

**CUSTODIAL INFORMANT POLICIES
DOCUMENTATION PROCEDURES
AUDIT PROCEDURES
TRAINING
CLASSIFICATION AND HOUSING PROCESSES**

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March 23, 2023



**ORANGE COUNTY
SHERIFF'S DEPARTMENT**

DOJ RECOMMENDATIONS – CUSTODIAL INFORMANTS



18. *“OCSD should **develop, train on, and implement a policy** requiring OCSD to maintain **comprehensive files on custodial informants**. The policy should require OCSD to maintain all custodial informant materials in the informant files, including all **previous instances** in which informants sought to assist law enforcement, **all benefits that the informants sought or received**, and all information related to informants’ reliability and credibility.”*

19. *“OCSD should **develop, train on, and implement a policy** requiring the agency to **regularly audit custodial informant files** to determine whether OCSD has **consistently updated** the files with required entries and materials. The policy should require that any errors revealed by the audits must be corrected **immediately**.”*

CUSTODY INTELLIGENCE UNIT (CIU)



- CIU was created in 2016 as the primary investigative unit for crimes within an OC Jail Facility. OCSD disbanded the Special Handling Unit.
- CIU and Classification were deliberately separate Details within Custody Operations to avoid investigations influencing classification decisions.
- CIU is comprised of a Sergeant, (6) Investigators, and (1) Investigative Assistant.
- On December 15th, 2022, OCSD further removed CIU from Custody Operations. The entire unit, including administrative staff, moved from Custody Operations to Investigations.
- CIU was physically relocated to Sheriff's Headquarters and is currently under the supervision of the Criminal Investigations Bureau Captain. CIU reports through a different chain of command.
- Classification and Housing Decisions remain within Custody Operations Command.
- All OCSD Informant handling falls under the Investigations Command.

CCOM 2800.1: INFORMANTS AND SOURCES OF INFORMATION



Revised and new references in Department Policy 608 for consistency

Department Members within the Custody Command shall defer to the CIU in any circumstance involving the use of Informants and Sources of Information within an OC Jail

The use of Informants and Sources of Information shall comply with Orange County Sheriff's Department Policy 608- Informants and Sources of Information

INFORMANT DEFINED



An Informant is any person who knowingly provides information to law enforcement related to another's criminal activity, whose motivations for doing so are other than that of an uninvolved witness, victim, or private citizen primarily acting through a sense of civic responsibility and who, as a general rule, but not necessarily, expects some form of benefit or advantage for himself, herself, or another person in return.

*No personnel assigned to Custody Operations shall handle informants.
(See Policy 608)*

INFORMANT CONSIDERATION AND BENEFITS



A benefit includes any consideration or advantage an Informant was offered, promised or received in exchange for information or testimony provided.

It includes a benefit for the Informant or a benefit for another person at the Informant's request.

TYPES OF INFORMANTS



- **Defendant Informant**
- **Paid Informant**
- **Accomplice Informant**
- **In-Custody Informant**

DEFENDANT INFORMANT



A Defendant Informant is an Informant who has a pending criminal matter, including probation and/or parole violations; or who awaits sentencing after conviction; or is serving a custodial sentence; or is on probation or parole. A Defendant Informant acts under the specific direction of law enforcement to secure information and/or may have been offered, promised, or provided a benefit or any type of consideration for the information he/she provides

PAID INFORMANT



A Paid Informant is an out of custody individual, excluding a Defendant Informant, who receives any form of consideration from law enforcement in return for information regarding criminal activity.

ACCOMPLICE INFORMANT



An Accomplice Informant is an Informant who has a pending criminal matter and provides information about one or more co-defendants in return for a benefit or consideration in the pending criminal matter.

IN-CUSTODY INFORMANT



An In-Custody Informant is “a person, other than a co-defendant, percipient witness, accomplice, or co-conspirator whose testimony is based upon statements made by the defendant while both the defendant and the Informant are held within a correctional institution.”

IN-CUSTODY INFORMANT-SCREENING



- Deputies in the jail are to refer the inmate's request/information to the Custody Intelligence Unit (CIU). The CIU Sergeant will evaluate the request based on safety, security and the credibility of the information to be provided. The Criminal Investigations Bureau Captain will consult with the Investigations Division Commander and Executive Command. **The Sheriff must approve the decision to utilize an Informant within the jail prior to the use of an Informant. In the event the Sheriff is unavailable, and approval is immediately required due to an exigent situation, then the Undersheriff may approve the use of the Informant. In that case, the Undersheriff must notify the Sheriff at the earliest possible opportunity.**
- If the information is determined to best benefit an OCSD investigative detail or outside agency, the CIU Sergeant will forward the information, once vetted, to the appropriate OCSD detail or outside agency.

IN-CUSTODY INFORMANT-SCREENING



- If the information is jail-related and it is determined CIU personnel should manage the Informant, CIU shall coordinate with the Orange County Informant Index (OCII) Coordinator to determine eligibility for consideration, in conjunction with OCDA's Cooperating Informant Review Committee (CIRC) approval, prior to using the Informant.
- In the event a new, unsigned Informant can provide information or assistance crucial to a quickly developing investigation, the Informant packet shall be completed as soon as practical. However, unit supervisor approval is required. An OCII card shall be submitted to the Orange County District Attorney's Office for all Informants.
- Any time an Informant is used in the jail, the Custody Intelligence Unit Supervisors will ensure the use of the Informant does not involve eliciting information from a person regarding any of his or her pending criminal case(s).

INFORMANT FILE



- Special Handling Unit was disbanded in 2016.
- The Special Handling Unit did not have proper expertise or training, and did not act with approval of the Sheriff.
- In 2016, CIU began documenting Informant files involving individuals inside of custody.
- Now, Informant files are consistent regardless of whether the person is acting as an informant for OCSD inside or outside of custody.

