training is a major factor.

(b) **General Effects of OC.** Once applied, OC may have the following effects:

(1) Muscles of the body become rigid.

(2) Subject shakes uncontrollably.

(3) The diversion of pain in the eyes and face and gasping for air typically produces an involuntary response, which indirectly addresses the most basic fears of blindness and suffocation. This causes confusion and disorientation.

(4) An intense burning sensation to effected areas.

(5) Emotional anxiety.

(6) Temporary impairment of breathing.

(7) Inflammation of the eyes and mucous membranes causing involuntary closing of the eyes and possible coughing.

(8) The person sprayed by immediately be rendered helpless and cover their face with their hands.

(c) **Long-Term Effects.** OC has no history of lasting after effects. Since OC has been introduced as a force option, there has never been a substantiated case of death or injury attributed to OC. Subjects with heart problems, asthma, emphysema and/or other illnesses that have been sprayed had no lasting after effects. However, with any level of force, no matter how slight, the possibility always exists.

Sec. 3-43-6 Decision to Use Oleoresin Capsicum.

POLICY:

(a) OC will routinely be carried by trained and certified sworn law enforcement officers and corrections officers within the performance of their duties.

(b) OC may be used in the following situations:

(1) Where verbal direction is ineffective or inappropriate.

(2) Where passive resistance techniques have failed and officers have to use physical force to maintain control.

(3) Where a person who is passive resistant displays actions or words showing intent to physically resist.

(4) Where a person actively resists or where there is a threat of active resistance by the subject.

(5) Where an officer believes they will engage in a physical altercation with a suspect, if a suspect is moving toward an officer and the officer reasonably perceives the suspect is going to engage the officer in a physical altercation based on the suspects demeanor and/or words.

(6) The removal of non-compliant persons who voluntarily lock themselves in a vehicle and refuse to comply when lawfully commanded to do so by an officer.

(7) OC may be deployed into an enclosed area (house or other building) to effectively remove a suspect who does not comply when lawfully ordered to do so by an officer and a forced exit is necessary.

(c) Officers should avoid the use of OC in areas or environmental conditions where there is a high probability of cross contamination to other officers or citizens.

(d) OC will be used only as a control and compliance tool and shall never be used for any illicit-unlawful purpose (as a means of punishment or interrogation).

(e) The use of OC shall be consistent with any applicable state or federal laws, the guidelines for Department Use of Force policies, and the manufacturer's specific guidelines for use.

Sec. 3-43-7 Use of Oleoresin Capsicum.

(a) OC is most effective when deployed at a distance of two (2) to fifteen (15) feet to the suspect. The effective range can vary by environmental factors.

(b) Officers should only use the amount of OC reasonably necessary to achieve the desired effects. Once the desired effects are achieved, the officer shall discontinue deployment of OC.

(c) Primary OC application targets are the face, eyes, nose, and mouth area.

(d) Officers may spray a combative restrained/handcuffed prisoner only when other available means of control have been exhausted or would clearly be ineffective.

(e) Officers shall not engage in horseplay with OC or any other departmentally issued device, substance or equipment.

(f) It is the officer's responsibility to ensure the safety of the suspect after being sprayed in an effort to prevent any unreasonable injury to the suspect.

Sec. 3-43-8 After-Use Procedures.

PROCEDURE:

(a) After control/compliance has been achieved, and/or resistance has ceased, the officer will make reasonable efforts to allow the OC effected person relief from the discomfort associated with the application of OC.

(b) Reasonable OC decontamination efforts may include, as practical under the circumstances of exposure:

(1) Removing the effected person from the spray area to an area with fresh air and other ventilation.

(2) Keeping the person calm and informing them of the effects of OC exposure.

(3) Instruct the effected person to blow their nose, keep their hands out of their eyes, and rinse with fresh water if available.

(4) If the effected person requests medical attention, the officer shall arrange for an ambulance or transport to the emergency room.

(5) It is not recommended to apply a salve or cream to the affected area as this will trap the OC particles.

(6) Officers should be conscious of secondary contamination from the effected person. The effected person usually can be handled immediately, but it is recommended for the officer not to touch their eyes with their hands.

(c) Symptoms of OC exposure should minimalize within fifteen (15) to forty-five (45) minutes with no severe after effects.

(d) If symptoms other than mild after effects persist beyond the normal forty-five (45) minute recovery period without significant relief to the eyes, skin, and respiratory system, the officer should arrange for prompt medical attention.

(e) Officers will not withhold medical attention from the person whether requested or not, if the officer reasonably believes the effected person is in need of medical attention.

(f) If the person complains of injury due to the exposure or requests medical attention, the officer shall not deprive the person of medical attention.

(g) Reasonable efforts shall be made to decontaminate buildings after OC exposure. These efforts may include, as practical under the circumstances of the exposure:

(1) Opening of doors and windows as soon as practical.

(2) Recommending occupants of effected buildings wash effected areas with soap and water.

(3) Recommending occupants of effected buildings properly dispose of any exposed food or containers.

Sec. 3-43-9 After Use Reports.

(1) A Use of Oleoresin Capsicum Report shall be completed every time an OC product is used, including when it is used on animals.

(2) All reports should be very detailed. Reports shall include step by step actions of what led up to the event, what happened, what was done after the event. If there are witnesses to the event, get their names, addresses, and if possible a statement. This can be useful in any court proceedings.

(3) If OC was used, it is important to document the follow-up procedure. Usually, the lack of follow-up treatment is more important than the actual use of the aerosol. The aftercare treatment is sometimes the focus of civil litigation suits.

(4) Key elements of reports include:

a. Date and time of use.
b. A list of participants, including other officers, supervisors, and witnesses to the incident.
c. Arrival and approach.
d. A detailed narrative of events leading to the use of OC.
e. Subject's actions/threat assessment; Deputy's actions.
f. A description of any injuries suffered.
g. Follow-thru procedures and actions taken.

1. Stabilization and monitoring.
2. Medical assessment and care provided.
3. Stabilization (handcuffing, etc.).
4. Escort and transportation.

Sec. 3-43-10 Miscellaneous OC Procedures.

PROCEDURE:

(a) **Storing of OC.** Officers shall avoid storing OC in direct sunlight and areas where the temperature may exceed one hundred-twenty (120) degrees Fahrenheit, such as in the trunk or on the dashboard of a car. Officers shall avoid incineration of OC aerosols.

(b) **Maintenance.** Routine OC aerosol maintenance should include inspections of OC canisters for signs of erosion, leakage, dirt in nozzle, fullness and damage by officers. It is recommended for officers to test their OC every couple of months.

(c) **OC Inventory Storage and Availability.** The designated officer of the department will be responsible for identifying the areas where OC inventory is stored and the OC inventory levels that will be maintained at each location. OC will be accessible, but secure. An Inventory and Disposal List will be maintained at each OC storage area. OC will be available only to those officers who have successfully completed a departmentally approved OC training program.

Title 3 ▶ Chapter 44

Use of Deadly Force

Sec. 3-44-1 Use of Deadly Force
Sec. 3-44-2 Where Deadly Force May Be Used
Sec. 3-44-3 Active Shooter
Sec. 3-44-4 Reports on Use of Deadly Force
Sec. 3-44-5 Self-Defense
Sec. 3-44-6 Action After Deadly Force Incident

Sec. 3-44-1 Use of Deadly Force.

STATEMENT OF PURPOSE:

(a) There is no doubt that many circumstances exist within the normal duty functions of Law Enforcement Deputies which call for the use of force. Difficulties have arisen, however, because no easily understandable policy as to the use of force or the threat of force by department members is available. The use of deadly force particularly deserves a serious consideration, and calls for the development of practical guidelines for the Deputy on the street. One consideration should be stressed – in no way is this policy intended to limit the Deputy's ability to use deadly force when and if the proper circumstances exist. The Deputy is expected to retain the right to defend him/her or others with as much force as is necessary to affect such defense. This policy is intended to protect the Deputy from possible criminal or civil charges stemming from misinterpretation of the law covering the use of extreme deadly force.

(b) While no general policy can hope to cover each and every specific situation the Deputy may be required to participate in, it is hoped that this policy will cover the legal points inherent in every situation to the extent that the Deputy can make valid and immediate decisions on the street.

POLICY:

(a) Recognizing the legal and moral obligation to use force judiciously and wisely, it is the policy of this department that deadly force shall never be resorted to until every other reasonable means of apprehension or defense have been exhausted.

(b) Only the minimum amount of force reasonably required to affect an arrest or control a person shall be used by members of the Sheriff's Office. The force used by a Deputy shall only be that which is required to overcome the resistance being offered by an offender.

(c) This directive is consistent both with Wisconsin law and with the 1985 U.S. Supreme Court decision in *Tennessee v. Garner*, 53 U.S.L.W. 4410.

PROCEDURE:

The above Section requires that deadly force only be used as a last resort. This policy requires only that a Deputy use reasonable alternatives, *if such are available*. For example, a Deputy need not hesitate to employ deadly force against an individual who is shooting at him/her. He/she should, of course, use his/her weapon in such a manner as not to endanger the lives of innocent bystanders or fellow Deputies, but he/she is not required to seek alternatives to deadly force if he/she is under an immediate attack on his/her or other lives. Deadly force is force, which is likely to cause death, or great bodily harm, which includes:

(a) The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm;

(b) The firing of a firearm at a vehicle in which the person to be arrested is riding; or

(c) Any force applied in any manner by any means, by any member of the department, which could reasonably be expected to cause death or great bodily harm.

DEFINITIONS:

(a) **Deadly Force.** As used in this policy, "deadly force" is the intentional use of a firearm or other instrument, the use of which would result in a high probability of death; behavior, which justified a Deputy's use of deadly force, is that which has caused or imminently threatens to cause death or great bodily harm to the Deputy or to another person.

(b) **Greater Danger Exception.** This exception allows a Deputy to shoot without target isolation if the consequence of not stopping the threat would be worse than the possibility of hitting an innocent person.

(c) **Imminent Threat.** An immediate threat that is "about to happen". For a threat to be considered imminent three criteria must be met. There must be intent, a weapon and a delivery system.

(d) **Probable Cause.** In reference to the use of deadly force, "probable" means facts and circumstances known to the Deputy, which would warrant a prudent and cautions man, with the knowledge, training and experience of the Deputy, to believe that a suspect has committed a crime involving the infliction or threatened infliction of serious physical harm.

(e) **Serious Physical Harm.** Bodily injury which creates a subsequent risk of death or which is likely to cause serious permanent disfigurement or loss, or extended impairment of the function of any bodily member or organ.

(f) **Impact Weapon.** Any item used to gain control of a subject by striking.

COMMENTARY:

Besides firearms, many items such as flashlights, batons (stick or collapsible) and other instruments are considered lethal weapons when they are used in a lethal manner. For example, the use of a nightstick to subdue a subject by striking him/her on the arm is a non-lethal use of that instrument. However, striking on the head or repeated blows to the internal organs could be construed as deadly force.

Cross-Reference: Title 3, Chapter 45, Use of Non-Deadly Force.

Sec. 3-44-2 Where Deadly Force May Be Used.

POLICY:

(a) Deadly force may be used under the following circumstances.

(1) As a last resort in the defense of oneself, when there is reasonable cause to believe that one is in imminent danger of death or great bodily harm.

(2) As a last resort in the defense of another person or persons whom the Deputy has reasonable cause to believe is being unlawfully attacked and is in imminent danger of death or great bodily harm.

(3) Deadly force may be used, after all other reasonable means of capture are exhausted, to effect the arrest or prevent the escape of a suspect whom the Deputy has reasonable cause to believe has committed or attempted to commit a felony *involving the use or threatened use of deadly force*, and the Deputy reasonably believes the suspect cannot be apprehended later without the use of deadly force; and provided further, that the lives of innocent persons will not be endangered if the Deputy uses deadly force. This Section allows the Deputy to use deadly force when the suspect is engaged in such felonies involving violence (armed robbery, murder, etc.). Non-violent felonies such as embezzlement or burglary do not in themselves justify the use of deadly force.

(4) a. Deadly force shall never be used in any misdemeanor case unless the criteria in Subsection (a)(1) and (a)(2) above is present, or when the Deputy is in doubt as to whether or not deadly force is justified, or when its use would unreasonably endanger innocent bystanders. *A warning shot shall not be fired*.

b. When a misdemeanant intentionally flees arrest or escapes from custody, pursuant to a legal arrest for a misdemeanor, or after having been lawfully charged with or convicted of a misdemeanor, such act of fleeing does not constitute a felony permitting the Deputy to resort to the use of deadly force if other reasonable means have failed to prevent the escape. The value of human life is considered to supersede the importance of immediate apprehension.

(5) Except when exigent circumstances exist where an arrest may be facilitated, a Deputy shall not threaten to use deadly force unless he/she reasonably believes that he/she would be justified under this policy to, in fact, use such force.

(6) Weapons shall not be discharged from a moving vehicle unless absolutely necessary to protect the life of the Deputy or a third person and when the use of deadly force would not reasonably endanger the lives of others.

(7) a. A Deputy may draw his/her sidearm when he/she has reasonable grounds to suspect that the use of deadly force may be necessary. The Deputy need not be under attack, but only be reasonably apprehensive that the situation may lead to circumstances outlined in Sections (a)(1) or (2) and (3). Firearms should not be drawn under any other circumstances.

b. This Section is intended to allow the Deputy to have his/her weapon ready in such circumstances as answering a silent alarm, conducting a building search or confronting a suspect from whom there is reasonable grounds to believe may be armed, or when the Deputy reasonably believes circumstances indicate a substantial risk of death or great bodily harm to his/her person or another.

c. There is no legal distinction in the use of deadly force against juveniles as compared to adults.

(8) To protect oneself or another from an animal, which a Deputy reasonably believes, may cause great bodily harm if not immediately controlled or after giving consideration to public view, safety and all other reasonable means of disposition to end the suffering of an animal gravely injured or diseased.

(9) For department-mandated firearms practice and qualification on an approved range.

(10) Deputies will not fire into buildings or through doors, windows, or other forms of concealment or cover unless the Deputy is certain of the person's presence that is to be lawfully fired upon.

(11) Deputies will not discharge a firearm from or at a moving vehicle unless the Deputy reasonably believes that the occupant(s) of the vehicle are using or are about to use deadly physical force against the Deputy or another person.

(12) Deputies will not fire warning shots.

PROCEDURE:

(a) Before using deadly force, Deputies shall, if reasonably possible, identify themselves, order the suspect to desist from the unlawful activity, and threaten to use deadly force if the lawful order is not obeyed.

(b) Deputies shall not use deadly force when its use unreasonably risks the lives of innocent bystanders, unless a greater danger exists.

(c) The intentional punching, striking, or grabbing the throat (trachea) or blocking or restricting the carotid neck arteries creates a substantial likelihood of death or great bodily harm and, therefore, shall be used only in accordance with this policy on the use of deadly force.

COMMENTARY:

This is recognition that the use of deadly force is accompanied by severe emotional, psychological and physical strain for the Deputy involved. Deputies are trained in the proper use of firearms and are required to maintain rigorous standards of shooting proficiency and accuracy.

Sec. 3-44-3 Active Shooter.

POLICY:

It shall be the policy of the department to respond immediately to any active shooter incident occurring within the jurisdiction of the department to prevent escalation of violence, restore the peace, and prevent or minimize harm to all citizens involved. Furthermore, it shall be the policy of this department to create a standard course of action

to follow; recognizing time is of the essence when immediate deployment is necessary to stop an active shooter who is shooting human beings.

DEFINITIONS:

(a) **Active Shooter.** A suspect(s) who is armed with a gun(s), who is actively shooting people causing serious bodily injury or death and not contained.

(b) **Immediate Deployment.** The swift and immediate deployment of law enforcement resources to an ongoing, life threatening situation where delayed deployment could otherwise result in death or great bodily harm to innocent people.

(c) **Primary Entry Team.** The first Deputy(s) who arrive at the scene of an "Active Shooter". This Deputy(s) **MUST** be trained in techniques on how to respond to an "Active Shooter".

(d) **Secondary Entry Team.** A team sent in to assist the "Primary Entry Team". Radio communication must be acquired between the two teams prior to or at least upon entry into the building for the safety of the team members.

(e) **Team Leader.** The highest ranking member of an entry team from the department of jurisdiction.

(f) **Cover Officers.** A position on an entry team utilized to enter the building/location where an active shooter is taking place. Primary responsibility is forward coverage of team.

(g) **Rear Guard.** A position on the "Primary Entry Team" utilized to enter the building/location where an active shooting is taking place. Primary responsibility is rear coverage of the team and radio communication.

(h) **Rescue Team(s).** A team of officers arriving after the "Primary Entry Team" has entered the building. Primary responsibility is to recover those persons still inside the building, both wounded and non-wounded.

(i) **Incident Command Post.** A remote location designated to be the briefing area for all responding EMS, fire and backup personnel.

(j) **Incident Commander.** Ranking officer designated as the commander in charge of all responding personnel.

PROCEDURE:

(a) Role of Communications Center.

(1) Upon receiving information that an active shooter incident is taking place within our jurisdiction, the Dispatcher will immediately assume a response will require all available department Law Enforcement personnel.

(2) The Dispatchers' primary objective will be to direct personnel to the active shooter's location within any structure involved. The Dispatcher should seek immediate assistance in the dispatch area to assist in further notification of responding units. The Dispatcher should maintain continuous communication in an

effort to direct the Primary Entry Team to the active shooter. The Dispatcher will be essential to the safe entry of the Primary Entry Team.

(3) A Dispatcher will notify the appropriate emergency personnel. *All radio transmissions require the use of open and non-secure broadcast*. Dispatchers should assume that some available personnel will not have access to secure radio transmissions.

a. A Dispatcher will broadcast pertinent information to all personnel on Price County North or South, depending on location, i.e. *"Price County to all units; active shooter incident at (provide location)."*

(4) A Dispatcher will make an interoffice public address announcement, i.e. *"Attention all personnel; There is an active shooter incident at (provide location)."*

(5) A Dispatcher will page out appropriate fire and medical personnel. Dispatchers will advise fire and medical personnel they are to broadcast and remain on their respective radio frequency, and that they are to report to the Incident Command Post.

(6) A Dispatcher will notify other Price County Law Enforcement agencies and personnel and advise them of the incident, and that they are to report to the Incident Command Post.

(7) A Dispatcher will notify all available off-duty Price County personnel they are to report to the Incident Command Post.

(b) Role of Responding Law Enforcement Officers.

(1) **Primary Entry Team.** The first Deputy(s) on the scene will make up the Primary Entry Team. The Primary Entry Team will immediately attempt to locate and then eliminate and/or isolate the threat. A Deputy from the Primary Entry Team will be responsible for broadcasting information at regular intervals. The Primary Entry Team will be comprised of law enforcement officer(s) who have been trained in active shooter incidents. *All radio transmissions require the use of open and non-secure broadcast.* The Primary Entry Team must maintain Price County North or South as the primary radio frequency when communicating with the Dispatcher. Communication to any secondary or subsequent entry team(s) may be directed on another radio frequency, i.e. VLAW-31 or point-to-point.

(2) **Incident Command.** After the Primary Entry Team has gained entry, the senior officers from the department of jurisdiction on scene will assume Incident Command until/unless relieved of command by a more senior or higher-ranking officer. A secure site will be determined for the location of the Incident Command Post and this location will be relayed to Dispatch and additional responding units. Responding fire and emergency medical personnel will report to the Incident Command Post for further instruction from the Incident Commander. Incident Command will determine whether or not citizens will be evacuated from the incident location.

(3) **Perimeter.** Additional responding officers will be directed by the Incident Commander to establish and maintain a perimeter around the incident location. Perimeter officers will be responsible for preventing entry of the incident location by an unauthorized person(s). Perimeter officers will also be responsible for the detention and identification of any person(s) attempting to leave the incident location. Perimeter officers will notify the Incident Commander of any relevant observations or information.

(4) **Special Response Team.** When requested, Special Response Team members will respond to the Incident Command Post and follow the directions of the Incident Commander.