INFORMANT FILE



Informant files will contain the following information:

- Informant Cover Sheet
- Informant Checklist
- Signed Approval to Operate Informant
- Informant Personal History
- Signed Informant Admonishment
- Signed Informant Agreement
- Signed Paid Informant Admonishment (if applicable)
- Informant Compensation Record (if applicable)
- Informant Receipt of Payment (if applicable)
- Informant Update/ Yearly Audit

See Policy 608.2.1

INFORMANT FILE CONTINUED



- Informant Performance Record
- Copy of Informant's criminal history (CII / FBI / warrant checks)
- DMV printouts to include driver's license, driver history, and vehicle registration
- Informant's photograph and fingerprints (if applicable)
- Copy of Informant's arrest report (if applicable)
- Copy of the Orange County Informant Index card (DA-OCII). The original OCII card shall be forwarded to the Orange County District Attorney's OCII Coordinator at the first possible opportunity, but no later than 5 business days from the date the Informant Admonishment and Informant Agreement forms are signed by the Informant.

See Policy 608.2.1 and 608.8

INFORMANT FILE CONTINUED



- Informant Activity Log
- Reports resulting from the Informant's work (if applicable)
- Consideration Letter (if applicable)
- Current Jail Management System documents related to the Informant, including any Jail Incident Reports, Classification Review Forms, and any grievances directly related to the inmate's Informant status (if applicable).

SOURCE OF INFORMATION (SOI) DEFINED



A Source of Information (SOI) is an inmate who provides information to law enforcement regarding criminal activity, or any non-criminal activity related to jail security; but has not been directed to do so by law enforcement, and, upon providing such information, the inmate has not requested or been offered, nor received any benefit or consideration in return for the information. An SOI is not an Informant, a victim or potential suspect.

SOI PROTOCOLS



Every instance in which a deputy is contacted by a potential SOI, the following admonishment shall be read:



SOI ADMONISHMENT

Your disclosure of any information to me is voluntary and completely of your own free will.

You will not receive leniency as it pertains to your prior, current, or future cases.

You will not receive any special privileges or compensation.

Do you understand what I have read to you?

Do you still want to talk to me?

See Policy 608.2.2

SOI PROTOCOLS



Steps to follow when interacting with a potential SOI:

- Read admonishment.
- Document on an intra-departmental memo the admonishment was given and the inmate's response.
- The deputy will debrief the inmate and preliminarily vet the information.
- They shall notify their immediate supervisor and the Custody Intelligence Unit (CIU) Sergeant. The CIU Sergeant will begin the SOI documentation and approval process
- No deputy will obtain information from a potential SOI who requests a benefit after being read the above admonishment. The CIU Sergeant, in consultation with the Criminal Investigations Bureau Captain, will determine whether the person should be documented as an Informant.

See Policy 608.2.2

SOI PROTOCOLS (CONT'D)



- The designation of an inmate as an SOI shall be reviewed by the Criminal Investigations Bureau Captain and include consultation with the Orange County District Attorney's Office.
- If an SOI provides information regarding an exigent or quickly developing situation, staff may act upon the SOI's information to ensure the safety and security of a facility, staff, or inmates. Staff shall admonish the SOI and notify their immediate supervisor and the CIU Sergeant as soon as practical.
- Under no circumstances will a benefit be provided to an SOI.

SOI PROTOCOLS (CONT'D)



- All SOIs will be issued a Source Control Number (SCN) (Example: SCN23-001).
- The SCN is unique to the person. If the person is released their SOI file will be inactivated.
- All SOI files will be maintained by the CIU Sergeant. All information provided by the SOI and the outcome of any action taken shall be documented on an intra-departmental memo addressed to the CIU Sergeant. This memo will be kept in the SOI's file.
- A copy of any Department Reports generated because of information provided by the SOI will be maintained in the SOI file.
- If the SOI returns into custody, and again voluntarily provides information, the previous SOI file will be reactivated. Each time an SOI provides information the same admonishment, approval, and documentation process takes place.

REPEATING SOI



- A repeating SOI is an inmate who has voluntarily provided information a third time within the inmate's current incarceration period.
- If an inmate is a repeating SOI, the CIU Sergeant shall interview the inmate to determine if the inmate is seeking a benefit.
- The CIU Sergeant shall document this interview in an internal memorandum and include it in the SOI file.
- The CIB Captain's audit of the SOI file shall confirm the following:
 - ✓ the CIU Sergeant interviewed the repeating SOIs
 - ✓ the SOI file contains complete documentation
 - ✓ further action was taken (as necessary)

SOI WITH PRIOR OCII ENTRY



- If the SOI has a previous OCII entry, the SOI file will reflect the inmate's prior Informant status and handling law enforcement agency.
- The designation of an inmate as an SOI shall be reviewed by the Criminal Investigations Bureau Captain and include consultation with the Orange County District Attorney's Office.

SOI FILE



All SOI Files will contain the following information:

- SOI Cover Sheet
- SOI Approval Form
- SOI Quarterly Audit Form
- SOI's Booking Photograph
- Copy of SOI's criminal history (CII / FBI / warrant checks)

See Policy 608.2.3

SOI FILE CONTINUED



- Copy of the Orange County Sheriff's Department Source of Information Card. The original SOI card shall be forwarded to the Orange County District Attorney's Office upon creation of the SOI file, but no later than 5 business days from the date the SOI provides information.
- SOI Memo (to include admonishment)
- All reports resulting from the information provided by the SOI
- SOI Activity Log
- Current Jail Management System documents related to the SOI, including any Jail Incident Reports, Classification Review Forms, and any grievances directly related to the inmate's SOI status (if applicable).
- Retention for an SOI file is 99 years from the date of inactivation.