(5) **Plain Clothes Officers.** All plain clothes officers responding need to display clothing that readily identifies them as Law Enforcement officers.

(c) Role of Fire Department Personnel.

(1) Fire Department personnel will be dispatched to respond to the location of the incident command post. Fire Department personnel will be available to assist with traffic control and perimeter security. In the event of a fire or related incident, Fire Department personnel response will be directed through the Incident Commander.

(d) Role of Emergency Medical Personnel.

(1) Emergency Medical personnel will be dispatched to respond to the location of the Incident Command Post. Emergency Medical personnel will report to the Incident Commander. In the event of a medical emergency, or related incident, Emergency Medical personnel response will be directed through the Incident Commander.

Sec. 3-44-4 Reports on Use of Deadly Force.

POLICY:

(a) In all circumstances, when a firearm is discharged by a Deputy while on duty, the Deputy in question shall report such facts promptly to the Sheriff and/or his/her designee. However, Deputies need only to complete a report and make a notation in the Radio Log when deadly force is used to dispatch an animal.

(b) Deputies involved in the use of deadly force shall not discuss the matter with anyone, including other Deputies. Deputies will be debriefed by the Sheriff and/or his/her designee.

(c) The Deputy involved shall submit an immediate report, which outlines the incident.

(d) Any Investigator or other Deputy, when so ordered, shall forward a complete report of the incident and his/her investigation to the Sheriff or his/her designee.

Sec. 3-44-5 Self-Defense.

PROCEDURE:

(a) Before deadly force is authorized in self-defense, several qualifications must be observed:

(1) Retaliation or revenge is not an excuse for killing in self-defense.

(2) The danger or harm must have been a present one.

(3) There is no justification to use deadly force after the danger has passed.

(4) The force threatened must have been unlawful.

(5) The Deputy must believe that the use of deadly force was the only means available to avert death or great bodily harm.

(6) The degree of force used by the Deputy was believed to be necessary under the circumstances.

(7) The Deputy's belief in each of the foregoing aspects was reasonable even if mistaken.

(b) If oleoresin capsicum (OC pepper spray) or a Taser is employed (or threatened) against a Deputy, a Deputy's response to being threatened or sprayed with OC or shot with a Taser may include deadly force because the Deputy will likely be completely vulnerable if successfully attacked.

(1) In deciding whether a Deputy is threated with OC or a Taser, a Deputy should consider the following factors:

a. Distance – Is the Deputy close enough to be sufficiently exposed to the OC or Taser to incapacitate him/her?
b. Environmental conditions at the scene – Including, but not limited to:

1. The number of suspects present.
2. The number of Deputies present.
3. Location of the incident: Known high crime and/or violent area.
4. Time of day/lighting conditions: Can the Deputy clearly see the offender and his/her movements?
5. Type of crowd – Hostile? Pro-Law Enforcement?
6. Weather conditions.

c. Subject and Deputy Factors – The subject's history, if known: Prone to violence? (Known gang member, etc.). Size, age, gender and skill level of all participants involved.
d. Nature of Initial Contact – Was the original offense serious?
e. Special knowledge or special circumstances – Injury or exhaustion, proximity of subject to Deputy's firearm, ground fighting, disability, etc.

Sec. 3-44-6 Action After a Deadly Force Incident.

A Deputy involved in a deadly force incident shall be placed on administrative leave, with pay, until he/she has been properly debriefed and the investigation of the incident is complete. The post-critical incident policies in Section 3-42-1 of the Price County Sheriff's Office Police & Procedure Manual will be followed. Deputies will be evaluated by professional services to lessen any emotional trauma that may affect a Deputy and shall return to duty as soon as deemed appropriate by professional mental health authorities. The Deputy will undergo periodic mental and physical checkups as deemed necessary by medical professionals or the Sheriff or his/her designee.

Title 3 ▶ Chapter 45

Use of Non-Deadly Force

Sec. 3-45-1 Use of Non-Deadly Force
Sec. 3-45-2 Impact Weapons (Batons)
Sec. 3-45-3 Use of Restraints
Sec. 3-45-4 Handcuffing Prisoners Being Transported
Sec. 3-45-5 Exceptions to Handcuff Requirements
Sec. 3-45-6 Treatment of Injured or Ill Prisoners
Sec. 3-45-7 Reporting the Use of Force
Sec. 3-45-8 Use of Force to Enter Private Property

Sec. 3-45-1 Use of Non-Deadly Force.

STATEMENT OF PURPOSE:

It is the policy of this department that, recognizing our legal and moral responsibility to use force wisely and judiciously, non-deadly force will be used only when absolutely necessary in the performance of a Deputy's legal duties. The purpose of the use of force is to establish and maintain control. Deputies need not retreat or desist from efforts to make lawful arrests because of the resistance to the arrests. Deputies are justified in using force, which they reasonably believe is necessary to defend themselves or others from bodily harm while making arrests.

DEFINITIONS:

As used in this policy, "non-deadly force" refers to the use of any weapon or instrument, or any other action on the part of a Deputy, which does not fall under the category of deadly force, but which may result in bodily harm or injury to a person.

POLICY:

(a) **Authorized Use.** The use of non-deadly force is only authorized when a Deputy reasonably believes it is necessary to control a person under any of the following circumstances:

(1) When an attempt is being made to effect an arrest and the suspect refuses to submit to the arrest and resists the Deputy's efforts;

(2) When Deputies are defending themselves or other person(s) from an attacker;

(3) When "psychologically disturbed" person(s) are resisting efforts to be subdued; and

(4) In any other situation where Deputies deem it necessary to protect themselves, another person(s), or to prevent efforts to defeat an arrest.

(5) Detaining a person reasonably suspected of criminal involvement.

(6) Preventing escape.

(7) Maintaining order.

(b) **Intervention Options.**

(1) ***Generally.*** Intervention options are generally as follows starting with the least amount of force to deadly force:

a. Voice.
b. Hand control techniques.
c. Electronic Control Device (ECD).
d. Oleoresin Capsicum defense spray.
e. Baton.
f. Deadly force.

(2) ***Threat Assessment and Levels of Force.*** The concept of escalating/de-escalating levels of force is based on a Deputy's assessment of the threat the subject presents to the Deputy or others. The threat assessment is based on the subject's behavior. Picturing force as existing on a model is helpful in understanding this concept.

(3) ***Use of Force Factors.*** Deputies are not required to begin a confrontation at the verbal command level and escalate step-by-step until control is gained. A Deputy should take into account a number of factors in determining the appropriate level of force. These factors should include the actions of the subject, Deputy/subject factors, and any other significant information available to the Deputy at the time. Only factors reasonably known to the Deputy at the time of the encounter are relevant to the use of force decision.

(4) ***Reduction in Force Levels.*** Once a person has ceased to resist or attempt to escape, or is under control, the amount of force used shall be reduced to the level necessary to maintain control of the subject.

(c) **Verbal Commands.**

(1) Control of a person through verbal commands shall always be the primary tactic. The use of physical force and/or non-deadly weaponry is the alternative method of verbal commands. It is recognized that this method is not always effective or appropriate in gaining compliance and it then becomes necessary to escalate the degree of force.

(2) When it is reasonably determined verbal commands are not or would not be effective or appropriate, a Deputy may escalate the degree of force based on the actions of the person they are attempting to control.

(3) Whenever possible, a Deputy should continue to give verbal directions and commands while using higher levels of force.

(d) **Deputy/Subject Factors-Level of Force.** Numerous factors may affect the selection of an appropriate level of force. Examples of Deputy/subject factors include:

(1) ***Age.*** An older Deputy may have to use more force on a younger person who is more agile and stronger. Where in contrast, the younger Deputy who is quicker, stronger, and has more stamina would use less force to control an older person.

(2) ***Relative Strength.*** The different make up of males and females may be a factor in handling a member of the opposite sex. A male Deputy may use less force arresting/detaining a female, where a female Deputy may use more force to arrest/detain a male.

(3) ***Size.*** A larger Deputy may be able to control a smaller person with the least amount of force. Where a smaller Deputy would have to intensify the amount of force to accomplish the same task.

(4) ***Skill Level.*** A Deputy highly trained in unarmed tactics may need to use just a proper technique that would use very little force to make an arrest or to detain; where a Deputy with no current training may need to use more force. The ability of the person being arrested or detained plays a major role here also. A karate expert may not be detained or arrested and controlled easily because of his/her martial arts skills.

(5) ***Multiple Subjects.*** A Deputy who is being attacked by several people is at a disadvantage. Even the most skilled Deputy in unarmed tactics is no match for several subjects with the intent to harm the Deputy. Higher level of force may be necessary to survive in these circumstances.

(e) **Signals of Submission.** The following items may be signs of submission by the subject. Deputies should be careful about automatically assuming that compliance has been achieved.

(1) Raising hands up, palms out.

(2) Saying “I give up”. However, this must be accompanied by other signals.

(3) Turning their back with the hands covering the head.

(4) Reduction in violent movement, backing off.

(5) Bowing the head, lowering the eyes, looking downward.

(6) Verbally – tone and volume goes down, rate slows down.

(7) Total inactivity.

(8) Falling to the ground in a fetal position.

(f) **Acceleration Through the Disturbance Resolution Model.** Listed below are some of the circumstances which may cause a Deputy to accelerate very rapidly through the Disturbance Resolution Model.

(1) ***Special Knowledge.*** When a Deputy is confronted by a person who they have been in contact with previously and knows the person is usually armed with a weapon, the Deputy may approach the situation with the intent to use a high level of force if needed. If a Deputy knows, from previous cases, that the person to be detained/arrested is a fighter and has assaulted a Deputy in the past, more force may be expected to be needed to detain/arrest that person.

(2) ***Injury or Exhaustion.*** Where a Deputy is injured in a confrontation and is losing, the Deputy may need to use a weapon or a higher level of force to bring the situation under control. If a Deputy cannot endure a lengthy confrontation because of exhaustion or physical fatigue escalation through the model may be unnecessary.

(3) ***Proximity to the Deputy's Firearm.*** Studies in the United States show that a significant percentage of Law Enforcement Deputies killed in the line of duty are killed with their own firearms. This exposes the Deputy to the possibility of a lethal force situation. If the person removes the holstered weapon, the likelihood the Deputy will be shot is imminent.

(4) ***Ground Fighting.*** Since grappling is a match of strength and skill, some say that if the Deputy is not handcuffing or in control while on the ground, then the Deputy is losing. If the Deputy is on the ground and the aggressor is standing, the Deputy faces a greater danger.

(5) ***Disability.*** Deputies who have disabilities may find it necessary to escalate on the Disturbance Resolution Model to a higher level of force.

(g) **Impact Weapons.** Impact weapons (batons) may be used only when a Deputy has a reasonable believe that a lesser force level would not be sufficient to control the situation.

(h) **Oleoresin Capsicum Aerosol Spray (OC).** Oleoresin Capsicum (OC) aerosol spray is a non-lethal weapon. It is an alternative or additional force option, at the compliance techniques level. OC aerosol is not a replacement for the baton, firearm, or any defensive tactics technique. (See Title 3, Chapter 43, Oleoresin Capsicum (OC) Aerosol).

(i) **Monitoring Requirements.** Whenever physical force is used to control a subject, it is the Deputy's responsibility to monitor the subject for signs of injury. If an injury is such that it requires medical treatment, every effort will be made to provide such treatment. If the subject refuses medical treatment, this fact shall be documented in the Deputy's report. Deputies should use their medical training and other resources available to them to determine if the injury is treatable. Other resources would include, but are not limited to, Supervisors, jail nursing staff, EMS personnel, etc.

PROCEDURE:

(a) A Deputy shall use only the minimum amount of force that is reasonably necessary to perform his/her lawful duties.

(b) Under no circumstances may a Deputy continue to use force (except mere physical restraint) against an individual who has ceased to resist, escape, or otherwise violate the law.

(c) When an individual offers only passive resistance to arrest, a Deputy shall take such person into custody and transport such individual with as much regard to the individual's safety and welfare as is reasonable, practical, and possible.

(d) A Law Enforcement baton may be used by a Deputy only when it is reasonably apparent that a lesser degree of force would be inadequate to control the situation.

Sec. 3-45-2 Impact Weapons (Batons).

POLICY:

(a) An impact weapon may be used only when a Deputy reasonably believes a lesser level of force would be insufficient to control the situation.

(b) A Deputy should not strike a person above the shoulders with an impact weapon.

(1) Generally, a strike to the head with an impact weapon is considered deadly force and should not be used, unless such an action is justified under the use of deadly force.

(2) This Section is not intended to apply to an accidental strike to the head as a result of resistance.

(c) Deputies shall only use department-approved baton techniques.

(d) Department-approved batons are the only authorized impact weapons. Other devices, flashlights, radios, firearms, etc., are not recommended to be used as impact weapons; however, the department recognizes that emergency self-defense situations involving other objects and instruments may occur.

(e) Deputies shall carry a baton at all times while on duty.

Sec. 3-45-3 Use of Restraints.

STATEMENT OF PURPOSE:

It should be understood that for the protection of both the person being restrained and the Deputy, use of restraints, such as handcuffs, reduces the likelihood of a struggle with the attendant possible injury to the offender, the Deputy, or both.

POLICY:

(a) A Deputy may use restraining devices in order to:

(1) Maintain control of a subject.

(2) Prevent escape.

(3) Protect him/herself or others.

(b) A Deputy shall never use restraining devices as punishment.

(c) It is a policy of this department that *all persons placed in protective custody or under arrest* shall be properly handcuffed during transportation, except in the case of cooperative, non-threatening persons, where such decision shall be at the Deputy's discretion.

PROCEDURE:

(a) **Handcuff-Style Restraints.** Because it is the policy of this department to use handcuffs, except in the case of cooperative, non-threatening persons, where such decisions shall be at the Deputy's discretion. The following use procedures are provided:

(1) The Deputy shall use department-approved restraints.

(2) Handcuffs should always be applied to the person's wrists behind his/her back unless not physically possible.

(3) Handcuffs will be double-locked upon placement on the person in order to negate any attempted tampering by the person and to assure that accidental tightening of the cuffs cannot occur.

(4) Handcuffs will be closed to a firm contact with offender's skin, but not so tightly as to produce pain, although one may expect comments as to discomfort.

(5) Handcuffs will not intentionally be closed so tightly as to cause physical injury to the person.

(6) Handcuffs (or any other restraining device) shall be removed from the person upon arrival in the booking area, at the discretion of corrections personnel. This procedure will not be affected should such removal be likely to result in physical harm to the offender, departmental staff or other persons.

(7) Handcuffs will not be used when it appears likely that the person's wrists or hands are too small, or for some other reason, which would negate the restraining effects of handcuffs. In such circumstances, flex cuffs or other restraints will be used.

Cross-Reference: Section 3-45-5.

Sec. 3-45-4 Handcuffing Prisoners Being Transported.

PROCEDURE:

(a) Prior to any transportation of prisoners in custody, they shall be searched for weapons.

(b) Subjects should be handcuffed behind the back unless:

(1) Other restraining equipment is in use, i.e. belly chains. Handcuffs may be used in front of the body when the prisoner is wearing a garment with a belt through which the handcuffs may be laced to securely pin the hands to prevent flailing about.

(2) Conditions exist that make it unreasonable or impossible to place handcuffs behind the subjects back. In all such cases, the Deputy shall detail in his/her written report the unusual circumstances that existed and what alternative restraining device or technique was used.

(c) Prisoners shall be so placed in the squad car that seat belts may be secured about the prisoner in order to enhance their safety during transportation.

COMMENTARY:

The use of handcuffs shall not be viewed as an absolute provision of safety. Deputies shall continue to exercise all due care as to the safety and custody of prisoners.

Sec. 3-45-5 Exceptions to Handcuff Requirements.

POLICY:

(a) Deputies shall always handcuff unless the Deputy can articulate exceptional circumstances. Deputy discretion may be used in the following circumstances when deciding not to handcuff:

(1) Persons who are temporarily incapacitated, such as by a serious wound to the lower arms, hands, etc. or a woman in an advanced stage of pregnancy, etc.

(2) Juveniles who are either very young, or whom the Deputy determines that the use of handcuffs is not an appropriate action.

(3) Elderly individuals who are either very weak or frail, or whom the Deputy determines that the use of handcuffs is not an appropriate action.

(b) All Deputies shall receive defensive tactics training in accordance with Wisconsin Training and Standards guidelines.

Sec. 3-45-6 Treatment of Injured or Ill Prisoners.

PROCEDURE:

(a) Injured or ill prisoners are to be transported, if possible, by ambulance to the nearest medical facility for proper treatment.

(b) During the time awaiting treatment and during the treatment activities, the Deputy shall not relax security.

(c) The prisoner is to remain handcuffed during treatment unless the handcuffs interfere with such treatment. Should medical treatment require removal of handcuffs, the Deputy shall request that restraints (leather belts) be used by hospital personnel.

(d) The Deputy is to remain with the prisoner at all times during the hospital stay unless the injury is so serious that escape is not medically possible (i.e., surgery, serious gunshot wound, knife wound, broken leg, etc.)

Sec. 3-45-7 Reporting the Use of Force.

POLICY:

It shall be the responsibility of any Deputy who uses physical force or any of the enumerated weapons, items, or devices indicated below to complete an Incident Report on the incident involved and specifically note the circumstances necessitating, and manner of, such use:

(a) Firearms: striking with or *pointing* of any firearm.

(b) Law Enforcement baton: use in striking, blocking, or pushing of any person.

(c) Chemical agents: use of any chemical agent.

(d) Physical force: striking, punching, pushing or restraining any person.

(e) Restraining devices: the application of handcuffs or other restraining devices.

Sec. 3-45-8 Use of Force to Enter Private Property.

POLICY:

In lawfully entering the land of another to make a felony arrest (not a misdemeanor ordinance), a Deputy may use force reasonably believed necessary against persons on that land. A Deputy may use force to break and enter a fence, enclosure, dwelling, or other building.

PROCEDURE:

(a) Prior to forced entry into a building, the Deputy should knock on the door announcing that he/she is a Law Enforcement Deputy unless such announcement is known to be futile. He/she should announce that he/she is there to make an arrest and demand that the person inside open the door. Only after a reasonable period of time should the Deputy enter the door without it being opened from the inside. If a Deputy does break in, he/she should try to do as little damage as possible.

(b) There are exceptions to the above policies where Law Enforcement Deputies may enter without announcement and demand to make a lawful arrest. This occurs when a Deputy has good reason to believe that an announcement may:

(1) Help the suspect escape.

(2) Endanger persons.

(3) Result in the destruction of evidence.

(c) When executing a search warrant, Deputies shall first secure the area, and then enter the property.

Title 3 ▶ Chapter 46

Indigent Inmates

Sec. 3-46-1 Handling Indigent Inmates

Sec. 3-46-1 Handling Indigent Inmates.

POLICY:

Indigent inmates, those who lack necessities, are very needy, are destitute, or impoverished, shall be provided with basic hygiene items, mail and medical attention.

PROCEDURE:

(a) Hygiene Items.

(1) A hygiene packet will be provided an inmate with no funds at the following times:

a. When placed in population.
b. Individual items will be replaced as needed upon request.

(b) Mail.

(1) Indigent inmates shall be advised that postage-free mail will be provided to their attorney, the courts, both State and Federal Departments of Correction, and periodically to immediate family.

(c) Medical Attention.

(1) An indigent inmate may request to see the Jail nurse or doctor without payment up front. The payment will go as a negative balance on the inmate's account.

(2) Indigent inmates will be afforded outside medical care if medically necessary.

(3) The Jail nurse or doctor should be consulted first, if time permits, but must be informed as soon as possible following the incident requiring medical care.