See Policy 608.2.2, 608.2.3, and 608.8

DISCOVERY



Evidence that goes towards negating a defendant's guilt, that would reduce a defendant's potential sentence, or evidence going to the credibility of a witness/SOI/Informant must be documented and provided to OCDA.

All SOI/Informant files must be accurate, complete, and contain any and all information that is considered a benefit, cases assisted with, and acts or information that would go towards credibility.

- SOIs and Informants may become witnesses in any criminal proceedings, regardless of their Informant/SOI status or involvement.
- The entire file can be discovered based the court's determination. (Redacted)



INTERNAL AUDIT PROCEDURES

INFORMANT AUDIT PROCEDURES



Audit of active Informants on a yearly basis by the Special Investigations Bureau (SIB) and Criminal Investigations Bureau (CIB) Captains.

- Created consistent Internal Audit Procedures for incarcerated Informants with those previously in place for out of custody Informants
- Unit supervisors shall obtain all updated material and information from Deputies/Investigators who manage the informants
- Unit supervisors shall review the material prior to the audit and sign the Informant Update Sheet
- Approved form and material shall be forwarded to the respective SIB/CIB Captains for approval
- Bureau Captains shall place update form and material into the Informant packet file

See Policy 608.10

INFORMANT AUDIT PROCEDURES



Information/action to be included in the yearly audit

- Updated copy of criminal history (CII/FBI/warrant checks)
- Updated copy of DMV inquiries to include driver's license, driving history and vehicle registration
- OCII Card Verification
- Informant Performance Record
- Informant Compensation Record and Receipt of Payment Form
- Copy of Letter(s) of Consideration, if appropriate
- New Informant photograph (if older than 2 years)
- New Informant Admonishment form (Informants active over 12 months)
- Supervisor's Annual Audit
- Updated jail management system documents (Jail informants only)
- Informant Update Form
- Note: These audits are also in addition to OCSD/OCDA annual audits

See Policy 608.10

SOI AUDIT PROCEDURES



Source of Information Audits

- SOI files of inmates currently in-custody audited on a quarterly basis by CIB Captain
- Upon an SOI's release from custody, a final audit to be completed
- Unit supervisor shall review the material in the file for completeness and thoroughness
- CIU supervisor and CIB Captain shall sign the SOI audit form
- Constitutional Policing Advisor and Assistant Sheriff of Investigations and Special Operations Command shall be notified of the completion of quarterly SOI audits
- NOTE: These audits are in addition to the OCSD/OCDA Annual Informant/SOI Joint Audits

SOI AUDIT PROCEDURES



Information/action to be included in the quarterly audit

- SOI Memo(s) (to include admonishment)
- All reports resulting from information provided by the SOI
- SOI Activity Log
- Updated Jail Management System documents related to the SOI, including any Jail Incident Reports, Classification Review Forms, and any grievances directly related to the inmate's SOI status (if applicable).
- If the inmate is a repeating SOI, the CIB Captain will ensure that the CIU Supervisor conducted an inmate interview and all resulting documentation is complete and accurate in accordance with Policy 608.2.2(6).
- SOI Quarterly Audit Forms
- Note: These audits are also in addition to OCSD/OCDA annual audits

SOI AUDIT PROCEDURES



<p align="center">SOUCE OF INFORMATION INDEX (SOI)</p> <p align="center"><i>This is strictly for OCDA notification of an SOI and not an Informant</i></p>	NAME:				
	CII:		FBI:		
	SS:		DL:		
	ALIASES:				
	DOB:		SEX:	PLACE:	
	DESCENT:	CMPLX:	HGT:	WGT:	
	EYES:		HAIR:		
	LAST KNOWN ADDRESS:				
	CITY:		PHONE:		
	INVESTIGATOR:			PHN #:	
DR# / JI #:					
DATE SUBMITTED:			SOI/CI CHECK:		

SOI AUDIT PROCEDURES



ORANGE COUNTY SHERIFF'S DEPARTMENT SOURCE OF INFORMATION (SOI) COVER SHEET

CASE AGENT _____ SCN _____

SECTION ONE

1. SOI COVER SHEET
2. SOI APPROVAL FORM
3. SOI AUDIT FORM

SECTION TWO

1. SOI BOOKING PHOTO
2. CII RECORD CHECKS
3. FBI RECORD CHECKS
4. COPY OF SOI INDEX CARD

SECTION THREE

1. REPORTS RESULTING FROM SOI'S INFORMATION
2. SOI MEMO

SECTION FOUR

1. SOI ACTIVITY LOG
2. JAIL MANAGEMENT SYSTEM PRINT OUTS (HOUSING INFO AND ANY CLASSIFICATION NOTES)

ORANGE COUNTY SHERIFF'S DEPARTMENT SOI APPROVAL

DEPUTY/INVESTIGATOR _____

DATE _____

SOURCE NAME: _____

DESCRIPTION: _____ DOB: _____

SEX: _____ RACE: _____ AGE: _____ HGT: _____ WGT: _____ HAIR: _____ EYES: _____

CURRENT IN-CUSTODY INFO: _____

CHARGES: _____ AGENCY: _____

WHAT INFORMATION IS PROPOSED?