TITLE 4

Medical

Chapter 1	Responsible Health Authority/Medical Autonomy
Chapter 2	Liaison Staff
Chapter 3	Administrative Meetings/Annual Health Report
Chapter 4	Receiving Screening
Chapter 5	Health Assessment/Appraisal
Chapter 6	Guidelines for Adult Blood Pressure Rechecks and Referrals
Chapter 7	Sick Call
Chapter 8	Triage
Chapter 9	Emergency Services
Chapter 10	Use of Hospital
Chapter 11	Sending of Health Care Information on Inmates
Chapter 12	Secure Control of Medication
Chapter 13	Standing Medical Orders
Chapter 14	Verification and Authorization of Medications Brought in by Inmates
Chapter 15	Delivery of Prescribed Medications to Inmates by Corrections Officers
Chapter 16	Delivery of Non-Prescribed Medications
Chapter 17	Medical Orders
Chapter 18	Medical Records
Chapter 19	Communicable Disease Control
Chapter 20	Medical Evaluation of Inmates in Segregation
Chapter 21	Detoxification
Chapter 22	Pregnancy

Responsible Health Authority/Medical Autonomy

Sec. 4-1-1 Responsible Health Authority/Medical Autonomy

Sec. 4-1-1 Responsible Health Authority/Medical Autonomy.

PURPOSE:

To reflect compliance with provisions of DOC 350.14 Wisconsin Administrative Code.

PROCEDURE:

(a) The responsible health authority for the jail rests cooperatively with Correctional Healthcare Companies, Inc. (CHC) and its Medical Advisor (CHC Physician). The CHC Physician is the ultimate medical authority for provision of jail health services and will delegate appropriate medical acts to the Jail Nurse. Services of the health authorities are provided according to written, signed agreements with the Sheriff.

(b) The CHC Physician and Jail Nurse develop and implement policies and procedures which assure quality and accessibility of health services to inmates.

(c) Matters of medical judgment are the sole province of the CHC Physician who provides consultation to the Jail Nurse, Sheriff and Corrections Officers. The CHC Physician also provides direct service to inmates where appropriate.

(d) The CHC Physician is licensed by the Wisconsin Medical Examining Board and practices according to Chapter 448 of the Wisconsin Statutes.

(e) The Jail Nurse is licensed to practice nursing in Wisconsin according to Chapter 441 of the Wisconsin Statutes.

(f) Health care staff shall be in compliance with state and federal licensure certification and registration. Verification of compliance must be maintained at the facility for all heath care staff, whether coming into the Jail or whether available for Jail staff to call.

(g) A list of medical staff on call or coming to the Jail, including contact information, will be posted in the Jail office.

Liaison Staff

Sec. 4-2-1 Liaison Staff

Sec. 4-2-1 Liaison Staff.

PURPOSE:

To reflect compliance with provisions of DOC 350.14 Wisconsin Administrative Code.

PROCEDURE:

(a) On-duty Corrections Officers will act as the liaison between the jail inmate population and medical providers. Sheriff's Office staff, whose primary duties are as Corrections Officers, shall be certified in Cardiopulmonary Resuscitation (CPR), and be able to recognize symptoms of illness most common to inmates. Corrections Officers are trained in taking blood pressure (BP) measurements, temperature, pulse, and respiration (TPR) by the Jail Nurse and demonstrate accuracy in same.

(b) On-duty Corrections Officers are thoroughly familiar with all Jail health policies and procedures, and coordinate the health delivery services in the facility under the supervision of the Sheriff and health authorities.

(c) On-duty Corrections Officers are responsible for assuring orders from the health provider are carried out between nursing or physician visits and the appropriate information is shared with corrections staff.

(d) Designated, trained staff may administer or deliver prescribed doses of medication at prescribed times. Annual documented training shall be provided to Jail staff that deliver medications.

Administrative Meetings/Annual Health Report

Sec. 4-3-1 Administrative Meeting

Sec. 4-3-1 Administrative Meeting.

PURPOSE:

To reflect compliance with provisions of DOC 350.15 Wisconsin Administrative Code.

PROCEDURE:

(a) Health services are discussed routinely at administrative meetings between Correctional Healthcare Companies, Inc. (CHC) representatives, the Jail Administrator – Lieutenant, Sheriff and Jail Nurse. Items for discussion include:

(1) The effectiveness of the health system.

(2) Any health environment factors needing improvement.

(3) Changes made since last meeting.

(4) Recommended corrective action, if any.

(b) Statistics on Jail health services maintained by CHC are reviewed at administrative meetings.

Receiving Screening

Sec. 4-4-1 Medical Screening

Sec. 4-4-1 Medical Screening.

PURPOSE:

To reflect compliance with provisions of DOC 350.13 Wisconsin Administrative Code.

POLICY:

All inmates are screened upon arrival at the facility to assess the inmate's medical and health status, and to determine appropriate placement within the facility. Inmates with questionable medical status or who need immediate medical care are transported to the local hospital or Correctional Healthcare Companies, Inc. (CHC) Physician for medical clearance prior to Jail admission.

PROCEDURE:

(a) The booking officer will complete the medical screening questionnaire on all inmates during booking.

(b) The booking officer shall arrange to have inmates with questionable medical or mental status transported to the hospital or local clinic for medical clearance prior to Jail admission.

(1) The transport officer shall take the Provider ER and/or Consultation Report form to the clinic or hospital and give it to the physician or nurse caring for the inmate.

(2) After the evaluation of the inmate by medical staff, the transport officer shall review the form for physician signature and recommended disposition of the inmate.

(3) If follow-up care or treatments are to be performed by the Jail Nurse, or if medications are ordered, the transport officer shall make sure the physician writes the orders on the bottom of the ER and/or Consultation Report in the space provided.

(4) The transport officer shall bring the form back to the Jail and place it in the Jail Nurse's mailbox, and document it on the Jail Log.

(5) The on-duty Corrections Officers shall notify the Jail Nurse as soon as possible during normal hours of operation that medical care has been sought and follow-up care has been ordered.

(c) The booking officer shall place a copy of the medical screening questionnaire of all incarcerated individuals in the Jail Nurse's mailbox.

(d) The Jail Nurse will review all medical screening questionnaires and schedule a health assessment for those who have significant finding on the medical screening questionnaire.

(e) Health care screening forms shall be reviewed by health care or other designated staff within seventy-two (72) hours if non-urgent concerns are identified. This review shall be documented by health care or other designated staff.

(f) Jail staff shall refer identified urgent concerns immediately to medical, mental health or Supervisory staff.

(g) All health care screening/medical forms shall be placed in the inmate's Jail medical file.

Health Assessment/Appraisal

Sec. 4-5-1 Health Assessment/Appraisal

Sec. 4-5-1 Health Assessment/Appraisal.

PURPOSE:

To reflect compliance with provisions of DOC 350.13 Wisconsin Administrative Code.

POLICY:

Health assessments/appraisals are completed by the Jail Nurse on all inmates who will be incarcerated at least seven (7) days. Assessments/appraisals will be performed within two (2) working weeks of an inmate's incarceration. If an inmate received a health assessment/appraisal within the previous sixty (60) days and the assessment/appraisal record is available, a new health assessment/appraisal is not required except as determined by the physician. The results of the health assessment/appraisal are a part of the inmate's medical record.

PROCEDURE:

(a) The Jail Nurse will schedule health assessments/appraisal according to the Jail Observation Reports received. If the inmate is considered dangerous or hostile by either the Jail Nurse or the on-duty Corrections Officer, the on-duty Corrections Officer shall remain in the room during the exam.

(b) The Jail Nurse shall have the inmate sign a Consent For Examination/Treatment/Procedure form. If a health assessment/appraisal is refused, the inmate must sign the Refusal of Medical Services and Release form.

(c) The Jail Nurse shall complete the health assessment/appraisal and document the results on the inmate's Health Assessment form by:

(1) Reviewing the inmate's Jail Observation Reports.

(2) Assessing the inmate's medical, dental, psychiatric and immunization histories.

(3) Measuring and recording the inmate's height, weight, BP, pulse, temperature and respirations.

(4) Administering a tuberculin skin test following completion of a Consent For Examination/Treatment/Procedure form.

(5) Administering other screening tests or tetanus immunization as the inmate's health history indicates.

(6) Completing a physical exam.

(d) The Jail Nurse shall review the results of the exam with the inmate.

(e) The Jail Nurse shall develop a plan of care and instruct the on-duty Corrections Officers, if appropriate.

(f) The Jail Nurse shall refer to a physician or dentist for further evaluation, any inmate whose health history so indicates.

(g) The Jail Nurse shall complete a Medication Administration Record or SBAR Telephone Triage Record form, if needed, and file appropriately.

Guidelines for Adult Blood Pressure Rechecks and Referrals

Sec. 4-6-1 Blood Pressure Readings for All Adults
Sec. 4-6-2 Normal Resting Readings
Sec. 4-6-3 Resting Readings Required Rechecks

Sec. 4-6-1 Blood Pressure Readings for All Adults.

PROCEDURE:

(a)	All Adults:	If systolic is	>/-	200 mmHg OR
		Diastolic	>/-	115 mmHg

MEDICAL CARE IS TO BE SOUGHT IMMEDIATELY

Sec. 4-6-2 Normal Resting Readings.

(a)	Age 18-59	Systolic	</-	140 mmHg OR
		Diastolic	</-	90 mmHg

(1) If currently being treated with blood pressure medications: Recheck in three (3) months.

(2) All others: Recheck in one (1) year.

(b)	Age 60 +	Systolic	</-	160 mmHg OR
		Diastolic	</-	90 mmHg

(1) If currently being treated with blood pressure medications: Recheck in three (3) months.

(2) All others: Recheck in one (1) year.

Sec. 4-6-3 Resting Readings Required Rechecks.

(a)	Age 18-59	Systolic	>/-	140 mmHg	</-	200 mmHg OR
		Diastolic	>/-	90 mmHg	</-	115 mmHg

(1) Have Jail Nurse re-check in three to thirty (3-30) days, optimally within three to seven (3-7) days.

(2) If still elevated on second visit, refer for medical care.

(3) If normal on second visit, scheduled third visit in three to thirty (3-30) days.

(4) If normal on third visit, follow recommendations for normal readings.

(5) If elevated on third visit, refer for medical care.

(b)	Age 60 +	Systolic	>/-	160 mmHg	</-	120 mmHg OR
		Diastolic	>/-	90 mmHg	</-	115 mmHg

(1) Have Jail Nurse re-check in three to thirty (3-30) days, optimally within three to seven (3-7) days.

(2) If still elevated on second visit, refer for medical care.

(3) If normal on second visit, scheduled third visit in three to thirty (3-30) days.

(4) If normal on third visit, follow recommendations for normal readings.

(5) If elevated on third visit, refer for medical care.

Note: In the absence of other symptoms such as lightheadedness, fainting, bleeding or shock, blood pressure being too low is not a concern.

Sick Call

Sec. 4-7-1 Sick Call

Sec. 4-7-1 Sick Call.

PURPOSE:

To reflect compliance with provisions of DOC 350.14 Wisconsin Administrative Code.

POLICY:

To ensure inmates access to health and medical care for non-emergency illnesses and injuries, sick call is held a minimum of three (3) times each week by the Jail Nurse. Sick call can be initiated by the inmate, the on-duty Corrections Officer or the Jail Nurse.

If an inmate's custody status precludes attendance at sick call, arrangements may be made to provide sick call in the inmate's cell at the discretion of the Jail Administrator – Lieutenant or other Supervisor.

PROCEDURE:

(a) The booking officer shall inform Inmates of the procedure for sick call during the booking process.

(b) Inmates shall complete a Request Slip describing the problem and requesting a visit with the Jail Nurse.

(c) On-duty Corrections Officers collect the Request Slip from the inmate each day and place it in the Jail Nurse's mailbox, unless the inmate's condition warrants notification of the Jail Nurse before the next scheduled Jail sick call. In that case, they will be dealt with immediately.

(d) The Jail Nurse shall review the Request Slip and arrange to meet with the inmate requesting care during scheduled Jail sick call.

(e) An on-duty Corrections Officer shall escort each inmate to the medical room. If the inmate is considered dangerous or hostile, the on-duty Corrections Officer shall remain in the room during the exam.

(f) The Jail Nurse shall contact the Correctional Healthcare Companies, Inc. (CHC) Physician, if necessary, who, in turn, may refer the inmate to his/her personal physician for care and/or to develop a nursing care plan for the inmate as appropriate. The Jail Nurse shall instruct the on-duty Corrections Officers regarding implementation.

(g) The results of sick call are to be documented by the Jail Nurse in the inmate's medical record along with the Request Slip completed by the inmate.

(h) Follow-up contact is made by the Jail Nurse as necessary.

Title 4 ▶ Chapter 8

Triage

Sec. 4-8-1 Triage

Sec. 4-8-1 Triage.

PURPOSE:

To reflect compliance with provisions of DOC 350.15 Wisconsin Administrative Code.

POLICY:

The on-duty Corrections Officer processes inmate's health complaints on a daily basis to determine if immediate care is necessary or if care can wait until the twice-weekly sick call.

PROCEDURE:

(a) The inmate shall complete a Request Slip and submit it to an on-duty Corrections Officer.

(b) The on-duty Corrections Officer shall review the request.

(1) If it appears immediate assessment by a medical provider is necessary, the Jail Nurse or Correctional Healthcare Companies, Inc. (CHC) Physician may be notified for consultation. A decision will be made regarding whether a Jail Nurse visit is indicated, or if the situation/condition warrants transport to a local clinic or hospital Emergency Room. The American Heart Association Quick Reference Guide, the American Heart Association Guidelines for CPR and ECC and Title 4 Chapter 13 Standing Medical Orders will be used to determine the urgency of medical needs.

(2) If immediate treatment is not necessary, the Request Slip will be placed in the Jail Nurse's mailbox for sick call reference. Corrections staff may refer to Title 4 Chapter 13 Standing Medical Orders to initiate appropriate treatment until the next scheduled Jail sick call.

Title 4 ▶ Chapter 9

Emergency Services

Sec. 4-9-1 Emergency Services

Sec. 4-9-1 Emergency Services.

PURPOSE:

To reflect compliance with provisions of DOC 350.15 Wisconsin Administrative Code.

POLICY:

Emergency dental and medical services are available on a twenty-four (24) hour a day basis. Inmates requiring such care are transported to a medical or dental office or hospital Emergency Room. An officer may remain with the inmate during treatment.

PROCEDURE:

(a) Determination of need for emergency are is made by the on-duty Corrections Officer, in consultation with the Jail Nurse, when possible. Title 4 Chapter 13 Standing Medical Orders will be used to determine the urgency of medical needs.

(b) The Marshfield Clinic – Phillips Center or the Flambeau Hospital Emergency Room are to be used for emergency treatment of medical problems. The Park Falls Dental Clinic is to be used for emergency dental problems.

(c) Transportation to the physician's/dentist's office or the Emergency Room is by squad car, or, if a life-threatening situation, by ambulance. The transport officer shall take the ER and/or Consultation Report form to the hospital, clinic, or dental office and request the attending medical provide fill out the form completely, including any ordered medications or treatments.

(d) The completed ER and/or Consultation Report form shall be returned to the Jail by the transport officer and placed in the Jail Nurse's mailbox.

(e) An on-duty Corrections Officer shall notify the Jail Nurse of the episode and any immediate follow-up which has been ordered or is necessary by speaking directly to the Jail Nurse upon return to the Jail. The Correctional Healthcare Companies, Inc. (CHC) Physician must be notified if the on-duty Corrections Officer is unable to reach the Jail Nurse before the next treatment or procedure is required to be performed.

(f) The Jail Nurse will provide follow-up as the situation warrants, documenting all information in the inmate's medical record.

Title 4 ▶ Chapter 10

Use of Hospital

Sec. 4-10-1 Required Hospitalization

Sec. 4-10-1 Required Hospitalization.

PURPOSE:

To reflect compliance with provisions of DOC 350.14 Wisconsin Administrative Code.

POLICY:

In order to ensure inmates receive adequate acute medical and health care while incarcerated, inmates needing acute care who are unable to be brought to the physician's office shall be transported to Flambeau Hospital.

To the greatest extent practically possible, the hospital shall be considered to be an extension of the Jail. There shall be appropriate documentation of the inmate's activities.

A twenty-four (24) hour guard for all hospitalized pre-trial detainees and other incarcerated inmates shall be determined by the Jail Administrator – Lieutenant or other Supervisor.

Hospitalized individuals under the custody of the Sheriff's Office shall be shackled (one [1] leg cuffed to bed), unless their injury, illness or attending physician orders prohibits the use of same.

PROCEDURE:

(a) When an inmate requires hospitalization, based on orders of Jail medical staff or otherwise, it will be arranged for by the Jail Administrator – Lieutenant or other Supervisor, including arrangements for transportation. Whenever possible, and as soon as possible, the Jail Nurse will be notified of the hospitalization or discharge of an inmate.

(b) If necessary, the Jail Administrator – Lieutenant or other Supervisor will arrange for a guard for the inmate.

(c) The officer guarding the inmate will appropriately document any relevant information of the inmate's activities in their Radio Log and in the Jail Log.

(d) Orders for follow-up treatment will be documented on the hospital's discharge instruction sheet. An on-duty Corrections Officer shall notify the Jail Nurse of the inmate's return, and will place the discharge instruction sheet in the Jail Nurse's mailbox and document in the Jail Log.

Title 4 ▶ Chapter 11

Sending of Health Care Information on Inmates

Sec. 4-11-1 Health Transfer Summary
Sec. 4-11-2 Additional Information

Sec. 4-11-1 Health Transfer Summary.

PURPOSE:

To help ensure continuity of the care of incarcerated inmates when they are transferred from one correctional facility to another, to provide adequate information to health care providers and custodial staff at correctional facilities to ensure property care of inmates while maintaining the confidentiality of inmate health information and to ensure compliance with provisions of Sec. 302.388, Wis. Stats.

POLICY:

Price County Jail inmates being transferred to the Department of Corrections, another county's jail or house of correction, will have a Health Transfer Summary form completed and sent along with the transporting officers for the receiving institution intake staff.

The Department of Corrections will provide each jail with the Health Transfer Summary form for recording the medical condition and history of prisoners being transferred to the Department of Corrections or another county's jail or house of correction.

Not included are:

(a) Any person on home detention with electronic monitoring, unless the person is in the county jail for failure to comply with the terms of the home detention.

(b) Any child held in custody under the Children's Code.

(c) Any child participating in the Mother-Young Child Program for certain incarcerated females.

(d) A juvenile held in jail which the Department of Corrections has approved as a suitable place for holding juveniles in custody pursuant to the Juvenile Justice Code.

The form shall be completed by a facility health care professional if on-duty at the time of the transfer. On-duty Corrections Officers or Supervisors are authorized to complete the form in the absence of a facility health care professional at the time of an inmate's transfer. However, in such cases, a facility health care professional from the

sending facility shall review the completed form within twenty-four (24) hours of the inmate's transfer and shall advise the receiving facility of any revisions or updates.

Copies of all completed Health Transfer Summary forms shall be maintained in the inmate's confidential files, as it is a confidential medical record.

In lieu of completion of the Health Transfer Summary form, a copy of an inmate's complete medical record file may be sent to a receiving facility. Such copies of medical files shall not include information on an inmate's treatment for mental illness, developmental disabilities, alcoholism, and drug dependence. When medical files have been sent, a copy of the Health Transfer Summary form shall also be sent.

Consent of inmates for transfer of their health care information shall not be required (per provisions of Sec. 146.82(2)(a)20, Wis. Stats.

Upon receipt of Health Transfer Summary forms from other correctional facilities, either a custody staff member or a health care professional at the receiving facility will sign and date the document to acknowledge it has been received, and will fax a copy of the signed form back to the sending institution.

When Health Transfer Summary forms or medical files on transferred inmates have been received, a facility health care professional shall attempt to obtain any necessary follow-up or additional information necessary to ensure provision of adequate care or treatment to that inmate. All such efforts, and the results, shall be documented.

PROCEDURE:

(a) When an inmate is booked in, he/she will be asked, by the booking officer, the medical and psychiatric questions which are part of the booking process. The questions and answers are recorded on the Inmate Observation form.

(b) This sheet and the inmate's medical record will be reviewed by the Jail Nurse on the first jail call day after the booking. The Jail Nurse will note all "yes" answers and begin the process of filling out the Health Transfer Summary form. The transfer form shall be placed in the front of the inmate's medical record.

(c) The transfer form will be reviewed and updated weekly by the Jail Nurse.

(d) If it is known in advance an inmate is being transferred to a Department of Corrections facility, another county's jail or house of correction, the jail health staff will be notified and will complete the Health Transfer Summary form. The form will include all relevant information based on the instructions provided on the back of the form.

(e) If the inmate is transferred upon booking or before the Jail Nurse is able to review the inmate observation sheet, the corrections staff should complete the transfer form, as much as possible.

(f) Copies of the completed inmate transfer form will be placed in a properly labeled and sealed envelope and given to the transporting officers.

(g) The original inmate transfer form, inmate observation form and the inmate's medical record will be placed in the Jail Nurse's mailbox.

(h) To ensure the transfer form is reviewed within twenty-four (24) hours of the transfer, the Jail Nurse will call the Jail by nine o'clock (9:00) a.m. daily, including weekends and holidays, to check to see if any inmate transfers have been made within the last twenty-four (24) hours.

(i) The Jail Nurse will review the transfer form, inmate observation form and inmate's medical record within twenty-four (24) hours of the transfer.

(j) The Jail Nurse will correct any errors, include any additional necessary information, print name and sign and date.

(k) The Jail Nurse will then fax the updated form to the receiving institution's intake staff.

(l) The Jail Nurse is not required to complete the Health Transfer Summary form upon transfer of the prisoner, if the on-duty Corrections Officer or his/her designee, provides a copy of the prisoner's completed medical file to the receiving institution staff at the time of the transfer.

(m) Whenever a Health Transfer Summary form has been received along with an inmate, the on-duty Corrections Officer or Jail Nurse receiving such form will complete Section 8 on the form, indicating the name of the receiving facility, the date, time, and printed name of the person receiving it.

(n) The person completing Section 8 will then ensure a copy of the form is then faxed to the jail or prison from which the inmate was transferred (sending institution). A copy of the fax confirmation sheet will be attached to this form.

(o) Steps (m) and (n) above will also be followed if and when a revised Health Transfer Summary form is received.

(p) If the Jail Nurse has any questions which require additional information about a transferred inmate's health care status, a review of the Health Transfer Summary form, or the medical file for that inmate, they will contact a designated health care provider at the sending institution to request additional information.

(q) The Jail Nurse will document any such requests were made, including the date, time and name of the person to whom the request was made.

(r) The Jail Nurse will also document if and when any such request information was received.

Sec. 4-11-2 Additional Information.

(a) The receiving institution intake staff may make a Health Transfer Summary form available to any of the following:

(1) The prison's, jail's, or house of correction's medical staff.

(2) A prisoner's health care provider.

(3) In the case of a prison, jail, or house of correction which does not have medical staff on duty at the time of the transfer, a health care provider designated by the Department of Corrections or the Corrections Officer to review Health Transfer Summary forms.

(b) Each health care provider, other than the prison's medical staff, who provides health care services to a prisoner, must provide the Department of Corrections, the jail, or house of correction in which the prisoner is confined, a written summary of the services provided and a description of follow-up care and treatment which the prisoner requires.

(c) Health care providers providing health care services to a prisoner may obtain patient health care records for the prisoner from other health care providers who have provided health care services to the prisoner while he or she has been confined in a prison or jail and from other prisons or jails in which the prisoner has been confined.

(d) All Health Transfer Summary forms must remain confidential and may only be released as specifically provided under current law.

(e) An exception to the confidentiality requirement for the Health Transfer Summary form is provided, so such records may be disclosed to the prisoner's health care provider, the medical staff of a prison or jail in which the prisoner is confined, and the receiving institution staff at the prison or jail to which a prisoner is being transferred.

(f) An identical exception includes the results of a test for the presence of HIV antigen or non-antigenic products of HIV or any antibody to HIV if the results are disclosed to a health summary form.

(g) The Department of Corrections is required to complete the form for each prisoner whom they transfer to a jail and is required to provide it to the receiving institution intake staff at the time of transfer, except if the Department of Corrections provides a copy of the prisoner's complete medical record to the receiving institution intake staff at the time of transfer.

(h) If the prison does not have medical staff on duty at the time of transfer, the officer in charge must complete as much of the form as possible, and provide it to the receiving institution intake staff at the time of transfer. The Department of Corrections shall then ensure the prison medical staff completes the transfer form and provides it to the receiving institution intake staff at the time of a transfer.

(i) If the Department of Corrections does not have medical staff on duty at the time of a transfer, the officer in charge must complete as much of the form as possible and provide it to the receiving institution intake staff at the time of transfer. In such a case, the officer must ensure that all of the following occur within twenty-four (24) hours after the transfer.

(1) The Department of Corrections medical staff reviews the form provided to the receiving institution at the time of the transfer.

(2) The medical staff or health care provider reviewing the form corrects any errors in the form and includes in it any additional information.

(3) The medical staff or health care provider reviewing the form transmits the updated form or the information included on the form by the quickest means available to the receiving institution intake staff.

Title 4 ▶ Chapter 12

Secure Control of Medication

Sec. 4-12-1 Secure Control of Medication

Sec. 4-12-1 Secure Control of Medication.

PURPOSE:

To reflect compliance with provisions of DOC 350.16 Wisconsin Administrative Code.

POLICY:

In order to ensure the safety and security of inmates and jail staff, and in order to prevent misuse of drugs by inmates, all mediations shall be securely stored in a locked place at all times. Stock non-prescription medications and medications to be administered to specific inmates shall be secured in a locked med cart. Corrections Officers and the Jail Nurse shall have access to this cart.

PROCEDURE:

(a) The Jail Nurse will review all orders for medications which have been received by the on-duty Corrections Officers. Orders for prescription medications may come from either the Correctional Healthcare Companies, Inc. (CHC) Physician or the inmate's personal physician as reviewed and if approved by the CHC Physician.

(b) All medication orders (prescription and non-prescription) must be in writing and signed by the ordering physician unless the medication is from stock supply covered by a standing order.

(c) When new medication supplies arrive at the jail, the on-duty Corrections Officer will list medications identifying as delivered for a specific inmate or for stock supply, and will place the list in the Jail Nurse's mailbox.

(d) The Jail Nurse will inventory new medications three (3) times per week; cross-referencing medical orders which individual labeling.

(e) Medications requiring refrigeration are so noted on the label and shall be kept in the refrigerator.

(f) Corrections Officers, at all times, will ensure that medications are not left unlocked.

Title 4 ▶ Chapter 13

Standing Medical Orders

Sec. 4-13-1 Non-Prescription Medication Distribution
Sec. 4-13-2 Conditions Exceeding Twenty-Four (24) Hours
Sec. 4-13-3 Conditions Exceeding Forty-Eight (48) Hours
Sec. 4-13-4 Conditions Exceeding One (1) Week
Sec. 4-13-5 Conditions Exceeding Two (2) Weeks
Sec. 4-13-6 Acute and Chronic Illness
Sec. 4-13-7 First Aid
Sec. 4-13-8 De-Lousing
Sec. 4-13-9 TB (Mantoux) Skin Testing

Sec. 4-13-1 Non-Prescription Medication Distribution.

Non-prescription medications shall be administered to the inmates for the following signs and symptoms and only for times specified. If the condition exceeds the time limit, or for all conditions or symptoms not listed here, contact the Jail Nurse or Correctional Healthcare Companies, Inc. (CHC) Physician or the Flambeau Hospital Emergency Room.

(a) Bed rest is recommended for the following conditions:

(1) Headache.

(2) Elevated Temperature.

(3) Diarrhea.

(4) Nausea,

(5) Vomiting.

(6) Toothache.

(7) Sore Throat.

(b) Notify the Jail Nurse, CHC Physician or ER immediately for:

(1) Medical Emergencies as identified by the American Heart Association First Aid Quick Reference Guide, by the American Heart Association Guidelines for CPR and ECC or by the standing medical orders listed in this chapter.

(2) Temperature > 101.5 degrees F. A temperature elevated this high may indicate the need for comprehensive medical evaluation.

Sec. 4-13-2 Conditions Exceeding Twenty-Four (24) Hours.

(a) Notify the Jail Nurse, CHC Physician or ER if the following conditions exceed twenty-four (24) hours:

(1) **Nausea and/or Vomiting.** In the absence of other symptoms, give clear liquid diet and recommend bed rest. If vomiting is projectile, notify the Jail Nurse, the Marshfield Clinic Phillips Center or the Flambeau Hospital Emergency Room. For nausea without vomiting, may give Pepto-Bismol chewable tablets, according to package directions. If condition persists longer than twenty-four hours, notify the Jail Nurse.

Sec. 4-13-3 Conditions Exceeding Forty-Eight (48) Hours.

(a) Notify the Jail Nurse, CHC Physician or ER if the following conditions exceed forty-eight (48) hours:

(1) **Constipation.** In absence of other symptoms, give Milk of Magnesia tablets according to package directions at bedtime. Encourage fluids and exercise. Not to exceed a forty-eight (48) hour period. If no result, contact the Jail Nurse or CHC Physician.

(2) **Diarrhea.** In the absence of other symptoms, give Imodium A-D or Kaopectate, according to package directions. Not to exceed forty-eight (48) hour period.

(3) **Earache.** In the absence of ear drainage or extreme, piercing ear pain, two (2) aspirin (325 mg each) OR two (2) acetaminophen (325 mg each) OR two (2) ibuprofen (200 mg each/ max six (6) in twenty-four (24) hours), every four to six (4-6) hours. Not to exceed a forty-eight (48) hour period. If extreme pain, contact the Jail Nurse, Marshfield Clinic or Flambeau Hospital ER.

(4) **Heartburn.** In the absence of other symptoms, give Pepcid AC tablets according to package directions. Not to exceed a forty-eight (48) hour period.

(5) **Mild Itching or Mild Rash.** Apply one percent (1%) hydrocortisone cream to affected area three to four (3-4) times daily. If no improvement or worsening of symptoms, consult the Jail Nurse. Not to exceed a forty-eight (48) hour period without improvement.

(6) **Toothache.** Two (2) aspirin (325 mg each) OR two (2) acetaminophen (325 mg each) OR one or two (1-2) ibuprofen (200 mg each/max six (6) in a twenty-four (24) hours), every four to six (4-6) hours. Not to exceed a forty-eight (48) hour period. If no pain relief, contact dentist.

(7) **Elevated Temperature.** In the absence of other symptoms, two (2) aspirin (325 mg each) OR two (2) acetaminophen (325 mg each) every four (4) hours. Recheck temperature one (1) hour after giving

medication. If temperature continues at 101 degrees F for a twenty-four (24) hour period or exceeds 101.5 degrees F one (1) hour after medication is given, contact the Jail Nurse.

(8) **Hemorrhoids.** Preparation-H Suppositories or cream OR generic equivalent two (2) times a day and after bowel movements. Not to exceed three (3) days.

(9) **Sore Throat.** In the absence of elevated temperature, gargle with solution of one (1) teaspoon salt in a six (6) ounce glass of warm water twice a day. May use Sepasoothe Lozenges or generic equivalent according to package directions, not to exceed a three (3) day period. If temperature is elevated, or inmate appears ill, contact the Jail Nurse or CHC Physician.

Sec. 4-13-4 Conditions Exceeding One (1) Week.

(a) Notify the Jail Nurse, CHC Physician or ER if the following conditions exceed one (1) week:

(1) **Cold, Allergy or Sinusitis Symptoms.** In the absence of other symptoms, give Advil Cold & Sinus tablets OR generic equivalent according to package directions. Not to exceed a one (1) week period.

(2) **Mild Joint or Muscle Aches, Including Menstrual Cramps.** Two (2) aspirin (325 mg each) OR two (2) acetaminophen (325 mg each) OR one or two (1-2) ibuprofen (200 mg each/ max six (6) per twenty-four (24) hours). May give every four to six (4-6) hours, not to exceed one (1) week.

(3) **Simple Cough.** Single dose Robitussin DM cough suppressant according to package directions. Not to exceed a one (1) week period. May give generic cough drops as needed.

(4) **Simple Headache.** Two (2) aspirin (325 mg each) OR two (2) acetaminophen (325 mg each) OR one or two (1-2) ibuprofen (200 mg each/ max six (6) per twenty-four (24) hours). May give every four to six (4-6) hours, not to exceed one (1) week.

Sec. 4-13-5 Conditions Exceeding Two (2) Weeks.

(a) Notify the Jail Nurse, CHC Physician or ER if the following conditions exceed two (2) weeks:

(1) **Acne.** Cleanse skin with ordinary soap and water three or four (3-4) times a day.

(2) **Athletes Foot/Jock Itch.** Apply Micatin Antifungal Powder OR generic equivalent twice daily. Not to exceed a two (2) week period.

(3) **Dandruff.** Shampoo with anti-dandruff shampoo. Not to exceed a two (2) week period.

(4) **Impacted, Blackened Ear Wax.** In the absence of any symptoms of ruptured eardrum, ear pain, ear infection, or upper respiratory infection, softening drops such as Debrox or H2O2 diluted 1:1 with water may be dropped into ears, followed by flushing with warm water in the shower.

(5) **Minor Cuts and Abrasions.** Clean with mild soap and water followed by hydrogen peroxide. Squeeze small amount of antibiotic ointment on gauze pad or Band-Aid pad and apply to cut or abrasion. Cover with Band-Aid. Recheck in one or two (1-2) days. Report any redness, swelling, odor or pus to Jail Nurse.

Sec. 4-13-6 Acute Chronic Illness.

(a) Inmates with an identified acute or chronic illness should be referred to the Jail Nurse immediately upon admission to the Jail. An individual health plan will be established for the individual inmate by the Jail Nurse in consultation with the CHC Physician or inmate's personal physician. This individual health plan will be reviewed with the corrections staff. Any sudden exacerbation of an acute or chronic illness may be treated as a medical emergency, and the corrections staff will err on the side of safety when responding to such circumstances. If possible, the Jail Nurse will be notified in an attempt to triage the problem.

(b) Those inmates experiencing an obvious acute episode of illness or an acute exacerbation of a chronic illness upon booking should be referred for medical treatment before incarceration.

Sec. 4-13-7 First Aid.

(a) To ensure the speedy treatment of all inmates at the Price County Jail, there is a first aid kit located in the kitchen and the Jail Office. Each kit contains:

(1) Masks with one-way valve (for use with CPR).

(2) Band-Aids.

(3) Roll bandages.

(4) 3"x6" Kling.

(5) Adhesive tape.

(6) Ammonia inhalant.

(7) Triangular bandages.

(8) Non-adherent dressings.

(9) Tongue blades.

(10) First aid instructions.

(11) Blood pressure cuff.

(12) Stethoscope.

(13) One (1) tourniquet.

(14) Alcohol swabs.

(15) Scissors.

(16) Tweezers.

(17) Thermometer and covers.

(18) Hydrogen Peroxide.

(19) Ice bag or cold chemical pack.

(20) Flashlight.

(21) Antibiotic ointment.

(b) The Jail Administrator – Lieutenant will inspect the kit at the end of every month and, as needed, reorder and stock the kits with needed supplies.

(c) The American Heart Association First Aid Quick Reference Guide and this Chapter shall be used when rendering first aid.

(1) Consult the American Heart Association First Aid Quick Reference Guide and this Chapter.

(2) Document first aid given on the Jail Log. Minor treatments, such as Band-Aids, are exempt.

(3) Inform the Jail Nurse of any inmate given first aid that needs follow-up by leaving a message in th4 Jail Nurse's mailbox or by phoning the Jail Nurse if the situation warrants more timely attention.

Sec. 4-13-8 De-Lousing.

(a) For the protection of the inmates as well as corrections staff, all inmates exhibiting evidence of parasite infestation will be treated according to medical recommendation. Parasites include head/body/pubic lice and scabies.

(1) Inmates reporting possible parasite infestation will be examined for evidence of parasites or nits.

(2) If lice or scabies are identified, treatment will be initiated.

(3) For treatment of lice and scabies – remove all clothing, put on clean clothes after treatment.

(4) A change in bed linen should be performed after treatment.

(b) Procedure for treatment of head lice:

(1) Apply pediculicide shampoo to hair, follow directions for application.

(2) Rinse the hair and use a fine tooth comb to remove nits.

(3) Wash all coats, hats, clothing, towels, bed linen used by inmate with lice in hot cycle of washing machine using regular detergent. Dry on the hot cycle of a dryer for at least twenty (20) minutes after the clothes are thoroughly dried.

(4) Dry cleaning of all clothing and hats that cannot be washed is effective. Any item of clothing that the inmate does not want laundered will be collected, placed in a garbage bag and tied. If left in a plastic bag for fourteen (14) days, all lice and nits will be destroyed. The bag of clothing will be removed from the Jail either by the inmate (if Huber) or the inmate's relatives as soon as possible.

(5) Combs, brushes and other personal hair care items should be either boiled or soaked in anti-lice shampoo for ten (10) minutes.

(6) Repeat the shampoo process in seven to ten (7-10) days.

(c) Procedure for treatment of crab and body lice:

(1) Apply a sufficient quantity of pediculicide lotion or cream to thinly cover the hair and skin of the affected areas, pubic area, and, if infested, the thighs, trunk and axillary regions.

(2) Follow instructions on the label for the length of application and bathing.

(3) Demonstrable living lice after seven (7) days indicate that re-treatment is necessary.

(4) All inmates in the cell with the affected inmate will be examined for evidence of parasites and treated.

(d) Procedure for treatment of scabies:

(1) Kwell lotion will be used when a differential diagnosis of scabies is made.

(2) Message into the skin of the whole body from neck down.

(3) Follow instructions on the label for the length of application and bathing.

(4) All inmates in the cell with the affected inmate will be examined for evidence of parasites and treated.

Sec. 4-13-9 TB (Mantoux) Skin Testing.

(a) The Jail Nurse will administer the Tuberculin Skin Test using five (5) TU PPD and will read the test forty-eight to seventy-two (48-72) hours later on all inmates who will be incarcerated for greater than seven (7) days.

(b) The Core Curriculum on Tuberculosis, Third Edition, 1994, US Department of Health and Human Services, will be used by the Jail Nurse for possible referral for further follow-up and is as follows:

(1) >/- 15 mm induration = positive in person with:

a. No known risk factors for TB

(2) >/- 10 mm induration = positive in persons with:

a. Certain medical conditions including diabetes mellitus, prolonged corticosteroid therapy, history of gastrectomy, chronic mal-absorption syndromes, silicosis, or ten percent (10%) or more below ideal body weight.
b. Persons who inject drugs (if known HIV negative).
c. Foreign born persons from areas where TB is common.
d. Residents and staff in correctional institutions.
e. Residents and staff in chronic or long term care institutions.
f. Persons who provide services to high risk groups.
g. Homeless individuals.
h. Hospital and mycobacterial lab personnel.
i. Recent converts within a two (2) year period and thirty-five (35) years of age or younger.

(3) >/- 5 mm induration = positive in persons with:

a. Persons known to have or suspected of having HIV infection.
b. Close contacts of a person with infectious TB.
c. Persons who have a chest radiograph suggestive of previous TB and have received inadequate or no treatment.
d. Persons who inject drugs (if HIV status is unknown).

(c) If result is positive, the Jail Nurse will review signs and symptoms of active TB and take a TB exposure history of the inmate. If warranted, standard TB control practices will be implemented until communicability can be ruled out. Arrangements will be made for the inmate to receive a chest x-ray at the local medical clinic during normal business hours, and follow-up will be provided by the CHC Physician in accordance with standard communicable disease practices.

(d) If chest x-ray is “abnormal” and is suggestive of active TB, the CHC Physician will determine isolation according to inmate symptoms on an individual basis.

Title 4 ▶ Chapter 14

Verification and Authorization of Medications Brought in by Inmates

Sec. 4-14-1 Verification of Medications
Sec. 4-14-2 Authorization for Medications

Sec. 4-14-1 Verification of Medications.

PURPOSE:

To reflect compliance with provisions of DOC 350.16 Wisconsin Administrative Code.

POLICY:

In order to ensure provision of proper medical and health care to inmates, the Correctional Healthcare Companies, Inc. (CHC) Physician shall have final authority as to whether or not inmates may receive specific medications while in Jail custody. The CHC Physician may disapprove use of any medication for a medical reason.