ADDITIONAL INFORMATION (IF APPLICABLE):

PRIOR LAW ENFORCEMENT INFORMANT OR SOI: YES NO

AGENCY: _____ DATE: _____

APPROVED SOI FILE COMPLETE

DISAPPROVED (Explain Below)

REASON _____

UNIT SUPERVISOR: _____ DATE: _____

BUREAU CAPTAIN: _____ DATE: _____

SCN: _____

ORANGE COUNTY SHERIFF'S DEPARTMENT SOURCE OF INFORMATION QUARTERLY UPDATE

SCN: _____ SOURCE NAME: _____

File complete

Updated Jail Management System printouts included

Has SOI provided information on more than two occasions: Yes or No
(If yes, review for repeating SOI)

Reviewed to determine Informant Status (If applicable)

SOI Release date (If Applicable): _____

Misc Notes: _____

Deputy/Investigator: _____ Date: _____

Unit Supervisor: _____ Date: _____

Bureau Captain: _____ Date: _____

See Policy 608.11

RECURRING TRAINING



TRAINING



- **Department-wide Training:** In 2015, all sworn department employees were required to attend Brady Training.
- **Basic Academy:** Constitutional Rights and Informants
 - ❑ March, 2015—Originally titled *Function of District Attorney's Office-Brady Issues*
 - ❑ February, 2023—Renamed: Constitutional Rights: Brady, Informants, and Peace Officers
- **Jail Academy:** Policy and Procedures related to Custodial Informants and SOIs (Starting April 2023)
- **Briefing:** 52-Week Custody Briefing Training Cycle (each block is unique, CIU 1-2 blocks)
- **California Board of State and Community Corrections (BSCC):** Custodial Informants and Sources of Information Course. Submitted and pending approval by Standards and Training for Corrections (STC) (2-year cycle. Starting July 2023)

TRAINING (CONT'D)



- **Supervisor Training:** Custody Incident Management (CIM) Course (Each incoming group)
 - In 2018–Constitutional Rights and Supervisor Liability
 - In 2018–Investigating Jail Crimes and Informant/SOI Policy and Procedures
- **Policy 608:** Department-wide email notification regarding release of updated Policy 608 requiring employee acknowledgement. (March 22, 2023)
- **Policy 608 Training Bulletin:** Simultaneous release of corresponding 2-page Bulletin highlighting jail specific updates to policy and procedure. (March 22, 2023)

Basic Academy: Constitutional Rights and Informants



Constitutional Rights: Brady, Informants, and Peace Officers

Instructor: Mary Izadi, Constitutional Policing Advisor

Module goal: Students will receive an overview of law enforcement's obligations under Brady v. Maryland, Giglio v. United States, Massiah v. United States, 6th Amendment, and Informants.

Learning Objective #1: Understanding the scope of the Prosecution Team. The prosecutor's duty under Brady to disclose exculpatory material and peace officer legal and ethical obligations.

Learning Objective #2: The potential risks in criminal cases, POST certification, and liability where Informants are used and constitutional rights are not proactively protected.

Module total time: 2 hours

Topics Covered:

- Prosecution Team
 - Evidence
 - Law Enforcement's Ethical Mandate
- Case law and Statutory Law Overview
 - The Brady/Giglio Rule
 - Confidential Informants and In-Custody Informants
 - Massiah v. United States
 - Sixth Amendment
 - Perkins Operations
 - SB 2- CA POST De-Certification
 - Statutory Discovery Obligations

POLICY AND PROCEDURES FOR SOI AND CUSTODIAL INFORMANTS



Jail Academy Course (2 hour block):

- CIU
 - History
- CCOM 2800 – Custody Intelligence Unit (CIU)
 - CIU's responsibilities and the proper documentation, including CIU's exclusive role of managing Informants and Sources of Information within OCSD jail facilities
- Definitions
 - Informant
 - Source of Information
- Policy 608
 - Department member responsibilities related to Informants and SOIs.

POLICY AND PROCEDURES FOR SOI AND CUSTODIAL INFORMANTS



Proper Documentation

- SOI Admonishment read verbatim
- Emphasize vigilance in avoiding any implication to inmate that they will receive a benefit in exchange for information
- Internal Memo addressed to CIU Sergeant
- Gather and include all associated reports

Notification procedures

- Supervisor
- Facility Watch Commander
- Department Commander

Scenarios

- Discuss in a classroom environment
- Benefit examples



52-Week Custody Briefing Training Cycle



CIU presents 1-2 weeks of briefing training at regular intervals.*

Briefing topics include:

CIU Roles and Responsibilities

- SOI
- Informant
- Jail Crimes



*Next Scheduled Briefing Training Included in Binder.

CUSTODIAL INFORMANTS AND SOURCES OF INFORMATION COURSE



STC Approved Course* (4-hour block):

- CIU
 - History
- CCOM 2800 – Custody Intelligence Unit (CIU)
 - Discuss CIU’s responsibilities and the proper documentation and managing Informants and Sources of Information within OCSD jail facilities
 - CIU will assist with all in-custody operations within the Custody Operations Command. Department members within the Custody Command shall defer to CIU in any circumstance involving the use of Informants and Sources of Information within OC Jail
 - Discuss the importance of inter-divisional consultation and communication when it comes to Sources of Information or Informants
- Policy 608
 - Informant (Define)
 - Elaborate how Informant is different from Source of Information
 - What should be done if you are contacted by a person offering to be an Informant

*Submitted, pending approval.

CUSTODIAL INFORMANTS AND SOURCES OF INFORMATION COURSE



- Use of informants
 - Pros and Cons of SOIs and Informants
 - Explain how SOIs and Informants have assisted law enforcement in different situations
 - Explain liability and why it is so important to stay within policy when handling SOIs and Informants
- Define the different types of Informants
 - Discuss and identify
- Informants consideration and benefits
 - Provide examples
- Notification to Prosecution Team
 - Brady v. Maryland
- In-custody Informants
- Source of Information
 - Define
 - Elaborate how it is different from Informant
 - What should be done if you receive an offer from an inmate to be a Source of Information



CUSTODIAL INFORMANTS AND SOURCES OF INFORMATION COURSE



Proper Documentation

- Discuss proper documentation of Source of Information and Informants.
- Discuss necessary steps of documentation for SOIs
 - Write internal memo addressed to CIU Sergeant.
 - Ensure Source of Information admonishment is read verbatim and incorporated in the report.
 - Emphasize vigilance to avoid implying to inmate that they will receive a benefit in exchange for information
 - Gather and include all associated reports.

5th Amendment

- How it relates to SOIs and Informants

6th Amendment

- How it relates to SOIs and Informants



CUSTODIAL INFORMANTS AND SOURCES OF INFORMATION COURSE



☐ Brady v. Maryland

- Discuss the case law and subsequent constitutional requirements.
- Disclosing Potential Brady information to prosecution, understanding exculpatory and impeachment information.
- Policy 613.2
- Reviewing potential Brady Issues
- Notification of potential Brady information to OCDA
- Potential Brady information in Professional staff members' personnel records
- Massiah Rule



Custody Incident Management (CIM) Course (Supervisors)



Constitutional Rights of Inmates and Supervisor Liability

Instructor: Mary Izadi, Constitutional Policing Advisor

Module goal: Provide new and incoming Sergeants with an understanding of inmates' constitutional rights, the importance of ensuring those fundamental rights are protected, and the risks of liability if an inmate's constitutional rights are violated.

Module total time: 4 hours

Learning Objective #1: Although limited, what constitutional rights exist in a jail setting?

Learning Objective #2: What potential risks of liability are present for the department and/or the deputy if there is a violation of an inmate's constitutional rights?

Topics Covered:

- Constitutional Rights of Inmates
 - First Amendment
 - Fourth Amendment
 - Fifth Amendment
 - Sixth Amendment
 - Massiah Violation
 - Eighth/Fourteenth Amendment
 - Brady Considerations
- Supervisory Liability
 - When can a supervisor be liable?
 - How to protect inmates' constitutional rights?

Custody Incident Management (CIM) Course (Supervisors)



CIU

- History
- Policy
- CIU Responsibilities
- Informants
 - Defined
 - Consideration and Benefits
- Source of Information (SOI)
 - Defined
 - Protocols
- Scenarios
 - Discuss in a classroom environment
 - Benefit examples
- Notification procedures



OBJECTIVE CLASSIFICATION AND HOUSING

DOJ RECOMMENDATIONS –CLASSIFICATION/HOUSING



20. "...ensure that **classification and housing decisions** are, or continue to be, **based on objective factors** and made consistently across OCSD facilities."
21. "...should implement a systematic, **on-going audit process** of the **initial and reclassification custody and special population** assessments to ensure their reliability, accuracy, and compliance with OCSD classification policies and national generally accepted classification standards."
22. "...should implement a **systematic audit process** to ensure offenders are **housed** according to their **custody/risk assessments and any special population status(es)**, i.e., protective custody, disciplinary history, administrative segregation, medical needs, and mental health needs."
23. "...should **hold classification supervisors accountable** for the quality of their management of the accuracy, reliability, and integrity of the custody assessments and housing assignments."

CLASSIFICATION/HOUSING BASED ON OBJECTIVE FACTORS



2019

- OCSD adopted San Bernardino Sheriff's Department Objective Classification model
- More compliant with Title 15, Department Policy and Case Law
- DOJ reviewed OCSD's Classification System and closed the investigation in December, 2019

Classification and Housing Assessments Include:

1. Initial Classification Assessment: pre-screen, Inmate Classification Form (J-200), interview
2. Classification Matrix (J-202)
3. Facility Housing Tables (J-206) and Jail Management Systems
4. Classification Review (J-203)

Result: Objective, consistent and reliable classification and housing assessments for each inmate

CLASSIFICATION/HOUSING BASED ON OBJECTIVE FACTORS (CONT'D)



Each inmate is objectively screened and housed based on their individual factors including:

- ADA, medical, mental health considerations
- Arrest history, felony violence history and previous commitments
- Institutional behavior, escape history and safety concerns
- PREA Victimization and Abusiveness (including LGBTQI)
- Inmate's gang association or involvement
- Inmate comments to assist with proper classification

CLASSIFICATION/HOUSING BASED ON OBJECTIVE FACTORS (CONT'D)



Standardized, consistent, reliable and objective assessment

ORANGE COUNTY SHERIFF'S DEPARTMENT
Inmate Form



ORANGE COUNTY SHERIFF'S DEPARTMENT
Inmate Form



ORANGE COUNTY SHERIFF'S DEPARTMENT
Inmate Form



Inmate Information

Booking Number: OCN:
Inmate Name:
Current Housing: Date of Last Review:

Military Veteran Screening

Military Veteran?

Health and Mobility Screening

Inmate has impairments or medical conditions Inmate has mental, physical or development disabilities Receiving continuity of phase treatment

Health and Mobility: MI MIL

- Medical Housing
- ADA Inmate
- ADA Housing
- Mental Health Housing
- SVP/6600

Arrest History

PC3056 Misdemeanor Violent Felony (Current Charge)
 PC3454/3455 Felony
Total number of Arrests: Total in last 5 years: Age of First Arrest: Convictions for drugs/alcohol

- First Arrest
- Moderate (2-6)
- Extensive (7+)

Felony Violence History

Conviction for Violence Total Number in past 10 years: Exclusively violent history Any prior violence
Convictions:

- None
- Min (1 arr/conv)
- Moderate (2)
- Extensive (3+)

Previous State, County, And/Or Federal Commitments

Number of commitments to state youth authority, state/federal prison: Number of commitments to county prison 1170(h):

- None
- Min (1-2)
- Moderate (3-5)
- Extensive (6+)

What youth authority, prison, county/jail:

Institutional Behavior

County jail disciplines Prison disciplines Number of disciplines:

Reason for disciplines:

- Indeterminate SHU
- None
- Low Institutional Behavior
- High Institutional Behavior

Number of SHU terms:

Escape History

Any previous escapes, attempted escapes, walkaways Was force or fear used in the commission of the incident?