Inmates may receive medications which they bring into the Jail, or which are brought in for them by family or friends, if such medication is approved by the prescribing physician or CHC Physician. Medication must be in a pharmacy labeled container, or, if non-prescription, in a bottle with unbroken seal. As soon as is possible, the Jail Nurse will be notified and will bubble-pack the medication for unit dosing. When the supply of that medication is exhausted, the prescription may be refilled by the pharmacy upon request of the Jail Nurse, as ordered by either the inmate's personal physician or the CHC Physician. Liquid medications brought in by an inmate will not be accepted unless in a bottle with an unbroken seal. New medication, if necessary, will be sought from the CHC Pharmacy after consultation with the CHC Physician or the inmate's personal physician.

The on-duty Corrections Officer may deliver medications brought in by new inmates providing verification of the legitimacy of the prescription is obtained and a doctor is consulted. In such cases, the on-duty Corrections Officer shall only delivery medications contained in a properly labeled prescription container.

PROCEDURE:

(a) The booking officer will take all medications from new prisoners during booking. Medications will be placed in a locked medication cabinet for the Jail Nurse to review.

(b) For inmates who require uninterrupted medications, whereby medications cannot be bubble-packed by the pharmacy in the required time frame (e.g. next dose), the on-duty Corrections Officer will do the following:

(1) Attempt to verify the legitimacy of any prescribed medication by contacting the private physician and pharmacy as noted on the prescription's label and comparing it with a picture of the medication in the Physician's Desk Reference (PDR).

(2) If legitimacy is indicated, the on-duty Corrections Officer will initiate a Medication Administration Record form.

(3) If legitimacy is not indicated (not verified by a physician, looks different than the picture or not in a properly labeled bottle), the Medication Administration Record form will not be initiated and medication will be stored in a locked area until verified by the Jail Nurse.

(4) If the on-duty Corrections Officer is uncertain as to what should be done or if the inmate indicated a pressing need for the medication, the Jail Nurse should be consulted. If not available, the CHC Physician or hospital Emergency Room should be consulted for advice.

(5) If verified, medications will be self-administered by the inmate and recorded by the on-duty Corrections Officer until medications can be bubble-packed.

Sec. 4-14-2 Authorization for Medications.

(a) The Jail Nurse will routinely contact (by phone or letter) the personal physician who has prescribed medication for an inmate to verify the inmate should continue receiving it while incarcerated, and the health reason for the prescribed medication.

(b) If the Jail Nurse cannot contact the inmate's personal physician, or if she has any questions or concerns about the medication, she will contact the CHC Physician to obtain his authorization for the medication.

(c) If the CHC Physician determines an inmate need not continue to receive a particular medication, he will direct the Jail Nurse to discontinue the medication.

(d) The Jail Nurse will inform the inmate the medication has been discontinued and the reason for same.

(e) If an inmate's medication has been discontinued, it will be stored in the medicine cabinet until the inmate leaves Jail custody.

(f) All physician instructions given verbally over the phone are to be documented on a SBAR Telephone Triage Record form signed by the Jail Nurse and co-signed by the ordering physician within ten (10) working days.

Title 4 ▶ Chapter 15

Delivery of Prescribed Medications to Inmates by Corrections Officers

Sec. 4-15-1 Delivery of Routine Prescribed Medications
Sec. 4-15-2 Delivery of "PRN" Prescribed Medications

Sec. 4-15-1 Delivery of Routine Prescribed Medications.

PURPOSE:

To reflect compliance with provisions of DOC 350.16 Wisconsin Administrative Code.

POLICY:

The Jail Nurse shall have the responsibility of contacting the Correctional Healthcare Companies, Inc. (CHC) Physician, if necessary, to receive new medical orders for medications and pass this information onto the on-duty Corrections Officer for implementation. The Nail Nurse shall also supervise weekly the recording of medications on the Medication Log and the proper disposition of unused prescription medications.

The on-duty Corrections Officer shall have responsibility for delivering unit does medications to inmates. Correct procedures shall be followed at all times to be sure the appropriate inmate receives the appropriate medication, and that he/she swallows the medication. Jail staff will be trained annually on medication delivery methods.

Inmates who have prescribed PRN, or "upon request" or "as needed" medications, may receive such medications on request providing they do not exceed the daily maximum dosage. The reason of the request shall be documented on an Over the Counter Medication Request form. Delivery of all prescribed medication shall be properly documented on the Medication Administration Record form.

Delivery of all prescribed medication shall be properly documented on the Medication Administration Record form.

PROCEDURE:

(a) For inmates who require uninterrupted medication, whereby medication cannot be bubble-packed by the pharmacy in the required time frame (e.g. next dose), the medication will be self-administered by the inmate after the on-duty Corrections Officer has verified the medication per Title 4 Chapter 14 Section 2 Authorization for Medications. The procedure for self-administration of medication by inmate is as follows:

(1) The on-duty Corrections Officer will start a Medication Administration Record form for the inmate.

(2) The on-duty Corrections Officer will check vial's pharmacy label for name, dose, and time the dose is due.

(3) At the time the first dosage is due, the on-duty Corrections Officer will hand the medication to the inmate with a cup of water. The on-duty Corrections Officer will observe the inmate place the medication tablets or capsules into his/her mouth and swallow the medication.

(4) After the pharmacy has bubble-packed the medication for unit dosing, the on-duty Corrections Officer will pop the proper medication from the bubble pack directly into the inmate's hand.

(b) The on-duty Corrections Officer will deliver medication to inmates at the designated routine times: breakfast, lunch, dinner, and bedtime. If a particular medication is to be delivered at a time other than one of the routine times, the time it was delivered should be noted on the Medication Administration Record form.

(c) In delivering bubble-packed medication tablets or capsules, the on-duty Corrections Officer will:

(1) Check the Medication Administration Record form against the medication bottle or label on the unit dosage package to verify the information and place the proper dose into a medicine cup, unless already bubble packed. If bubble-packed, take medication card to inmate.

(2) Upon entering the cellblock areas, direct each inmate who is to receive medication to approach, bringing with him/her a cup of water.

(3) Deposit the medication into the inmate's hand.

(4) Watch while the inmate puts the medication into his/her mouth and swallows it. Watch for swallowing movements. Require him/her to wash medication down with a full cup of water.

(5) If there is any reason to suspect the inmate has not swallowed the tablet or capsule, check his/her mouth by looking into it, preferably with a flashlight. Do not place fingers into an inmate's mouth. Ask him/her to move their tongue and pull their lips away from their teeth in order to fully check their mouth.

(6) Check the inmate's hand to be sure he/she has not palmed the medication.

(7) Record that the medication was delivered by signing the appropriate box on the inmate's Medication Administration Record form.

(8) Discard the medicine cup, if one was used.

(9) If medication was refused by the inmate or not delivered for any other reason, record that fact and the reason on the inmate's Medication Administration Record form in the comments section.

(10) If medication which was prepared for delivery was refused or withheld for some reason, return the medication to the medication cabinet in the Jail Office.

(11) A health care professional will monitor the inmate in accordance with requirements of 302.384, Wis. Stats.

(d) In the delivery of liquid medication, the on-duty Corrections Officer will:

(1) Pour the exact amount specified on the dosage directions into a plastic medication cup. While pouring, be sure the cup is on a flat surface and at eye level. Pour away from the label so it does not become obscured if the medication drips. Wipe the bottle if sticky.

(2) Label the cup so as to be sure it goes to the correct inmate.

(3) Upon entering the cellblock area, direct the inmate who is receiving the medication to approach.

(4) Hand the plastic cup to the inmate.

(5) Watch while the inmate swallows the medication. Look for swallowing movements.

(6) Record the medication was delivered.

(7) Discard the plastic cup.

(8) If the inmate refused the medication, pour it into the sink, rinse it down, and document he/she refused it on the Medication Administration Record form.

(9) A health care professional will monitor the inmate in accordance with requirements of Sec. 302.384, Stats.

(e) The on-duty Corrections Officer will return the Medication Administration Record form to the proper location in the Jail Office following delivery of medication.

(f) The Jail Nurse will weekly review the Medication Administration Record forms for any problems with regard to medication.

(g) Upon release from Jail, the inmate may be given any unused or discontinued medication which remains. In the event there are leftover prescribed medications, and the inmate intentionally leaves it behind, the Jail Nurse and on-duty Corrections Officer will discard the unused medication weekly by the following system:

(1) The Jail Nurse and on-duty Corrections Officer will verify the amount left over is accurate by subtracting the number of doses given from the starting count.

(2) The Jail Nurse and on-duty Corrections Officer will discard of the medication by depositing them in the receptacle located in the front lobby of the Sheriff's Office and will note "Discarded" and the date on the Medication and Treatment Record. The Jail Nurse and on-duty Corrections Officer will both initial this notation on the record. If possible, leftover medication will be returned to the pharmacy.

Sec. 4-15-2 Delivery of "PRN" Prescribed Medications.

(a) If physician's orders indicate an inmate is to receive a prescription medication "upon request" or "as needed" rather than routinely, the following procedure will apply:

(1) The inmate desiring PRN medication will fill out an Over the Counter Medication Request form specifying his/her request and the reason for the request and will give the request to the on-duty Corrections Officer.

(2) The on-duty Corrections Officer will check the Medication Administration Record, determine if the dose is due, and, if it is, prepare the proper dosage of the medication from the inmate's supply of that medication in the locked medicine cart, based on the directions regarding dosage and method noted on the Medication Administration Record form.

(3) The on-duty Corrections Officer will deliver the medication to the inmate following steps outlined in steps (c) and (d) above.

(4) The on-duty Corrections Officer will document the delivery of the medication on the inmate's Medication Administration Record form, noting the time and date of delivery and signing the form. (Note: It is important to be aware that most such medication has maximum per-day dosages. Thus, it is important to document on the Medication Administration Record form each medication delivered so there is a way of knowing how much of the medication an inmate gets in a twenty-four (24) hour period.)

(5) The on-duty Corrections Officer will also record the medication was delivered on the Over the Counter Medication Request form filled out by the inmate and will place the form in the Jail Nurse's mailbox.

(6) The Jail Nurse will review PRN prescribed medications and assess their efficacy during her regularly scheduled sick call visits.

Delivery of Non-Prescribed Medications

Sec. 4-16-1 Delivery of Non-Prescribed Medications

Sec. 4-16-1 Delivery of Non-Prescribed Medications.

PURPOSE:

To reflect compliance with provisions of DOC 350.16 Wisconsin Administrative Code.

POLICY:

Inmates may receive certain non-prescription medications which have been pre-approved by the Correctional Healthcare Companies, Inc. (CHC) Physician under Title 4 Chapter 13 Standing Medical Orders. On-duty Corrections Officers shall deliver such medication to inmates upon request, based upon standing orders from the CHC Physician.

PROCEDURE:

(a) Inmates desiring non-prescription medication for such general health problems as headache, colds, flu, upset stomach, etc., will fill out an Over the Counter Medication Request form specifying their request and the reason for the request.

(b) The on-duty Corrections Officer will collect such forms routinely, when picking up meal trays and at bedtime.

(c) The on-duty Corrections Officer will assess whether or not the request is reasonable and/or if it presents a possible danger to the inmate if granted (e.g. allergic reaction). The on-duty Corrections Officer will also check to ensure the dosage is following time intervals and does not exceed the daily dosage recommendations. If it seems reasonable and does not present a danger, the on-duty Corrections Officer will deliver the non-prescription medication based on standing medical orders prepared by the CHC Physician. Requests shall be filled from stock supplies located in the locked medicine cart as soon as possible following the request.

(d) The on-duty Corrections Officer will watch the inmate while he/she takes the tables or capsules to be sure he/she swallows them.

(e) The on-duty Corrections Officer will record on the Over the Counter Medication Request form the medication was delivered and will place the form in the Jail Nurse's mailbox.

(f) The on-duty Corrections Officer will document each delivery of a non-prescribed medication on the Over the Counter Medication Log form. (Note: It is important to be aware most such medication has maximum per-day

dosages. Thus, it is important to document on the Medication Administration Record form each medication delivered so there is a way of knowing how much of the medication an inmate gets in a twenty-four (24) hour period.)

(g) The Jail Nurse will review the non-prescription medication usage and efficacy and file the Over the Counter Medication Request forms in the inmate's medical record during his/her regularly scheduled sick call visits.

Title 4 ▶ Chapter 17

Medical Orders

Sec. 4-17-1 Standing Medical Orders
Sec. 4-17-2 Requesting Change or Discontinuance of a Medical Order

Sec. 4-17-1 Standing Medical Orders.

PURPOSE:

To reflect compliance with provisions of DOC 350.15 Wisconsin Administrative Code.

POLICY:

In order to ensure provision of adequate medical and health care to inmates, the Correctional Healthcare Companies, Inc. (CHC) Physician shall have the authority to issue medical orders for the care and treatment of inmates. Such orders may include both direct orders for specific care or treatment and standing orders.

In addition, direct orders for the care and treatment of inmates may be issued by any other certified physician. Any such orders may be reviewed by the CHC Physician, although this is not required. However, the CHC Physician may disapprove any such order, since he/she is ultimately responsible for the care and health of inmates.

The Jail Nurse shall have primary responsibility for carrying out medical orders. The Jail Nurse will delegate appropriate nursing acts to the on-duty Corrections Officers and other corrections staff members.

All corrections staff will follow all medical orders, policies, procedures and delegated nursing acts as directed. If a specific order is not followed, there shall be documentation in the Jail Log of that failure.

On-duty Corrections Officers may request a particular medical order be changed or stopped.

DEFINITION:

(a) **Standing Order.** A medical order written for the definitive treatment of identified conditions and for ongoing treatment of emergency conditions for any person having the condition to which the order pertains.

PROCEDURE:

(a) The CHC Physician may issue direct medical orders in either of the following ways:

(1) **Written Orders.** Orders written by the physician on the inmate's ER and/or Consultation Report form and signed by him.

(2) **Telephone Orders.** Orders received by the Jail Nurse or other corrections staff member over the phone. These are documented at the time of the order on a SBAR Telephone Triage Record. The original copy is sent to the physician for his/her signature.

(b) The Jail Nurse will be sure all pertinent medical orders from the CHC Physician are appropriately communicated to corrections staff on the Medical Pass on Pad or Medication Administration Record.

(c) A physician other than the CHC Physician may issue a direct medical order, either in writing or verbally, to the Jail Nurse or corrections staff.

(1) If a verbal medical order comes to the Jail, the on-duty Corrections Officer will notify the Jail Nurse as soon as possible, during normal hours of operation.

(2) The Jail Nurse will verify the order, document it on a SBAR Telephone Triage Record and implement it appropriately.

(d) If there is a significant problem or concern about a medical order issued by the inmate's physician, then the Jail Nurse or corrections staff member should call the CHC Physician. The CHC Physician will review the order and provide direction as to whether or not it is to be followed.

(1) If the CHC Physician disapproves any such medical order, he/she will inform the physician who issued the order.

(2) If the CHC Physician has approved of an order, he/she need not countersign it. However, the on-duty Corrections Officer will make a notation in the Jail Log that such approval was obtained.

(e) The Jail Nurse will implement medical orders which are specifically his/her responsibility and will communicate to the corrections staff members' medical orders which they are to follow.

(1) The Jail Nurse will communicate to the corrections staff medical orders for medication or treatment by filling out a Medication Administration Record form.

(2) The Jail Nurse will communicate dietary orders to the Jail Administrator – Lieutenant or on-duty Corrections Officer who will then forward the information to the Jail Administrator – Lieutenant.

(3) The on-duty Corrections Officer will notify the appropriate personnel contracted to provide Jail meals.

(f) All officers and other corrections staff members will follow direct orders, and document them appropriately on the Medication Administration Record form.

(g) If there is a direct medical order which is to be followed at a specific time of day or for a specific interval (e.g. every two (2) hours) and, for any reason, it has not been followed within one (1) hour of that specific time as stated on the order, the on-duty Corrections Officer will document the failure in the Jail Log including the reason for the failure to follow the order.

(h) The CHC Physician will issue standing medical orders as appropriate.

(i) The Jail Nurse will maintain a file of original copies of all standing medical orders in the Jail medical room.

(j) A copy of all standing orders which are to be implemented by corrections staff will be readily accessible to them.

(k) On-duty Corrections Orders will follow all such orders, and document appropriately. (For example, see Title 4 Chapter 16 Delivery of Non-Prescribed Medications regarding documentation in that area.)

Sec. 4-17-2 Requesting Change or Discontinuance of a Medical Order.

(a) An on-duty Corrections Officer who feels a particular medical order, direct or standing, should be changed or stopped, for any valid reason, may contact the Jail Administrator – Lieutenant or other Supervisor to discuss the situation.

(b) The Jail Administrator – Lieutenant or other Supervisor will then contact the Jail Nurse during normal hours of operation to discuss the problem or concern, if necessary.

(c) The Jail Nurse will initiate appropriate action, including contacting the physician, if necessary, and will then communicate the decision on whether or not to change or stop the order to the Jail Administrator – Lieutenant.

Title 4 ▶ Chapter 18

Medical Records

Sec. 4-18-1 Maintenance of Medical Records
Sec. 4-18-2 Release of Medical Records/Information

Sec. 4-18-1 Maintenance of Medical Records.

PURPOSE:

To reflect compliance with provisions of DOC 350.15 Wisconsin Administrative Code.

POLICY:

In order to ensure there is complete and accurate information on the medical and health conditions of inmates and to ensure continuity of care, a medical record shall be maintained on every inmate who requires medical intervention following the booking procedure. Medical records shall include all relevant documentation on an inmate's medical and health care while in Jail custody, except documentation contained on the Jail Log and currently used Medication Administration Record form.

Medical records shall be maintained separately from confinement records, and shall be confidential. Information in medical records shall only be released upon the written authorization of the inmate, except in selected instances of an emergency nature, medical records may be made available without such authorization. This may occur only if it is an emergency in which such availability is requested by a licensed physician and then authorized by either the Sheriff, Jail Administrator – Lieutenant, Jail Nurse, Correctional Healthcare Companies, Inc. (CHC) Physician or other Supervisor or if it is a legal situation when court ordered.

Upon release of an inmate from Jail custody, that inmate's medical record shall be filed appropriately and re-opened again in the event of future incarceration of that inmate. The Jail Nurse shall have overall responsibility for maintenance of medical records.

PROCEDURE:

(a) The Jail Nurse will begin a medical record file on every inmate who is referred for health services, either on the basis of a request for services initiated by the inmate or upon referral from a corrections staff member, family member, or other person. This file will be a complete file of the inmate's health while in Jail, and will include the following:

(1) A copy (if available) of the ER and/or Consultation Report.

(2) A copy of the medical screening questionnaire from.

(3) The Inmate Health Assessment form.

(4) Progress notes.

(5) Medication Administration Record from and Medical Progress Notes.

(6) Original copy of the physician's orders for that inmate.

(7) Records of laboratory tests and other diagnostic tests.

(8) Originals of Request Slips and Over the Counter Medication Request forms from that inmate in which he/she requested medical or health care services, including medication.

(9) A copy of Release of Offender Mental Health or Substance Abuse Treatment Information and Release of Offender Medical Health Information forms.

(10) Any other relevant medical forms and records.

(b) The Jail Nurse will be sure these records are secured in a locked file cabinet in the Jail Office.

(c) When an inmate leaves Jail custody, the Jail Nurse will routinely file that inmate's medical record file in the inmate's Jail file in a marked envelope. These files will be maintained with the same degree of confidentiality as active files and will remain the property of the Price County Jail.

Sec. 4-18-2 Release of Medical Records/Information.

(a) If there is a request for information from an inmate's medical record, aside from a medical emergency situation or a court order for release of such information, the Jail Nurse and/or Jail Administrator – Lieutenant will only make such information available if the inmate in question signs a Release of Offender Medical Health Information form or Release of Offender Mental Health or Substance Abuse Treatment Information form, which specified to whom the information is being released. This includes requests for information from another facility. In the event the Release of Offender Medical Health Information form or Release of Offender Mental Health or Substance abuse Treatment Information form is unattainable, pertinent health care information will be released to the health care provider in accordance with applicable statutes on confidentiality. The Jail Nurse will then file this completed form in the inmate's medical record file.