Escape History:

- None
- Moderate Escape Risk
- High Escape Risk

Safety Concerns

Any concerns requiring classification other than general population Inmate is confirmed gang dropout with protection needs
Safety Concerns: Inmate is not eligible for housing at:
 Staff Assaultive Protection Needs IRC CMJ CWJ TLF JAMF

Explain:

- None
- Staff Assaultive
- Protection Needs
- Indeterminate SHU

PREA Victimization and Abusiveness Screening

Age of the inmate is: Inmate's physical build is: Slight Medium Large

- Inmate has mental, physical or developmental disability Inmate has previously experienced sexual victimization
- Inmate has been previously incarcerated Inmate is a former victim of institutional rape within last 10 years
- Inmate has a history of predatory sexual behavior in custody within last 10 years Inmate has an extreme level of violent institutional behavior
- Inmate is confirmed or perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming Inmate has prior convictions for sex offenses against an adult or child

What is the inmate's perception of their own vulnerability as it relates to sexual harassment or sexual victimization?

Potential Victim

- None
- Potential Predator
- Known Predator
- Potential Victim
- Known Victim

Gang Association or Involvement

Any association or membership to a criminal street gang and/or STG Confirmed Classification Admission

Moniker:

Tattoos/Identifying Marks:

Gang Association:

- None
- Member
- Affiliate
- Dropout
- PC 186.22 Conviction

Inmate Comment

Is there anything else you would like to tell me that would assist me with classifying you?

SYSTEMATIC AUDIT PROCESS FOR CUSTODY/RISK ASSESSMENTS AND SPECIAL POPULATION STATUS(ES)



Specialty Housing Request

CCOM 1202.2:

- Inmates classified outside of General Population are considered Specialty Housing
- Every inmate requiring Specialty Housing shall have a Specialty Housing Request Form (J-201) or Classification Review form (J-203) completed
- Shall be reviewed and approved by a Classification Sergeant prior to housing the inmate; real-time audit
- Captured digitally within the OCSD ITRAC

ORANGE COUNTY SHERIFF DEPARTMENT
Specialty Housing Request
IRC

Inmate Information

Booking Number: [REDACTED] OCN: [REDACTED]
Inmate Name: [REDACTED]
Current Housing: IM-J -02-03-001 Date of Last View: 03-26-2022

Specialty Housing Justification

Findings/Recommendation: [REDACTED] IS CURRENTLY IN CUSTODY AT THE ORANGE COUNTY JAIL FOR PC 314.1 [REDACTED] IS CURRENTLY CLASSIFIED AS A GENERAL POPULATION (GP) -5 INMATE [REDACTED] CLAIMED TO HAVE SAFETY CONCERNS IN GP HOUSING DUE TO BEING A PC 290 REGISTRANT AND REQUESTED TO BE A PROTECTIVE CUSTODY (PC) INMATE. SINCE 5/8/2010, AT THE ORANGE COUNTY JAIL [REDACTED] HAS BEEN CLASSIFIED AS A PC INMATE. DUE TO [REDACTED] HAVING SAFETY CONCERNS, REQUESTING TO BE A PC INMATE, AND PREVIOUS CLASSIFICATION AS A PC INMATE, I RECOMMEND [REDACTED] BE RECLASSIFIED AS A PC-2 INMATE, EQUIVALENT TO GP-5

Requested Classification: PC2
Created By: [REDACTED] Created Pin: [REDACTED]
Created Date: 09-29-2021 08:14 AM

Sergeant Approval

Sergeant Comment:
Approved

SYSTEMATIC AUDIT PROCESS FOR CUSTODY/RISK ASSESSMENTS AND SPECIAL POPULATION STATUS (CONT'D)



Correctional Health Services (CHS) and Population Management Unit (PMU)

CHS

- Communicates if an inmate requires specific medical or mental health accommodations and/or restrictions while housed or transported within the OCSD jail system

PMU

- Assign and coordinate the efficient and safe housing of inmates across all facilities
- Conduct periodic auditing of all housing areas to ensure proper placement and population balancing
- Perform strategic housing planning for future or emergent operational needs

The image displays two screenshots of the 'Correctional Health Services Inmate Health and Mobility Notification Form' from the Orange County Sheriff's Department. The top screenshot shows the 'SECTION 1 - INMATE INFORMATION' and 'SECTION 2 - ALERTS' sections. The bottom screenshot shows the 'SECTION 3 - ACCESSIBILITY / MEDICAL' and 'SECTION 4 - TRANSPORTATION' sections.

SECTION 1 - INMATE INFORMATION

Inmate Name: _____ Booking #: _____
 Current Housing: _____ OCN: _____

SECTION 2 - ALERTS

ACCESSIBILITY / MEDICAL

If Identified as ADA, select all that apply:

- Mobility
- Dexterity
- Hearing
- Speech
- Vision
- Cognitive/Developmental
- Learning
- Cleared (upon in Community)

Medical Alerts (Select all that apply):

- Communicable Disease
- Precautions (see 3.025A)
- Other (specify in Comments)
- Cleared (upon in Community)

MENTAL HEALTH (Select all that apply):

- Danger to Self (DTS)
- Danger to Others (DTS)
- Clearly Disabled (CD)
- Cleared

Comments: _____

SECTION 3 - ACCESSIBILITY / MEDICAL

ADA Compliant Cell/Room: Medical Unit:
 Low Bunk/ Low Tier (No Stairs): Restroom/Queue:
 Low Bunk Only: Requested Area:
 Access to Electrical Outlet:

Requested Housing Location: _____

SECTION 4 - TRANSPORTATION

By: Bus SUV Van

Prepared by (Print): _____
 Approved by (Print): _____
 2 Hour Visual Check: _____
 4 Hour Visual Check: _____

Additional Comments: _____

OCSD CLASSIFIED

Classification Interview Conducted: YES NO INCOMPLETE
 Holding Cell #: _____
 If any box is checked "NO", explain why: _____

SECTION 3 - MEDICAL

STATUS: SUC BUC

RESTRICTIONS:

- 1. No Court
- 2. No Transport
- 3. No Outside Association
- 4. No Outside Contact/Phone
- 5. No Outside Mail
- 6. No Outside Food
- 7. No Work
- 8. No Jail
- 9. No Jail
- 10. No Jail
- 11. No Jail
- 12. No Jail
- 13. No Jail
- 14. No Jail
- 15. No Jail
- 16. No Jail
- 17. No Jail
- 18. No Jail
- 19. No Jail
- 20. No Jail
- 21. No Jail
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- 43. No Jail
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- 45. No Jail
- 46. No Jail
- 47. No Jail
- 48. No Jail
- 49. No Jail
- 50. No Jail

REQUIREMENTS:

- 1. No Jail
- 2. No Jail
- 3. No Jail
- 4. No Jail
- 5. No Jail
- 6. No Jail
- 7. No Jail
- 8. No Jail
- 9. No Jail
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- 40. No Jail
- 41. No Jail
- 42. No Jail
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- 45. No Jail
- 46. No Jail
- 47. No Jail
- 48. No Jail
- 49. No Jail
- 50. No Jail

Comments: _____

SECTION 3 - MENTAL HEALTH

STATUS: SUC BUC

RESTRICTIONS:

- 1. No Court
- 2. No Transport
- 3. No Outside Association
- 4. No Outside Contact/Phone
- 5. No Outside Mail
- 6. No Outside Food
- 7. No Work
- 8. No Jail
- 9. No Jail
- 10. No Jail
- 11. No Jail
- 12. No Jail
- 13. No Jail
- 14. No Jail
- 15. No Jail
- 16. No Jail
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- 42. No Jail
- 43. No Jail
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- 50. No Jail

REQUIREMENTS:

- 1. No Jail
- 2. No Jail
- 3. No Jail
- 4. No Jail
- 5. No Jail
- 6. No Jail
- 7. No Jail
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- 50. No Jail

Comments: _____

SECTION 4 - ACCESSIBILITY

MOBILITY / DEXTERITY / SMI

REQUIRED: YES NO

HEARING / SPEECH

REQUIRED: YES NO

COGNITIVE / DEVELOPMENTAL

REQUIRES ASSISTANCE WITH: YES NO

VISION

REQUIRED: YES NO

MEDICAL SUPPLIES

REQUIRED: YES NO

Comments: _____

APPROVAL

AUTHORIZED BY: _____ DATE/TIME ISSUED: _____ / /

STAFF MEMBER SIGNATURE: _____

ON-GOING AUDIT PROCESS OF INITIAL & RECLASSIFICATION PROCESS



ORANGE COUNTY JAIL - DAILY CLASSIFICATION/HOUSING AUDIT LOG



ORANGE COUNTY SHERIFF'S DEPARTMENT



DATE REVIEWED	INMATES NAME (LAST, FIRST)	BOOKING NUMBER	CURRENT CLASSIFICATION	CLASSIFIED BY	FACILITY / SHIFT	REVIEWED BY	ACTION TAKEN	COMMENTS	CAPTAIN REVIEW
1	01/05/23		GP-5		IRC 1B		None	Classification Review	
2	01/06/23		PC-2		IRC 1B		None	Classification Review	
3	01/07/23		GP-7		IRC 1B		None	Classification Review	
4	01/11/23		GP-6		IRC 2A		Counseled/Verbal	Inconsistency in Classificaon Vs Findings/Recommendation	
5	01/11/23		PC-2		IRC 1B		None	Classification Review	
6	01/12/23		GP-4		IRC 1B		None	Classification Review	
7	01/13/23		GP-7		IRC 1B		None	Classification Review	
8	01/14/23		PC-1		IRC 1B		None	Classification Review	
9	01/14/23		PC-3		IRC 1B		None	Classification Review	
10	01/21/23		PC-2		IRC 1B		Counseled/Verbal	Missed 1 Charge/Corrected	
11	01/21/23		GP-5		IRC 1B		Counseled/Verbal	Missed 1 Charge /Corrected	
12	01/21/23		GP-5		IRC 1B		None	Classification Review	
13	01/26/23		PC-1		IRC 1B		None	Classification Review	
14	01/26/23		GP-4		IRC 1B		None	Classification Review	
15	01/27/23		GP-3		IRC 1B		None	Classification Review	
16	01/28/23		PC-AH		IRC 1B		None	Classification Review	
17	01/29/23		GP-7		IRC 1A		None	Classification Review	
18	01/29/23		PC-3		IRC 2A		None	Classification Review	
19									
20									

CCOM 1200.4:

“...Classification Sergeants shall...conduct one audit per shift of a classified inmate completed by a Classification Deputy (who reports directly to that Sergeant), for accuracy and completeness...”