(b) There may be three (3) exceptions to the above, in which case a Release of Offender Medical Health Information form or Release of Offender Mental Health or Substance Abuse Treatment Information form need not be signed by the inmate prior to release of the information.

(1) If there is a medical emergency, the attending physician may request the release of medical information on the inmate. If so, release of such information must be authorized by either the Sheriff, Jail Administrator – Lieutenant or other Supervisor, CHC Physician or Jail Nurse.

(2) If it is a legal matter, medical information may be released upon receipt of a proper court order so directing. The original copy of this court order will be filed in the inmate's confidential medical record file, with a copy in his Jail record jacket.

(3) The District Attorney, for investigative purposes and justifiable probable cause, may have access to an inmate's medical records providing confidentiality of the medical record is maintained.

Title 4 ▶ Chapter 19

Communicable Disease Control

Sec. 4-19-1 Receiving Screening
Sec. 4-19-2 Ongoing Observation of Inmates
Sec. 4-19-3 Care of Inmates During Isolation (Before Medical Evaluation by Jail Nurse or Physician
Sec. 4-19-4 Medical Evaluation and Treatment Orders
Sec. 4-19-5 Blood and Bodily Fluids

Sec. 4-19-1 Receiving Screening.

PURPOSE:

To reflect compliance with provisions of DOC 350.13 Wisconsin Administrative Code.

POLICY:

In order to protect inmates and corrections staff from the spread of possible disease or infestation, all inmates suspected of having a possible communicable or contagious disease shall be isolated immediately and shall remain isolated until the Jail medical authority authorizes their return to general Jail population. Physician's Standing Orders apply first in all cases, then the Correctional Healthcare Companies, Inc. (CHC) Physician or Jail Nurse shall be contacted about all other cases of possible communicable or contagious disease, and shall either personally examine all such inmates or provide direction to the Jail Nurse on management of the case.

PROCEDURE:

(a) Officers shall take all universal precautions to protect themselves when dealing with inmates.

(b) The booking officer will isolate all inmates suspected of having a possible communicable or contagious disease transmissible by casual contact. The booking officer will assume the possibility of such disease if the inmate reports having such a disease during the receiving screening or upon observing the signs or symptoms of possible disease. Signs and symptoms to look for (mostly in combination) include:

(1) Fever/chills.

(2) Chills.

(3) Headache.

(4) Rash.

(5) Cough (especially in which phlegm is coughed up).

(6) Diarrhea or cramps.

(7) Sore throat.

(8) Sudden joint swelling and pain (commonly along with fever).

(9) Weakness.

(10) Itching.

(c) The booking officer will, as soon as possible, notify the Jail Nurse and a Supervisor that an inmate has been placed in isolation, as well as the reason for the isolation.

(d) The booking officer will also document in the Jail Log that the inmate has been isolated.

COMMENTARY:

The booking officer is not expected to diagnose the presence of disease, but simply to be aware of the possibility of such disease, to act appropriately and to follow all of the CHC Physician's Standing Orders. There is no truly accurate way of knowing what particular symptoms mean, but it is always best to act cautiously and to isolate an inmate who may have a disease until he/she is seen by either the Jail Nurse or CHC Physician.

Sec. 4-19-2 Ongoing Observation of Inmates.

(a) Whenever an inmate has been isolated due to a possible communicable or contagious disease, on-duty Corrections Officers will observe the following general guidelines for the care and management of the inmate.

(1) The on-duty Corrections Officer will isolate inmates who, at any time during their incarceration,, displays signs and symptoms of possible communicable or contagious disease, as listed in (a) above.

(2) The booking officer placing an inmate in isolation for this reason will notify the Jail Nurse or CHC Physician of that fact by documenting it on the Jail Log and calling him/her as soon as possible.

(3) The Jail Nurse will order isolation of any inmate whom he/she suspects of having a possible contagious or communicable disease.

Sec. 4-19-3 Care if Inmates During Isolation (Before Medical Evaluation by Jail Nurse or Physician).

(a) Whenever an inmate has been isolated due to a possible communicable or contagious disease, officers will observe the following general guidelines for the care and management of the inmate.

(1) Serve all meals on paper plates, using plastic utensils. Dispose of these immediately after the meal by placing them in a plastic bag, sealing the bag, and discarding it.

(2) Place the inmate's personal clothing in a plastic bag and arrange for it to be washed in the Jail laundry as soon as possible.

(3) Issue a Jail uniform to the inmate. Be sure it is washed separately from the clothing of other inmates.

(4) Be sure his/her towels and bedding are kept separate from that of the other inmates, and are washed separately.

(5) Be sure that inmate maintains good personal hygiene, washing his/her hands before and after each meal, bathing regularly, sneezing into tissue (which should be discarded) and so on.

(6) Any Corrections Office having contact with that inmate shall wash their hands following every contact with the inmate.

Sec. 4-19-4 Medical Evaluation and Treatment Orders.

(a) The Jail Nurse will conduct an initial assessment of every inmate who has been isolated due to a possible communicable or contagious disease.

(b) The Jail Nurse will, in every case, call the CHC Physician to report the results of his/her initial assessment of the inmate.

(c) The CHC Physician will then either personally examine the inmate or direct the Jail Nurse on management of the case.

(d) Based on the medical evaluation, the Jail Nurse or CHC Physician will either order in writing that the inmate be placed in general Jail population or order continued isolation of the inmate pending the results of diagnostic tests, etc. The on-duty Corrections Officer will only remove an inmate from isolation upon the direction of the Jail Nurse or CHC Physician.

(e) The CHC Physician or Jail Nurse will record all information on the inmate's condition in the medical progress notes, which are maintained in the inmate's medical record file.

(f) The CHC Physician and/or Jail Nurse may issue orders for the care and treatment of inmates with suspected or diagnosed disease. (See Title 4 Chapter 17 Medical Orders).

(g) On-duty Corrections Officers shall follow all such orders.

Sec. 4-19-5 Blood and Bodily Fluids.

(a) Corrections staff will follow Price County's policy and procedure regarding blood and body fluids as contained in the Blood Borne Pathogen Exposure Control Plan.

Title 4 ▶ Chapter 20

Medical Evaluation of Inmates in Segregation

Sec. 4-20-1 Medical Evaluation of Inmates in Segregation

Sec. 4-20-1 Medical Evaluation of Inmates in Segregation.

PURPOSE:

To reflect compliance with provisions of Wisconsin Statute 320.40.

POLICY:

In order to ensure the physical and emotional well-being of inmates, the Jail Nurse shall be notified each time an inmate has been placed in segregation if the segregation is to last for longer than twenty-four (24) hours. The Jail Nurse may order the removal of an inmate from segregation at any time for proper cause and after consulting with the Jail Administrator – Lieutenant, Sheriff, Chief Deputy or other Supervisor.

PROCEDURE:

(a) If an inmate has been placed in segregation which is to last for more than twenty-four (24) hours, the Jail Administrator – Lieutenant, or his/her designee will call the Jail Nurse to notify him/her of the segregation. (Generally this would happen if segregation has been ordered as punishment for an inmate as the result of a formal Jail disciplinary hearing.)

(b) The Jail Nurse, once notified, will see all such inmates who have been placed in segregation as soon as possible. The Jail Nurse will evaluate the inmate to determine whether there is any medical reason that he/she should be removed from segregation. If necessary, the Jail Nurse will seek advice of the Correctional Healthcare Companies, Inc. (CHC) Physician.

(c) If the Jail Nurse or CHC Physician determines there is a medical reason the inmate should not remain in segregation, he/she will order the removal of that inmate.

(d) The Jail Nurse will, in any case, be sure all inmates in segregation are evaluated routinely (at least every three (3) days), and they receive proper medical care at all times.

Title 4 ▶ Chapter 21

Detoxification

Sec. 4-21-1 Detoxification at Medical Facility
Sec. 4-21-2 Detoxification In-House

Sec. 4-21-1 Detoxification at Medical Facility.

POLICY:

Inmates who are suspected of being alcohol or drug dependent must be properly diagnosed and treated.

PROCEDURE:

(a) Inmates may be transferred to an approved facility currently designated as the center for detoxification by Price County Health & Human Services if the situation warrants transfer.

(b) Documentation of the event is left in the Jail Nurse's mailbox.

Sec. 4-21-1 Detoxification In House.

PROCEDURE:

(a) Inmates may be treated in-house.

(1) The Jail Nurse or on call Doctor may issue an order allowing for detoxification medications while in Jail.

(2) Suspected detoxification inmates will be monitored at a rate of four (4) checks per hour.

(3) The Jail Nurse or Doctor will review the records and assess the inmate within forty-eight (48) hours or as close to that time as possible.

Title 4 ▶ Chapter 22

Pregnancy

Sec. 4-22-1 Pregnancy

Sec. 4-22-1 Pregnancy.

POLICY:

The health of all pregnant inmates and their fetus shall be protected.

PROCEDURE:

(a) If an inmate claims she is pregnant during the receiving screening, the Jail Nurse shall be notified so a pregnancy test can be administered.

(b) If a pregnancy test is positive, the Jail Nurse and/or Doctor, will dictate care procedures for that inmate.

(c) All care procedures shall be documented and placed in the inmate's medical file.

TITLE 5

Records; Release of Information

Chapter 1	Access to Personnel Records by Department Member
Chapter 2	Cellular Telephone Use
Chapter 3	Computer Use
Chapter 4	Incident Reports
Chapter 5	Juvenile Records
Chapter 6	Mobile Video/Audio Recording Equipment
Chapter 7	Release of Information
Chapter 8	TIME System

Title 5 ▶ Chapter 1

Access to Personnel Records by a Department Member

Sec. 5-1-1 Access to Personnel Records by the Employee
Sec. 5-1-2 Personnel Records Inspection by an Employee's Representative
Sec. 5-1-3 Medical Records Inspections
Sec. 5-1-4 Statutory Exceptions to an Employee's Right to Inspect His/Her Personnel Records
Sec. 5-1-5 Corrections to Personnel Files
Sec. 5-1-6 Access by Others to an Employee's Personnel File

Sec. 5-1-1 Access to Personnel Records by the Employee.

POLICY:

(a) The Price County Sheriff's Office shall, upon the request of a department employee, permit the employee to inspect any personnel documents maintained in the department which are used or have been used in determining that employee's qualifications of employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records, except as provided in Sections 5-1-3 and 5-1-4. The department may require the employee to make the request in writing. An employee, under Sec. 103.13, Wis. Stats., may request the inspection of all or any part of his/her records, except as provided in Section 5-1-4. For Personnel Files maintained in the Personnel Department, the employee is to refer to the Price County Employee Handbook and/or contact the Personnel Coordinator.

(b) Under the provisions of Sec. 103.13, Wis. Stats., The department, at a minimum, shall grant at least two (2) requests by an employee in a calendar year, unless otherwise provided in a collective bargaining agreement, to inspect the employee's personnel records maintained in the department as provided in this Section. The department shall provide the employee with the opportunity to inspect the employee's personnel records within seven (7) working days after the employee makes the request for inspection. The inspection shall take place at a location reasonably near the employee's place of employment and during normal working hours. In any case, the department may allow the inspection to take place at a time other than working hours or at a place within department facilities other than where the records are maintained if that time or place would be more convenient for the employee. For Personnel Files maintained in the Personnel Department, the employee is to refer to the Price County Policy and Procedure Manual and/or contact the Personnel Coordinator.

Sec. 5-1-2 Personnel Records Inspection by an Employee's Representative.

POLICY:

Under Sec. 103.13, Wis. Stats., an employee who is involved in a current grievance against the department may designate, in writing, a representative of the employee's union, collective bargaining unit or other designated representative to inspect the employee's personnel records which may have a bearing on the resolution of the

grievance., except as provided in Section 5-1-4. The department shall allow such a designated representative to inspect that employee's personnel records in the same manner as provided under Section 5-1-1.

Sec. 5-1-3 Medical Record Inspection.

POLICY:

Under Sec. 103.13, Wis. Stats., the right of the employee or the employee's designated representative under Section 5-1-2 to inspect personnel records under this policy includes the right to inspect any personnel medical records concerning the employee in the department's files. If the department believes that disclosure of an employee's medical records would have a detrimental effect on the employee, the department may release the medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family.

Sec. 5-1-4 Statutory Exceptions to an Employee's Right to Inspect His/Her Personnel Records.

POLICY:

Under the provisions of Sec. 103.13(6), Wis. Stats., the right of the employee or the employee's designated representative to inspect his/her personnel record does not apply to:

(a) Records relating to the investigation of possible criminal offenses committed by that employee.

(b) Letters of reference for that employee.

(c) Any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document.

(d) Materials used by the department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for the department's planning purposes.

(e) Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(f) Records relevant to any other pending claim between the department and the employee which may be discovered in a judicial proceeding.

Sec. 5-1-5 Corrections to Personnel Files.

POLICY:

Under Sec. 103.13(4), Wis. Stats., if the employee disagrees with any information contained in the personnel records maintained in the department a removal or correction of that information may be mutually agreed upon by the department and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The department shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is part of that file. For Personnel Files maintained in the Personnel Department, the employee is to refer to the Price County Employee Handbook and/or contact the Human Resources Coordinator.

Sec. 5-1-6 Access by Others to an Employee's Personnel File.

POLICY:

(a) The Sheriff, Chief Deputy or designated authorities actually engaged in disciplinary action procedures or performance evaluations are permitted to have access to personnel records of employees in the department.

(b) With the exception of Subsections (a) and (c), the department shall reveal no information to others without the employee's signature on a release. This applies to requests for information from anyone or any organization, including other government agencies.

(c) Employment information will not be released without the authorization of the individual concerned, except for the following:

(1) "Directory" information which consists of verification of employment or past employment, dates of employment, position held or location of employment.

(2) When required as part of an established statutory reporting procedure.

(3) To protect the legal interests of the department when the actions of an individual appear to violate the conditions of employment or threaten physical injury to members of the general public, to other employees or to department property.

(4) When requested as part of an appropriate governmental inquiry into the department's employment practices.

Cellular Telephone Use

Sec. 5-2-1 Cellular Telephone Use While on Duty

Sec. 5-2-1 Cellular Telephone Use While on Duty.

STATEMENT OF PURPOSE:

Cellular telephones in Law Enforcement have become more important in daily Law Enforcement business. Cell phones can be of great value and use by personnel in their everyday duties. Like most other things, standards must be prescribed for the use of cell phones.

POLICY:

(a) **Personal calls are prohibited on department cellular telephones while on duty.** The only exception to this prohibition is in an emergency situation, and no other available means of communication reasonably exist. In this event, department personnel shall record any and all personal calls on his/her Radio Log.

(b) **Employees are not permitted to use the squad cellular telephone while driving a patrol squad car unless they are secured in the "hands free" docking cradle/station.** This "hands free" accessibility shall always be utilized while in transit. Employees are authorized to remove the cellular telephone unit from its docking cradle/station to use at the scene or incident.

(c) **Employees are prohibited from carrying or having personally-owned cellular telephones in their possession while on duty.** Deputies shall keep their personal cellular telephones at the office or in their personal vehicle. Deputies may check messages and use their personal cellular telephones while on break or with the authorization of a Supervisor. The carrying of a personal cellular telephone is prohibited while on duty. The Sheriff's Office accepts no responsibility for loss/damage to personal telephones.

(d) **All department cellular telephone use should be limited to appropriate uses only.** The use of the Law Enforcement radio (priority method of communication) and laptop computer (secondary method of communication) shall take precedence over the use of department cellular telephones. Department personnel shall answer radio communications before answering their cellular telephones (radio communications always take priority). Department cellular telephones are intended to provide a means for employees to communicate necessary official department information when a Law Enforcement radio or laptop terminal is unavailable or the use would be inappropriate. Employees shall not use the cellular telephone in place of the radio or laptop for normal Law Enforcement functions.

(e) **Text messaging/e-mail.** Personal "text messaging" or "electronic mailing" (e-mail) is prohibited on department cellular telephones. The only exception to this prohibition is in an emergency situation and no

other available means of communication reasonably exist. In this event, department personnel shall record any and all personal texts or e-mails on his/her Radio Log.

(f) **Cellular telephone use while driving/moving.** When possible and practical, Deputies should pull the squad car off the road and come to a complete stop prior to using the cellular telephone.

(g) **Department personnel should not use the squad cellular telephone for routine calls or to give information.** The department radio and laptop should always be utilized as a first resort or as the priority method of communication.

(h) The Sheriff has the authority to authorize personal use of departmental cellular telephones.

COMMENTARY:

When Deputies are interrupted and engaged in personal telephone calls while they are on patrol, they are distracted from and neglecting their official duties. When a Deputy is engaged in official duties and his/her telephone rings, the distraction can cause a dangerous situation to occur, and an injury may occur because the Deputy was not fully paying attention or because of the interruption involved in retrieving and answering a personal cellular telephone or pager. Deputies may have many family members, friends, etc., who may have the Deputy's cellular telephone number. If family members, friends, etc., call a department employee when he/she is on duty and supposed to be engaged in official duties, work productivity suffers, potential safety issues are significantly heightened, and a non-professional work image is presented to the public. Hands free department cellular telephones have been installed in department patrol vehicles for official, necessary department use.

Title 5 ▶ Chapter 3

Computer Use

Sec. 5-3-1 Computer Use

Sec. 5-3-1 Computer Use.

POLICY:

(a) The department provides computing, networking, and information resources in support of the department's mission to uphold and enforce the Constitution and laws of the United States, the State of Wisconsin and Price County.

(b) This policy governs use of the department's computing resources including computer and related electronic equipment, as well as local area networks and connections to larger networks.

(c) Access to the department's computing resources, whether local or remote, requires that individual users act responsibly, respect the rights of other users, and maintain the integrity of the information systems and related resources.

(d) All users should be aware that state law may require disclosure of individual computer files, which are deemed public records under the state public records statute and that state and federal law may prohibit the disclosure of certain records as well. System administrators may access user files as required to protect the integrity of computer systems.

(e) Users are informed that the computer systems, including all information obtained or sorted using the systems, are the property of Price County. Therefore, individual users have no legitimate expectation of privacy in any portion of the system or to any file created on or obtained by use of the system. The department may access any document, message or file stored in the system or obtained by the user of the computer system without cause or notice.

(f) Examples of misuse include, but are not limited to:

(1) Using the system(s) for commercial or personal purposes.

(2) Violating terms of applicable software licensing agreements or copyright laws.

(3) Using a computer account that the employee is not authorized to use or obtaining a password for a computer account without the consent of the account holder.

(4) Knowingly performing an act that will interfere with the normal operation of computers, terminals, peripherals, or networks.

(5) Knowingly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place excessive load on a computer system or network. This includes but is not limited to programs known as computer viruses, Trojan horses, and worms.

PROCEDURE:

(a) **Confidentiality of Records.** Employees who access department computerized records should assume the information contained in those records is confidential, and to be accessed and used only as needed to perform authorized job duties. Therefore, all public records requests and requests from other criminal justice agencies are to be referred to the Sheriff or Chief Deputy.

(b) **Authorized Access.** Uses may be assigned one account for individual use. Sharing an individual computer account with other persons or using an account assigned to another person is prohibited. Passwords should be protected from discovery or use by others. If users knowingly or carelessly make their password available to others, they may be held accountable for any actions that may arise from use of their account by another individual.

(c) **Appropriate Use.** Any attempt to access unauthorized machines or files via the computer network, to decrypt encrypted materials, or to obtain privileges to which the user is not entitled, is prohibited. Manipulation of system files, access to unauthorized parts of department computers and network infrastructure, attempts to circumvent data protection schemes to discover security loopholes, or possession of software designed to do so is prohibited, unless specifically required and authorized by the employee's supervisor.

(d) **Appropriate User Behavior.** Users to the department's computer resources, including, but not limited to, electronic mail, are prohibited from sending or displaying messages or images that are libelous, patently offensive, or sexually explicit, or that intimidate, threaten, demean, or harass individuals or groups, or that would otherwise bring discredit to the department. Misuse or misconduct related to the computer system may result in discipline up to and including discharge.

(e) **Use of Software.** The department has licenses for the software that is available on the network. Additions, removal, or transfer of software without authorization is prohibited. Users are required to use department-provided software as it was intended. Possession of illegal or damaging software constitutes violation of this Computer Use Policy.

(f) **Use of Equipment.** The department's computing facilities and equipment are to be used only for authorized, duty-related activities.

Title 5 ▶ Chapter 4

Incident Reports

Sec. 5-4-1 General Information Required for Offense Reports
Sec. 5-4-2 Guidelines for Computing the Value of Property Stolen/Recovered

Sec. 5-4-1 General Information Required for Offense Reports.

POLICY:

(a) A call for service shall be completed for all incidents.

(b) (1) When Complaint Forms are required the face sheet must be completely filled in with all pertinent information. Reports that require follow-up or may need follow-up investigation shall be dictated so they can be typed. Reports shall be dictated so they present a neat and professional appearance.

(2) The narrative should include all details of what transpired and what action, if any, the Deputy took.

PROCEDURE:

(a) All entries (other than signatures), including narratives, on these reports *shall be dictated or typed using the Information Systems (IS) format for the narrative in question*. Additional offense report forms shall be used when necessary to record additional information on suspect arrests, property itemization, witnesses and victims.

COMMENTARY:

(a) **Burglary.**

(1) a. Section 2.5.5 of the *Uniform Crime Reporting Guide* defines "burglary" as any unlawful entry of a permanently affixed (not customarily mobile) structure to commit a felony or a theft. For purposes of Uniform Crime Reporting, the definition of a "structure" is considered to include: a dwelling house, attached structure (including outbuildings) garage, church, school, cabin, room, public building, or house trailer (used as permanent residence or office).

b. *Under this definition, a bicycle (or any other property) taken from a garage is scored as a burglary.* If the garage is left unlocked or open, the theft of the bike is still classified as a burglary. Likewise, a bicycle (or any other property) taken from an enclosed porch is scored as a burglary. Conversely, a bicycle (or any other property) taken from a shed of the kind commonly seen in backyards would be classified as a theft unless the metal shed is permanently affixed to a foundation, in which case the Deputy would score a burglary.

c. House trailers used as offices at construction sites are considered permanent structures and; therefore, unlawful entries to such are classified as a burglary.

(2) Appurtenances to dwellings (carports, open porches, etc.) are not considered to be structures. Consequently, stealing from an appurtenance to a dwelling is not classified as a burglary, it is a theft.

(3) Under certain circumstances, forced entry to a building should not be scored as a burglary. Example: A forced entry is made to a school. Nothing is reported missing. No attempt has been made to enter the vault. Paper, ink and other materials have been strewn about. This would be classified as criminal damage to property or vandalism.

(4) In cases of the burglary of rooms in lodging houses, motels, hotels, (anyplace where lodging transients is the main business) count one (1) offense regardless of the number of rooms entered on one (1) occasion (The "Hotel Rule"). Where an apartment house is burglarized, score one (1) offense for each apartment entered. Count one (1) offense for each suite of unrelated offices entered in a building.

(b) **Multiple Offenses.**

(1) When multiple offenses occur to the same owner, only one (1) Offense Report will be filled out. The Offense Report shall include all offenses committed during the incident. [Example, a burglary occurs during which the door is kicked open (criminal damage to property) money is taken (theft of moveable property) and the building is set on fire to hide the crime (arson).]

(2) When multiple offenses occur to different owners, even if they are committed by the same person at approximately the same time, this will require a single call for service showing the multiple victims. (Example: A car drives over several continuous lawns during one single event and the properties are adjacent to each other.)

(3) When similar offenses occur, the same suspect is involved and there is a substantial lapse of time between events, this shall require separate calls for service for each incident.

Sec. 5-4-2 Guidelines for Computing the Value of Property Stolen/Recovered.

PROCEDURE:

(a) Determining the value of property is often a difficult problem. It is essential that the investigating Deputy ascertain and include values in the preliminary report.

(b) Use fair market value for articles which are subject to depreciation because of wear, age or other factors which cause the value to decrease [instance, a pair of men's shoes purchased for Thirty Dollars ($30) three (3) years prior to their being stolen may only have a fair market value of Five Dollars ($5) at the time of theft].

(c) Use cost to the merchant for goods stolen from retail establishments, warehouses, etc. If the retail cost is used, a notation shall be made in the narrative.

(d) Use the victim's valuation for items such as jewelry, watches, etc., which decrease in value only slightly with use or age.

(e) Use replacement cost or actual cash cost to a victim for new or almost new clothes, auto accessories, bicycles, etc.

(f) Use professionally appraised value, if available, for collections of coins, stamps, art objects, antiques, etc.

(g) When the victim obviously exaggerates the value of stolen property, your own common sense and good judgment should dictate a fair value. In most cases, the victim's valuation can probably be accepted, subject to the above guidelines.

(h) Non-negotiable instruments such as travelers' checks, personal checks, money orders, stocks and bonds, etc. should be classified according to appropriate offense if stolen, but no value should be recorded.

(i) Negotiable instruments, such as bonds "payable to bearer", checks made out to cash (not endorsed), etc., capable of being passed without committing the offense of forgery, should be recorded at face value of fair market price at the time of theft.

(j) Recovered property may be in a condition other than when it was stolen, with a consequent decrease in value. Record the value at time of recovery.

(k) Recovered property, such as coins and art objects, may have increased in value from time of loss to time of recovery. Record the value at time of recovery.

(l) Restitution does not constitute "recovered" property.

Title 5 ▶ Chapter 5

Juvenile Records

Sec. 5-5-1 General Principles and Definitions
Sec. 5-5-2 Law Enforcement Juvenile Records

Sec. 5-5-1 General Principles and Definitions.

DEFINITIONS:

The following definitions and principles shall be applicable in this Chapter:

(a) **Authority.** Any Law Enforcement agency in Price County; Price County Health & Human Services; any office representing the interests of the public in Price County under Sec. 938.09, Wis. Stats.; any municipal court in Price County exercising jurisdiction under Sec. 938.17(2), Wis. Stats.; any person, office or social welfare agency providing legal defense, guardian ad litem, investigative, intake, assessment or dispositional services (including information dispositions and consent decrees) for children or other subject to the jurisdiction of the Price County Juvenile court.

(b) **Balancing of Interest.**

(1) It is not uncommon that one party's interest in having a record disclosed is opposed by another party's interest in having the record remain confidential. The statutes do not; however, provide much guidance as to how the decision whether to disclose should be made. In general, this decision is left to the discretion of the custodian of the record or the juvenile court judge.

(2) The Wisconsin Supreme Court has provided some guidance in the *Herget* decision which has been codified in Sec. 48.396(5), Wis. Stats. While the use of these criteria is limited to access to Law Enforcement records in connection with civil litigation, they are useful in other disclosure situations. While the application of the criteria are not required by law in those other situations, these policies adapt and apply them, whenever possible, in order to meet the Judge's interpretation of the intent of the law.

(c) **Confidentiality.**

(1) This means that a record or other communication may not be disclosed to a person or entity which is not authorized by law to see or hear it. It is not a right; a person may neither claim nor waive confidentiality. Rather, it is a status which is controlled by statute.

(2) A related concept is "continuing confidentiality". This means that the lawful disclosure of a confidential item to a third party does not result in the item losing its confidential status. The person who received the confidential item may not further disclose the item unless authorized by law to do so. The only exception

to this rule is when the authorized use of the confidential item results in lawful public disclosure, e.g., a person's juvenile court record contained in an adult pre-sentence report, or a civil action filed by a victim of a juvenile offenders' act.

(d) **Confidential Record.** A record which may not be disclosed, except by an appropriate court order, through a statutorily authorized exchange which assures the continuing confidentiality of the record, or by a person exercising a statutorily authorized privilege.

(e) **County Department.** Price County Health & Human Services.

(f) **Court.** The circuit court assigned to exercise jurisdiction under Chs. 48.13 or 938, Wis. Stats.

(g) **Juvenile Court Record.** All records under the control of the Clerk of Court pursuant to sec. 59.40, Wis. Stats., any record made pursuant to juvenile court order (including, but not limited to, examinations under Sec. 938.295, Wis. Stats., consent decrees under Sec. 938.32, Wis. Stats., court reports under Sec. 938.33, Wis. Stats., and dispositional records) and records of intake relating to custody intake under Sec. 938.20(3), Wis. Stats., and referrals made pursuant to Sec. 938.24, Wis. Stats.

(h) **Law Enforcement Record.** Any record under the direct control of a Law Enforcement agency.

(i) **Mental Health Record.** Any record which is subject to the provisions of Sec. 51.30, Wis. Stats., or 42 C.F.R. Part 2.

(j) **Open (or Public) Records Law.** Wisconsin has a relatively strong public policy assuring the public's right to access and have disclosed "information regarding the affairs of government and the official acts of those Deputies and employees who represent them" (Sec. 19.31, Wis. Stats.). The public's right in this regard is absolute, "except as otherwise provided by law" (Sec. 19.35, Wis. Stats.). Thus, confidentiality required by statute takes precedence over the public's right of access.

(k) **Privilege.**

(1) This concept extends the right to privacy to certain communications which otherwise may be lawfully admitted into evidence at a trial. The individual possessing the privilege has the right to refuse to disclose and to prevent any other person from disclosing certain confidential communications, and in the converse, must formally approve such disclosure. Generally, those communications between a person and his/her lawyer, physician, nurse, chiropractor, psychologist, spouse and clergyperson are privileged. Privilege is not absolute; however. The Wisconsin rule of privilege and exceptions to the rule are detailed in Ch. 905, Wis. Stats. Two privileges for students are provided in Secs. 118.126 and 885.205, Wis. Stats.; however, the former is limited. Only those privileges specifically stated in state statute are recognized in Wisconsin; Wisconsin does not recognize common law privileges (*Davidson v. St. Paul & Marine Ins. Co.,* 75 Wis. 2d 190).

(2) Communications made to social workers, juvenile court intake workers, and dispositional staff is not privileged.

(l) **Privileged Record.** A confidential record which may be disclosed or prevented from being disclosed by an individual who may claim a statutory authorized right to take either action.

(m) **Record.** Any material on which written, drawn, printed, spoken, visual or electromagnetic information relating to a juvenile is recorded or preserved, regardless of physical form or characteristics which has been created or is being kept by an authority, but does not include notes prepared for personal use by the creator of the record, information relating to a juvenile within the exclusive jurisdiction of a court which does not exercise jurisdiction under Chs. 48 or 938, or as otherwise excepted by these policies.

(n) **Reporters of News.** Any person employed by an organization regularly disseminated news to the public.

(o) **Reporting Act Record.** Any document relating to the investigation, assessment and determination of a child abuse or neglect report made pursuant to Sec. 48.981(3), Wis. Stats., and subject to the provisions of Sec. 48.981(7), Wis. Stats.

(p) **Right to Privacy.** In its most simple form, the right to privacy means that each citizen has the right to be let alone and free from government intrusion into his/her private life except as specifically provided by law. In Wisconsin, this right is recognized by statue (Sec. 995.50, Wis. Stats.).

(q) **Human Services Record.** Any record under the direct control of Price County Health & Human Services or of a social welfare agency providing services to either the county department or the juvenile court containing information about an individual who has been referred to or is receiving services from either the county department or agency. Social Services records affected by this policy are those that are related to Chs. 48 or 938, Wis. Stats.

(r) **Social Welfare Agency.** Any agency or facility licensed or authorized under Chs. 48 or 938, Wis. Stats., any agency or organization providing social or diagnostic services to the juvenile court or the county department, any other human services agency formally recognized by the juvenile court.

COMMENTARY:

It is declared policy in Wisconsin that the public shall have complete access to all governmental records, including those of the state's circuit courts. Denial of public access is the exception. This policy is consistent with our form of government and deserves the vigorous support of all government officials.

The legislature has created and maintained a limited number of exceptions to this general policy of complete public access. Most public records concerning children have historically been shielded from public view. While limited public access is occasionally permitted, the general public policy has been to keep these records confidential with disclosure being the exception. In upholding the Legislature's decision to close Law Enforcement, social agency and court records relating to children, the Wisconsin Supreme Court set forth a clear rationale for this relatively exceptional policy.

Confidentiality is essential to the goal of rehabilitation, which is in turn the major purpose of the separate juvenile justice system. In theory, the role of the juvenile court is not to determine guild or to assign fault, but to diagnose the cause of the child's problems and help resolve those problems. The juvenile court operates on a "family" rather than a "due process" model. Confidentiality is promised to encourage the juvenile, parents, social workers and others to furnish information which they may not otherwise disclose in an admittedly adversary or open proceeding. Confidentiality also reduces the stigma to the youth resulting from a misdeed, an arrest record and juvenile court adjudication.

State ex rel. Herget v. Waukesha County Circuit Court
84 Wis. 2d 435, 267 N.W.2d 309, 316 (1978)

The Children's Code and related statutes specifically provide for the confidentiality of certain sets of records, but with few exceptions do not define in any clear way what these sets of records include.

Prior to the creation of the Children's Code in 1955, not all of the records relating to juveniles were confidential. Law Enforcement records, for example, were open while the juvenile court record, which contained much the same information as the Law Enforcement record, was closed. According to the legislative history of 1955 Children's Code revision (which required confidentiality much as we know it today), "[t]he result is that in some cases the purpose of requiring the other records to be closed is lost. (1955 Wisconsin Legislative Council, Vol VI, Part I, Conclusions and Recommendations of the Child Welfare Committee, p. 29).

While the legislature has declined to specifically define, for example, a "court record" or a "social services record," it has since 1955 continued to recognize these separate sets of records. Sec. 938.396, Wis. Stats., addresses both "peach Deputy's" records and "court" records; Sec. 938.78, Wis. Stats., addresses "agency" records, which includes the records of a county department. Therefore, courts must provide the necessary meanings so as to allow the statutes to operate in a meaningful, coherent fashion as intended by the legislature.

Three principles guided the development of the definitions detailed above. First, the general rule in the juvenile court and social services systems is that records relating to children are confidential, that is, their contents shall not be disclosed without court order. Disclosure without court order is the exception and should occur infrequently, either through a statutorily authorized exchange, when an individual exercises a statutory authorized privilege, or when permitted by court policy.

Second, there must be a legitimate distinction between types of records if the words of the statutes are to be given meaning. For example, if all the court's records, e.g. petitions, findings and orders, are replicated in the child's social services record and subject to exchange under Sec. 938.78, Wis. Stats., does not the court lose control over the disclosure of its records, in effect obviating the legislative intent of Sec. 938.396(2), Wis. Stats., in much the same manner as was the case the Law Enforcement records prior to 1955? The presumption must be that most of the records in a juvenile's case, from intake through termination of the case, are court records [see *State ex rel. S.M.O. v. Resheske,* 110 Wis.2d 447, 453 (CA 1982)]. The court is aware that this principle could create a few practical problems and has sought to achieve a consensus of definition among effected agencies.

Third, a record could meet more than one definition at any given point in time. This is to be expected given the near impossibility of physically re-classifying each record within each agency each time the record moves through different agencies and parts of the system. The specific policies on access and disclosure which follow will define the hierarchy of records and the appropriate procedures to be utilized in any given instance.

Sec. 5-5-2 Law Enforcement Juvenile Records.

POLICY:

(a) **Maintenance and Access.** The juvenile records of the Sheriff's Office shall be kept separate from those of adults and shall be confidential. Access to and disclosure of such records shall only be made upon written

order of the juvenile court, except as follows [Sec. 938.396(1), Wis. Stats.:] All requests and orders for records under Subsections (a)(2) and (3) below must be entered and maintained in the subject's Law Enforcement file. Releases of information under Subsections (a)(5) and (6) below, and the name of the individual to whom it was released, must be noted in the subject's file. Such requests for information shall be in writing.

(1) ***Parents, guardians, Legal Guardians or Juveniles Age 14 or Over.***

a. Upon request of parent, guardian or legal custodian or juvenile age fourteen (14) or over, a copy of the Law Enforcement report may be given to them, subject to official agency policy. [Sec. 938.396(1)(b), Wis. Stats.]
b. Upon written permission of the parent, guardian, legal custodian or juvenile, age fourteen (14) or over, specifically identified reports may be made available to the person named in the permission, subject to official agency policy. [Sec. 938.396(1)(c)(2), Wis. Stats.]
c. If a Law Enforcement agency discloses information, it must immediately notify the juvenile who is the subject of the record and the juvenile's parent, guardian or legal custodian and shall immediately provide to them the information disclosed.

(2) ***Reporters of News.*** Reporters of news shall have access without court order, but shall not reveal the identity of the child involved. There is not an absolute prohibition regarding the publication of a child's identity if that information is received from a private source. It is hoped that the media will continue to respect the policy of non-identification in the interest of children and families.

(3) ***Prosecutors.*** The appropriate representative of the public under Sec. 938.09, Wis. Stats. (most commonly, but not limited to, the District Attorney or corporation counsel), shall be given all records necessary for the prosecution of all cases under Chs. 48 and 938, Wis. Stats., and shall be given specified records in response to a request for discovery under Sec. 938.293, Wis. Stats. The identity of a confidential informant may be withheld as provided in Sec. 905.10, Wis. Stats. Discovery requests made to Law Enforcement by a party to their counsel should be denied and referred to the prosecutor. Law Enforcement officials must comply with discovery orders issued by the court.

(4) ***Victims.***

a. Victim Witness Coordinators have access to Law Enforcement records under Sec. 398.396(2g)(f), Wis. Stats.
b. Victims can request information on injury, loss or damage, including name and address of the juvenile and parents. [Sec. 938.396(1)(c)5, Wis. Stats.].
c. A victim's insurer may request information on injury, loss or damages, including name and address of the juvenile and parents, if the juvenile fails to make court ordered restitution within one (1) year after the order is entered. [Sec. 938.396(1)(c)7, Wis. Stats.].
d. The judge of the juvenile court may order the disclosure of specified records for use in a civil action against a child or his/her parents under Sec. 938.396(2g)(d)(d), Wis. Stats. In such an instance, disclosure I limited to those specific records or portions thereof specified in the court's order and shall be transmitted in a manner which assures the continued confidentiality of the records.

(5) ***School Officials.*** School districts can request information from Law Enforcement records relating to the act for which a juvenile enrolled in the public school district as adjudged delinquent. [Sec. 938.396(1)(b)2, Wis. Stats.] School use is limited by Sec. 118.127, Wis. Stats. Information contained in a record concerning a student of a public or private school may, at the Sheriff's Office's discretion, be given to the designated custodian of the records of the school attended by the student, but only if the department is assured that the confidentiality of the information will be absolutely maintained by the school official receiving it and used only for those specific purposes agreed to by the department and the school. Such information in the school file must be marked confidential and retains its Law Enforcement record status.

For further information the following excerpt is taken from "Confidentiality and Juvenile Records" by Peter Plant, Juris Press 1987, pg 12-13:

> "This issue has been the subject of two Attorney General's Opinions. The first, 69 OAG 179, was issued in 1980. After stating that a juvenile Deputy is not required to provide this information, the Attorney General held that a school could theoretically use the information to take disciplinary action against the student, but only "if the confidentiality of that information is properly preserved by school officials." However, since it is highly unlikely that such information could be used without disclosing it to persons not authorized to receive it, the circumstances which would allow its use are very limited since most major disciplinary actions are subject to hearing and review procedures involving many other officials. The Attorney General cautioned Law Enforcement officials not to disclose such information "when there is reason to believe that the information sought will not or could not practically be kept confidential" as required by law. If the office or agency does provide the information, it may only be used for purposes previously agreed to by the Deputy or agency."
>
> "A more recent Opinion (OAG 30-87; June 12, 1987) has expanded on the one described above. In this instance, the questions posed by school officials related to whether information received from Law Enforcement could be used for both disciplinary and referral purposes. The Attorney General's view was emphatically stated:
>
>> In my opinion, a school cannot use confidential information obtained from Law Enforcement to require students, under the threat of expulsion, to participate in group or individual counseling nor can the school use such information to suspend or expel students.
>
> "The information may be used to refer the student to helping services, but only if the student consents to the referral."
>
> "The 1980 Opinion recommended that if school officials wished to use the information for any purpose which may result in further disclosure, they should request a court order from the juvenile court judge to do so. This authority had been provided for in Sec. 938.396(1), Wis. Stats. A technical amendment to 1987 Wisconsin Act 27 (the budget bill), however, inadvertently repealed this authority. As presently written, the statute now only allows the juvenile court judge to order disclosure of Law Enforcement records pursuant to request for discovery (Sec. 938.293, Wis. Stats.), and from the victims of the juvenile's acts [938.396(2g)(d)(d), Wis. Stats.]. Although this repeal does not appear to be intentional, it is nevertheless law until changed. Thus, the historical option available to all others, including school officials, to access these records no longer exists."