SUPERVISOR ACCOUNTABILITY FOR CUSTODY ASSESSMENTS AND HOUSING ASSIGNMENTS



Classification Sergeant Responsibilities

Classification Sergeant Daily Audit Log

Since 2019: From quarterly to daily (84/m)

- One audit per shift- identify deficiencies, take *immediate* corrective action, make required notifications
- All classification levels audited during one month period per sergeant
- Results reported to Assistant Sheriff of Custody Operations

Classification Sergeant Daily Log

- Emailed to the Special Services Bureau (SSB) Captain at the end of each shift
- Revised in CCOM

ORANGE COUNTY SHERIFF'S DEPARTMENT

INTERNAL MEMO

To: Captain R. Anderson
 From:
 Date:
 RE: SSB - Classification Sergeant's Daily Log



Sir,

Please see requested items below for shift

Total Overtime Hours Consumed:

Number of Employees on Worker's Comp:

Use of Force Incidents: Associated DR #:

Classification Approvals:

Number of Inmate Disciplinary Reports Completed:

Relieved by:

Daily Classification Audit Completed:

Payroll Review Completed:

Other Comments:

Overtime Hours Consumed by Classification:

Position:	Rank:	Number of Hours:
Position:	Rank:	Number of Hours:
Position:	Rank:	Number of Hours:
Position:	Rank:	Number of Hours:
Position:	Rank:	Number of Hours:
Position:	Rank:	Number of Hours:

InTime Entry

SUPERVISOR ACCOUNTABILITY FOR CUSTODY ASSESSMENTS AND HOUSING ASSIGNMENTS



CCOM 1200:

- *OCSD personnel shall not classify, house, move, or transport any inmate in a manner that falls outside of the policies and procedures set forth in CCOM Policy 1200; Nor shall supervisors, managers, or any other ranking officials order subordinate personnel to do so. Any personnel found to be in violation of this policy will be subject to discipline.*
- *Extenuating circumstances- requires collaboration/approval of SSB Cpt. & Facility Commander for any deviation from policy. **The Assistant Sheriff of Custody Operations shall be notified as soon as practical.****
- *Documented by Facility Watch Commander*

*effective 3/22/2023

STAFF DEVELOPMENT & TRAINING



ORANGE COUNTY SHERIFF'S DEPARTMENT



Classification Training Manual

Classification Trainee: _____
 Classification Training Officer (CTO): _____
 Dates: _____

Classification Course

April 18th to 20th, 2023



SAN BERNARDINO SHERIFF

- NO FEE

REGISTRATION

email to:
 SCS Dahlia Ramos
Dramos@sbcasd.org

- DATES AND FEES SUBJECT TO CHANGE.
- MUST BE CURRENTLY EMPLOYED BY A LAW ENFORCEMENT AGENCY.
- BRING LAW ENFORCEMENT ID.

This class will be held at West Valley Detention Center Skyway Conference Room

Phone:
 909.463.5283
 E-mail:
Dramos@sbcasd.org

Course Description:

The purpose of this course is to prepare corrections personnel assigned to jail classification for the duties and tasks performed by the Centralized Classification Unit using the Classification model.



The course will provide students with the knowledge and skills needed to properly classify inmates, identify gang members/associates, provide them with an understanding of current policy, PREA, ADA, legal issues population management, work with the Jail Intelligence Team (JIT) and other factors that determine the proper classification of an inmate. This class will also provide the basic knowledge necessary to conduct criminal investigations, deal with in-custody informants and legal issues associated with jailhouse informants.

Topics Covered:

- Title 15, (Updated 2023) Policies and State/Federal case law
- Liability
- CDCR Classification (JGI)
- ADA
- Interview and Interrogation
- Gang Identification
- Classification process and Computer information
- Jail Intelligence/ 186.22

Who Should Attend?

- Safety supervisors & staff assigned to the Corrections Bureau
- Court Services
- Transportation Staff
- Allied Agency Correctional Staff

DATE(S): April 18, 19 and 20, 2023
 TIME(S): 0800 to 1700 hours
 LOCATION: WVDC Skyway Conference Room

Casual business attire and masks strictly enforced – no shorts, tanks, sandals, etc.



Orange County Sheriff's Department

Classification Course

Instructor(s)	Deputies Russell McIntosh, Gabriel Rodrigues, Isaias Galan, Brandon Ferguson
Subject	CLASSIFICATION COURSE STC
Instructional Time	24 hours
Number of Trainees	5-10
Room Set-up	Classroom style or small groups
Equipment	Computers (1 – Instructor) projector/video screen, white boards or flip-chart w/paper, markers
Training Materials	PowerPoint presentations. For each trainee: Housing Matrix, ADA handouts, J112 examples for mental health and medical, J119 examples, classification policy, RAP sheet examples, Classification Matrix
Testing	Classification of an inmate, creation of J-119,
Prepared by	Russell McIntosh, Deputy Sheriff I
Date Prepared	January 11, 2023

COURSE SUMMARY:

The purpose of this course is to prepare corrections personnel assigned to jail Classification for the duties and tasks performed by the Classification Unit. This course will provide students with the knowledge and skills needed to properly classify inmates, providing them with an understanding of policy, legal issues, population, and other factors that determine the proper classification of an inmate.

OBJECTIVES:

- 1) Discuss the history of classification and related case law.
- 2) Describe how classification directly affects the level of safety and security in a correctional facility as well as potential for lawsuits.
- 3) Demonstrate how to classify an inmate according to department policy, medical and mental health accommodations, utilizing the classification system and housing matrix.
- 4) Identify gang tattoos and properly designate gang affiliation or membership
- 5) Demonstrate how to use various computer systems for classification in accordance with department policy and state law
- 6) Discuss interview techniques as they relate to the classification process
- 7) Describe how the CDCR discipline process, previous institutional behavior, past incarceration history will affect an inmate's classification within our jails.

(1)

- Standardized on-the-job-training by qualified subject matter experts
- 24 hour STC approved course (submitted pending approval)

OCSD SPECIFIC DOJ RECOMMENDATIONS



Questions or Comments?