(6) ***Other Agencies.*** The Sheriff's Office may choose to share its records, portions thereof or information contained in a record with other Law Enforcement agencies, the County Social Services Department or other social welfare agencies the department recognizes, but only if the department is assured that the confidentiality of the record or information will be maintained by the party receiving it.

NOTE: Child abuse or neglect Law Enforcement records are controlled by Sec. 48.396(1), Wis. Stats.

(b) **Denial of Access.** Any request for a record or information which does not come within one of the exceptions above shall not be granted, even if the requesting party presents a waiver of confidentiality for the record signed by the juvenile subject or parent. The department shall respond that state law prohibits a response to the inquiry (56 OAG 211) and that the requesting party or the juvenile subject agreeing to disclosure may wish

to contact the juvenile court for further information or assistance in obtaining a court order for access and disclosure.

Any party denied access under Subsection (a)(4) or (5) above may seek a court order for access.

(c) **Notice of Continuing Confidentiality.** Any person receiving a record whether by exception or court order shall be given notice that the record or information disclosed continues to be a department record and shall be kept confidential and used only for purposes authorized by statute or approved by the court. A reporter of news who discloses the identity of a juvenile may be subject to Sec. 939.61, Wis. Stats.; any other person disclosing such records or information without lawful authority may be subject to contempt of court or other civil action.

The notice provision of this Subsection does not apply to Law Enforcement agencies, employees of the County Human Services Department, representatives of the public under Sec. 938.09, Wis. Stats., or counsel or guardian ad litem for the child or parent, who are presumed to know and comply with the confidentiality provisions of Wisconsin law.

(d) **Records Excepted.** This policy does not apply to records relating to an offense or incident for which the child has been waived to the criminal courts under Sec. 938.18, Wis. Stats.; certain civil law and ordinance matters subject to adult court jurisdiction under Sec. 938.17(1) or (3), Wis. Stats.; or references to children who are not the subject of any formal or informal action under Chs. 48 or 938, Wis. Stats., e.g., a witness, passenger in a vehicle, or a bystander.

Title 5 ▶ Chapter 6

Mobile Video/Audio Recording Equipment

Sec. 5-6-1 Mobile Video/Audio Recording Equipment

Sec. 5-6-1 Mobile Video/Audio Recording Equipment.

POLICY:

Mobile video/audio recording equipment has been installed in the department vehicles to aid Deputies in their daily enforcement activities. The recording equipment may be used for a variety of purposes, which may include the field training of new Deputies, supplementing and supporting written reports, and the collection of evidence. All video and audio recordings remain the property of the Price County Sheriff's Office.

PROCEDURE:

(a) Only mobile video recording equipment authorized and approved by the Sheriff or Chief Deputy shall be installed in department vehicles. Likewise, any alteration in the original installation or location of the equipment shall only be done upon authorization and approval of the Sheriff or Chief Deputy.

(b) Deputies shall make video/audio recordings of all traffic stops, pursuits, and all other enforcement activities, (i.e., criminal interdiction, motorist assists, crashes, emergency vehicle operation, etc.). Deputies shall only make video/audio recordings for Law Enforcement purposes. Video/audio recordings of any matter not directly related to Law Enforcement purposes shall be made only upon the approval of a supervisor.

(c) The Deputy shall be responsible for reading, comprehending, and making proper application of the information in the manufacturer's reference manual.

(d) The Deputy shall make a daily inspection of the equipment at the beginning of his/her duty shift. The equipment shall be ready to record at any time during his/her duty shift. The Deputy shall immediately report any equipment problems to supervisory personnel in accordance with department guidelines.

(e) The Deputy shall maintain and operate the mobile recording equipment in accordance with the manufacturer's specifications. The Deputy shall take precautions to prevent damage to such equipment, especially with respect to the high or low temperatures within department vehicles.

(f) The audio transmitter shall be activated when the system is in recording mode. Deputies are under no requirement to announce that the video/audio equipment is in use. However; if asked whether the device is recording the Deputy shall provide an honest response. The Deputy shall be particularly aware of the legal requirements relative to the recording of conversations. Pre-interrogation warnings of detained individuals shall be administered if appropriate.

(g) An electronic storage device will be issued to all Deputies for use in the mobile video/audio equipment. The contents of the electronic storage device shall be downloaded to the information system at the conclusion of the Deputy's shift. Only electronic storage devices issued and approved by this department shall be utilized.

(h) Downloaded video/audio files from the electronic storage device shall only be viewed:

(1) By involved Deputies to permit accurate written documentation relative to the person or incident.

(2) By supervisory personnel.

(3) By the prosecuting attorney in preparation for, or before a court proceeding.

(4) By defense attorneys with the approval of the prosecutor, or upon filing of a subpoena or motion to disclose the evidence.

(5) By requests made pursuant to the open records law.

(6) For officer safety and training purposes within the department.

(i) Duplication or release of electronic video/audio files shall only be done upon authorization of the Sheriff or Chief Deputy.

(j) Deputies shall provide documentation in all incident reports that an electronic video/audio recording was made of the event or person. The electronic file of the video/audio recording shall be attached to the case file record in the information system.

Title 5 ▶ Chapter 7

Release of Information

Sec. 5-7-1 Request for Information/Release of Information
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Sec. 5-7-1 Request for Information/Release of Information.

POLICY:

The Price County Sheriff's Office recognizes that the public has a compelling interest in the inspection of public documents and records and in the release of information dealing with Law Enforcement activities. Only if there is a countervailing interest of the same or greater magnitude will anyone be denied information or the opportunity to inspect public documents.

PROCEDURE:

Information released shall only be true information received by the department. Employees releasing information shall refrain from adding information that could be construed as being opinion or gossip. A request form shall be completed for accuracy purposes.

Under no circumstances will information provided to the department by another agency or jurisdiction by commented upon or released by department members.

COMMENTARY:

The news media and members of the general public often direct inquiries to the department seeking information on a variety of subjects. While it is the desire of the department to fulfill such requests, it is not always possible to do so. The decision to release information or to grant interviews shall be determined on a case-by-case basis.

Section 19.21, Wis. Stats., states that any person may, with proper care, during office hours and subject to such orders or reasonable regulations as the custodian thereof prescribes, examine or copy any property or things in the legal possession or control of each and every Deputy of any governmental unit and his deputies. The statute also provides that any person may, at his own expense and under such reasonable regulations as the custodian prescribes, copy or duplicate any materials, including, but not limited to, blueprints, slides, photographs and drawings.

This statute was construed and applied to Law Enforcement agencies in *Beckon v. Emery*, 36 Wis. 2d 510 (1967), where a balancing test was established. The test is that the public interest favors public inspection, but if the requested disclosure would do more harm to the public interest, the request may be reasonably denied. (See special memoranda no. 49 and no. 50, Office of Attorney General, *Wisconsin Law Enforcement Bulletin*, November 15 and December 15, 1967. Both the statute and the Attorney General's decisions established the policy that the public has a right to know, absent exceptional circumstances. The policy legitimately extends to all publically held information, regardless of whether it has been reduced to written form.

Sec. 5-7-2 Release of Information Pertaining to an Arrest or Prosecution.

PROCEDURE:

(a) The following information about an arrest will be released upon request:

(1) The arrested person's name, age, residence, employment, marital status and similar background information.

(2) Information summarizing the offense or charge.

(3) The circumstances immediately surrounding the arrest, including the time and place of the arrest, resistance, if any, possession of weapons, the use of force and a description of items seized at the time of the arrest.

(b) The following information will *not* be released:

(1) Observations about an arrested person's character, criminal or arrest record, criminal involvement or guilt.

(2) Statements concerning the identity, credibility or testimony of prospective witnesses.

(3) Statements concerning evidence or argument in the case regardless of whether it is anticipated that such evidence or argument will be used at trial.

(4) Comments about whether an arrested person has made an admission or confession or given an alibi or about any other thing that may be used against him/her at a subsequent trial.

(5) Statements of any kind made by an arrested person.

(6) Anything in which investigation is pending.

(c) Information that may be released under certain circumstances:

(1) Information about evidence or witnesses will be released if authorized by the district attorney or at the trial court.

(2) The names of victims of criminal acts will be released unless such information will endanger the individual's safety, hamper further investigation, is contrary to law or a reasonable effort to notify the deceased victim's next of kin has not been made.

(d) Reports may be copies at the expense of the person making the request so long as restricted information is blocked out.

COMMENTARY:

This set of procedures attempts to balance the public's right to know about criminal activity in the community of other Law Enforcement events with the arrested person's right to a fair trial free from undue publicity and to promote the protection of the rights of the victim. In *Newspapers, Inc., et al. v. Breier* (Might 30, 1979), No. 76-274, it was decided that daily arrest records must be made available for routine inspection so the press and members of the public could ascertain the charge for which a person was arrested.

Sec. 5-7-3 Criminal Investigations and Investigative Techniques.

POLICY:

The department will deny access to or release of information if the information would harm an ongoing investigation or the department's investigative methods.

PROCEDURE:

Access to or release of information may be granted as soon as it would no longer be harmful to the ongoing investigation or person and if it is not prohibited by another provision of this policy.

COMMENTARY:

The effectiveness of investigative techniques and their value are decreased if current or potential lawbreakers are forewarned of their nature. Unless there is a substantial and lawful purpose, access to or release of evidentiary information relating to fingerprinting, polygraphed examinations, blood alcohol tests, firearms examination, other laboratory procedures, surveillances, the use of information, alarms and timetables for transactions or transportation of valuables and persons shall be denied.

Sec. 5-7-4 Privacy Considerations and Release of Information.

POLICY:

Information based on rumor or hearsay which would harm the reputation of any person or group in the community will not be released.

PROCEDURE:

(a) Unless there is a specific purpose, the names of persons merely suspected of a crime will not be released.

(b) The identity of complainants, informants or victims will not be released where it will hamper investigations, endanger a person's safety or is contrary to law.

(c) Statements, comments or observations about the character of fellow Deputies or Supervisory or command personnel will not be made.

(d) Any request for a background check on a person, not a juvenile by any member of the public not in conflict with sections (a), (b), and (c) about shall be granted.

COMMENTARY:

This policy and associated procedures balance the individual's right to privacy and continued enjoyment of his/her reputation with the obligation of the department to disclose.

Sec. 5-7-5 Illegal Purpose.

POLICY:

If department personnel have reasonable cause to believe that the access to or release of information sought will be used for illegal purposes, such as, but not limited to, identity theft, fraud, misappropriation of personal property, access to or release of the information in question will be denied.

COMMENTARY:

This policy is particularly aimed at preventing tampering with witnesses and evidence and the protection of the safety of persons giving information to the department.

Sec. 5-7-6 Juvenile Records.

POLICY:

The department will deny requests for inspection of juvenile records, except to representatives of the news media who wish to obtain information for the purpose of reporting news without revealing the identity of the child involved. Information on juveniles may only be exchanged between Law Enforcement agencies, social service agencies and the school which the juvenile attends. Requests for inspection of juvenile records will not be denied if

the offense involved is a traffic violation. Pursuant to Sec. 938.396(1j), Wis. Stats., juvenile information shall be released to the parent(s) having custody or to the juvenile should the juvenile be fourteen (14) years of age or older.

COMMENTARY:

This Section is based on Sec. 48.396(1) through 48.396(6), inclusive of the Revised Wisconsin Children's Code, Wis. Stats. Under the Code, juveniles aged sixteen (16) and seventeen (17) who are handled in criminal and civil courts for certain violations are not subject to this privilege and their names may be released.

Cross-Referenced: Title 5, Chapter 5, Juvenile Records

Sec. 5-7-7 Harassment.

POLICY:

If it is reasonably clear that the party requesting access is using the request as a means of harassing the department or individual, witness harassment, or retaliation, the safety of the subject of the record requested, and the aforementioned is the sole reason for the request, his/her request shall be denied.

PROCEDURE:

If access is denied, the party shall be informed of the reason for the denial, but it will not be necessary to do so in writing. Should the request be presented in writing, the response shall be in writing pursuant to Sec. 19.35(4)(b), Wis. Stats.

COMMENTARY:

Harassment occurs if repeated requests are made having the primary purpose of annoying or impeding the functions of the department. The request will be denied only if it is reasonably clear that harassment is the sole basis for the request.

Sec. 5-7-8 Telephone Requests for Information.

POLICY:

It is the policy of the Price County Sheriff's Office to comply with all lawful information requests. It is also the responsibility of this department to maintain the confidentiality of its records. To this end, telephonic requests for information will not be honored when the request involves information to which the requestor is not legally entitled to receive, such as protected juvenile records. Telephonic requests for information shall be honored if the information is available, the request does not involve on-going criminal investigations, and the person receiving the requests has access to the information.

Criminal or investigative information shall only be released to another Law Enforcement agency over the telephone when that agency is recognized by the department member receiving the call.

PROCEDURE:

In such cases, the person making the request will be asked to do so in person by coming to the department during normal working hours. Requests for information involving on-going criminal investigations, other than as is required to be available to the Media, shall be referred to the Office of the District Attorney.

COMMENTARY:

Requiring persons seeking access to information to appear personally helps insure that information is accurately understood.

Sec. 5-7-9 Administrative Restrictions on the Release of Information.

POLICY:

Administrative convenience may require temporary restrictions on access to information.

PROCEDURE:

(a) In such cases, the individual requesting information will be informed when the information may be obtained. The delay in such a case may not be so great as to effectively preclude the use of the information in question.

(b) Except for emergency matters and pending litigation, requests for information will be handled at the department's earliest convenience on a first-come, first-served basis.

COMMENTARY:

This Section establishes the answer to the request for information which comes at a time when all departmental personnel are engaged in other activities and it would be extremely inconvenient to immediately fulfill the request. For example, a researcher requesting a detailed breakdown of crime statistics who first appears at the department on a Friday evening may be asked to return on Monday morning, or to set up some other appointment.

Sec. 5-7-10 Release of Information by Permission of the Sheriff Only.

POLICY:

Since the Sheriff bears the full responsibility for the lawful and orderly operation of the Price County Sheriff's Office, information relating to policy and procedure, interdepartmental communications, budget requests, logistics, plans, personnel matters and photographs will only be released by the Sheriff and his/her authorized designee.

PROCEDURE:

Furthermore, information relating to cases which may involve potential civil liability for the department should be withheld until review and approval has been obtained from the department legal counsel. If there is reason to believe a request involves information which concerns potential liability of the department, the person making the request should be referred to the Sheriff.

COMMENTARY:

This Subsection seeks to insure the accuracy of information released dealing with department-wide matters. It prohibits members of the agency from releasing such information without prior approval of the Sheriff. Furthermore, the procedural section deals with the possibility of potential county liability, in which case legal advice should first be obtained from the appropriate legal counsel.

Sec. 5-7-11 Responsibility of Deputies to Supply Information.

POLICY:

A Deputy should appropriately answer questions put to him/her or refer the person to the proper individual or agency for such answers.

COMMENTARY:

Frequently, due to public expectations and because of his or her accessibility, a Deputy is called upon to supply information both released and unrelated to the Law Enforcement function. It is through these contacts with the public that the Deputy has a good opportunity to positively influence the public's reaction toward the department and to enhance the image of Law Enforcement.

Sec. 5-7-12 Inspection Requests - Denial.

POLICY:

(a) If any of the grounds for denial of a request listed in this policy are present and applicable, the request will be denied. Reasons for the denial will be given in a courteous manner.

(b) If a member feels there are valid reasons for denying a request, but they are not present in this policy, the request will be forwarded to the Sheriff along with written recommendations by the member.

Sec. 5-7-13 Availability of Records.

POLICY:

The Sheriff is designated as the legal custodian of all departmental records. Inquiries about the availability of records may be made at the department during regular office hours. When records are legally available for public inspection, copies may be made per photocopy at the department's current rate.

Sec. 5-7-14 Administrative Reports.

POLICY:

(a) **Incident Reports** are *required* to be filed, on approved forms, for all crimes, violations and complaints received or observed by members of this department in the course of their duties, including traffic arrests.

(b) **Incident Reports** are *desired* on any matter which comes to the attention of any Deputy of this department which may later become the subject of an investigation or litigation, or which may, for a variety of reasons, be properly included in Sheriff's Office records.

(c) **Supplemental Reports** are *required* to be filed, on approved forms, for any action taken, information received, or disposition made on any matter for which an Incident Report has previously been prepared.

(d) **Inventory Reports** are *required* to be filed, on approved forms, on any item recovered, seized, impounded, or taken into the custody of any member of this department, in the course of duty, for any reasons whatsoever.

(e) **Traffic Accident Reports** are *required* to be filed, on form MV-4000, when a traffic accident is brought to the attention of any Deputy of this department.

(f) **Officer's Daily Activity Report.** All Deputies are *required* to file an Officer's Daily Activity Report which should be an accurate accounting of the Deputy's activity during the shift.

(g) **Open Door Reports.** Every open door that is found will require a case and filing of an open door report on the incident report.

(h) **Alarm Report.** Every alarm that is responded to within the County will require a case and an alarm report on the incident report.

(i) **Annual Report.** The Sheriff will provide the County Board with an Annual Report of the Sheriff's Office's activity.

Title 5 ▶ Chapter 8

TIME System

Sec. 5-8-1 Intent
Sec. 5-8-2 System Security
Sec. 5-8-3 Data Security

Sec. 5-8-1 Intent.

The rapid and efficient exchange of information between law enforcement agencies has been recognized as one of the major necessary elements of crime control and apprehension. Providing a central system for the collection and dissemination of information of mutual concern to law enforcement agencies represents a forward approach to solving a common problem. The TIME (Transaction Information for Management of Enforcement) System was implemented to address this problem.

In addition to rapid and efficient exchange of information, it is also essential that the information exchanged be accurate and complete. The TIME System is only the central repository for the information submitted by its contributors, who are responsible for the information entered, updated and canceled.

Subscribing agencies must also remember that data obtained from the TIME System may not be the property of the inquiring agency to release or disseminate to non-law enforcement agencies or personnel. Strict controls must be in place to ensure that improper or even unlawful release of information does not occur.

While a TIME System "hit" is not probable cause to arrest, it is one fact which must be added to other facts by the officer in arriving at sufficient legal grounds for probable cause to arrest. Information from the TIME System is also important in improving officer safety, and certain data fields are maintained solely for reasons of officer safety.

It is essential, therefore; that all TIME System data entries be complete and up-to-date and that strict control be maintained on data file entries, system access, information dissemination and operator training.

Sec. 5-8-2 System Security.

POLICY:

Each Price County Sheriff's Office employee is responsible for allowing only authorized personnel to operate the TIME terminal, and enforce system and data security. As a part of this responsibility each employee is responsible for insuring that the terminal is used for authorized and official messages only.

Sec. 5-8-3 Data Security.

POLICY:

Data stored in central repositories such as CIB (Crime Information Bureau) and NCIC (National Crime Information Center) files which are a part of the TIME System must be protected from unauthorized access and restricted to authorized Law Enforcement agencies. This department accesses TIME System files, but is not custodian of those records. Any request for release of records shall be made to the custodian of those records, (i.e. DOT, CIB) and not the user of those records.